

# Warwick Independent Schools Foundation

Warwick Preparatory School | Warwick Junior School | King's High School | Warwick School | The Kingsley School

Foundation Principal: RICHARD NICHOLSON MA (Oxon)

## Warwick Independent Schools Foundation (WISF) Child Protection and Safeguarding Policy

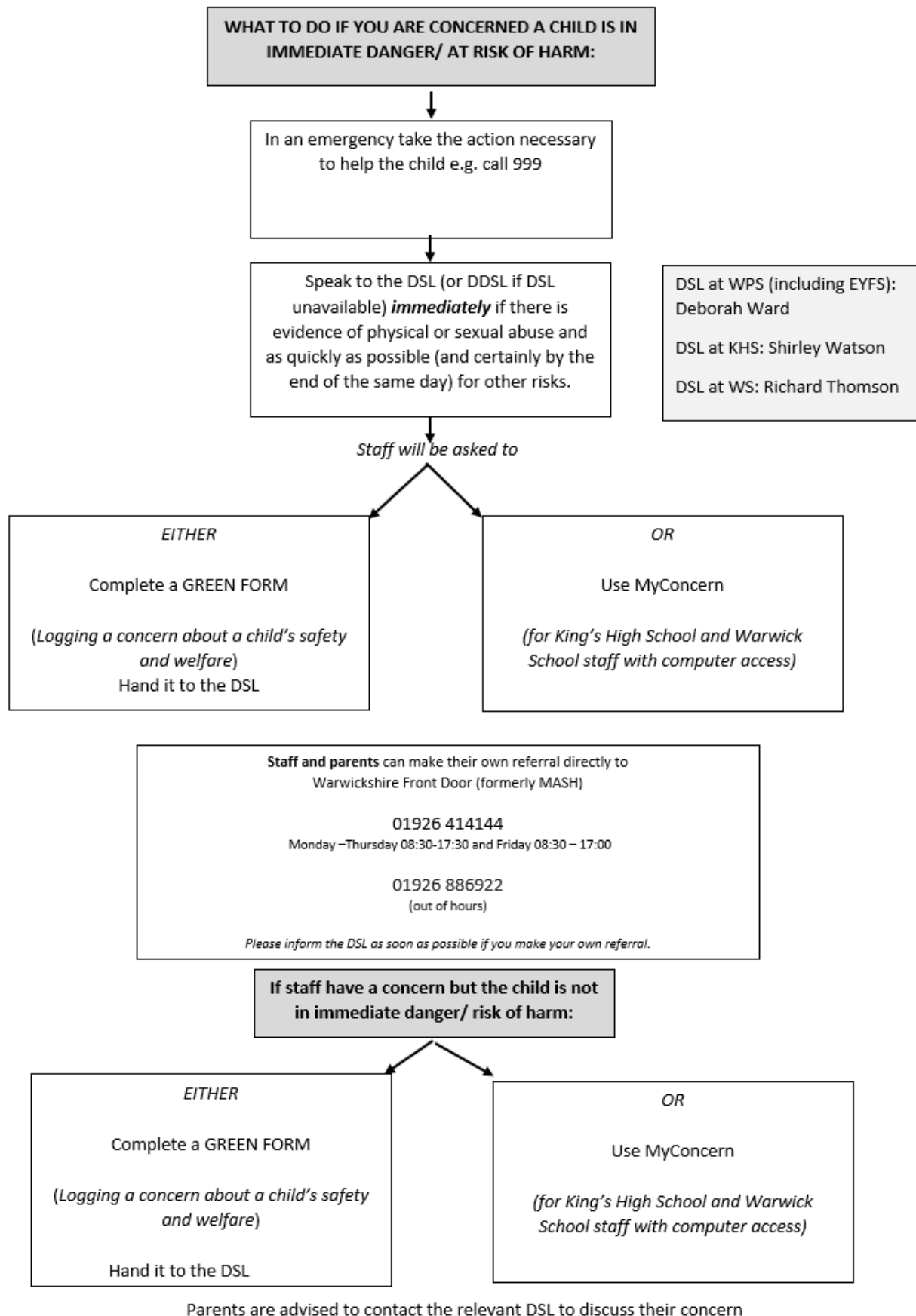
NOTE: The policy applies only to the Foundation Schools on the Myton Road Campus (Warwick School, Warwick Junior School, King's High School and Warwick Preparatory School). These are referred to as "the Foundation" or the "Schools". The Kingsley School has its own dedicated policy for Child Protection and Safeguarding.

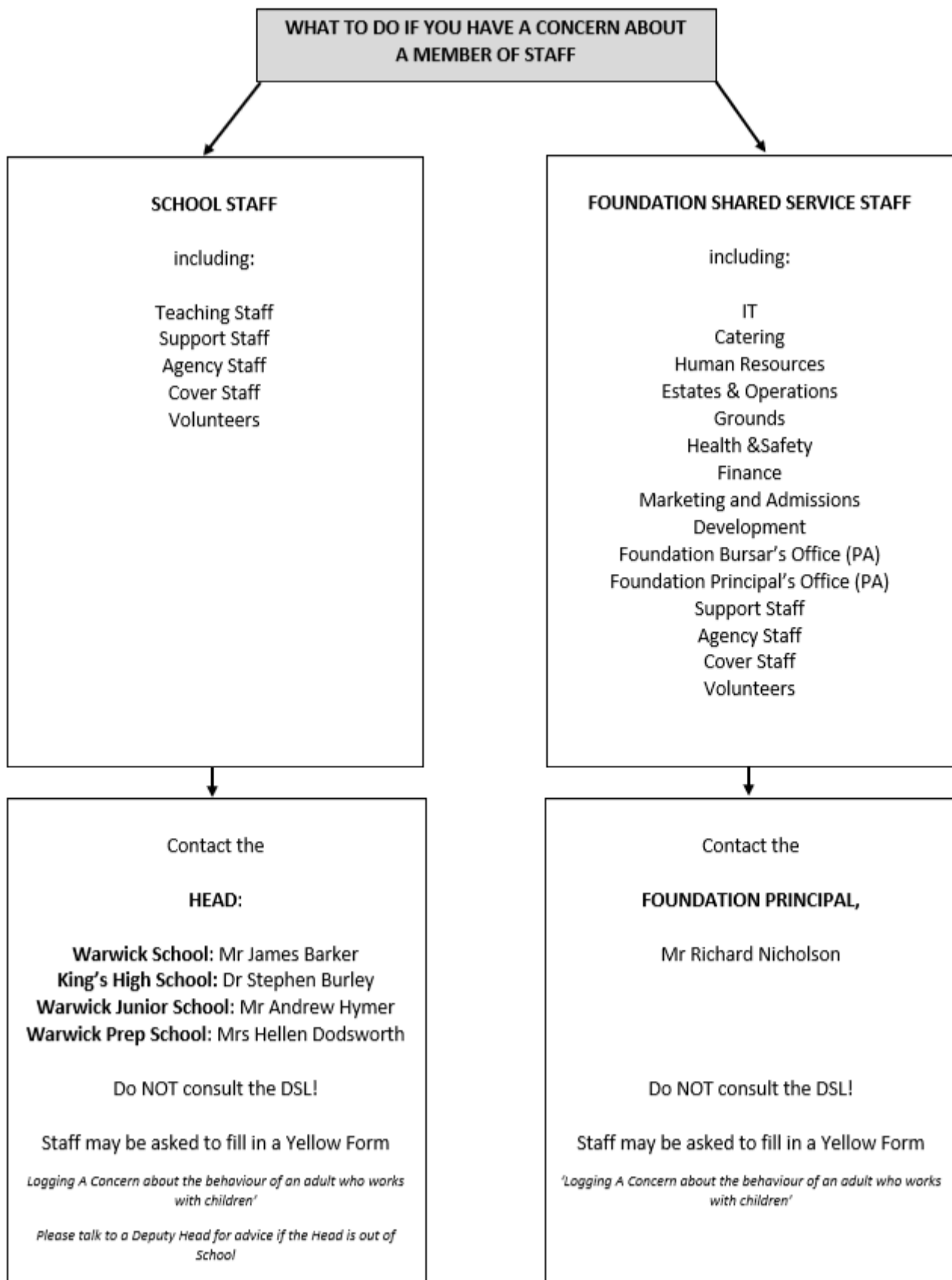
<b>Author</b>	Designated Safeguarding Leads at WISF Schools
<b>Reviewed</b>	Summer 2021
<b>Version</b>	Version 1
<b>Approval</b>	Foundation Governors' Safeguarding Committee November 2021
<b>Next Review</b>	This policy is updated throughout the year as issues emerge and evolve and to reflect lessons learnt. Full review: Autumn Term 2022

Updates over the academic year:

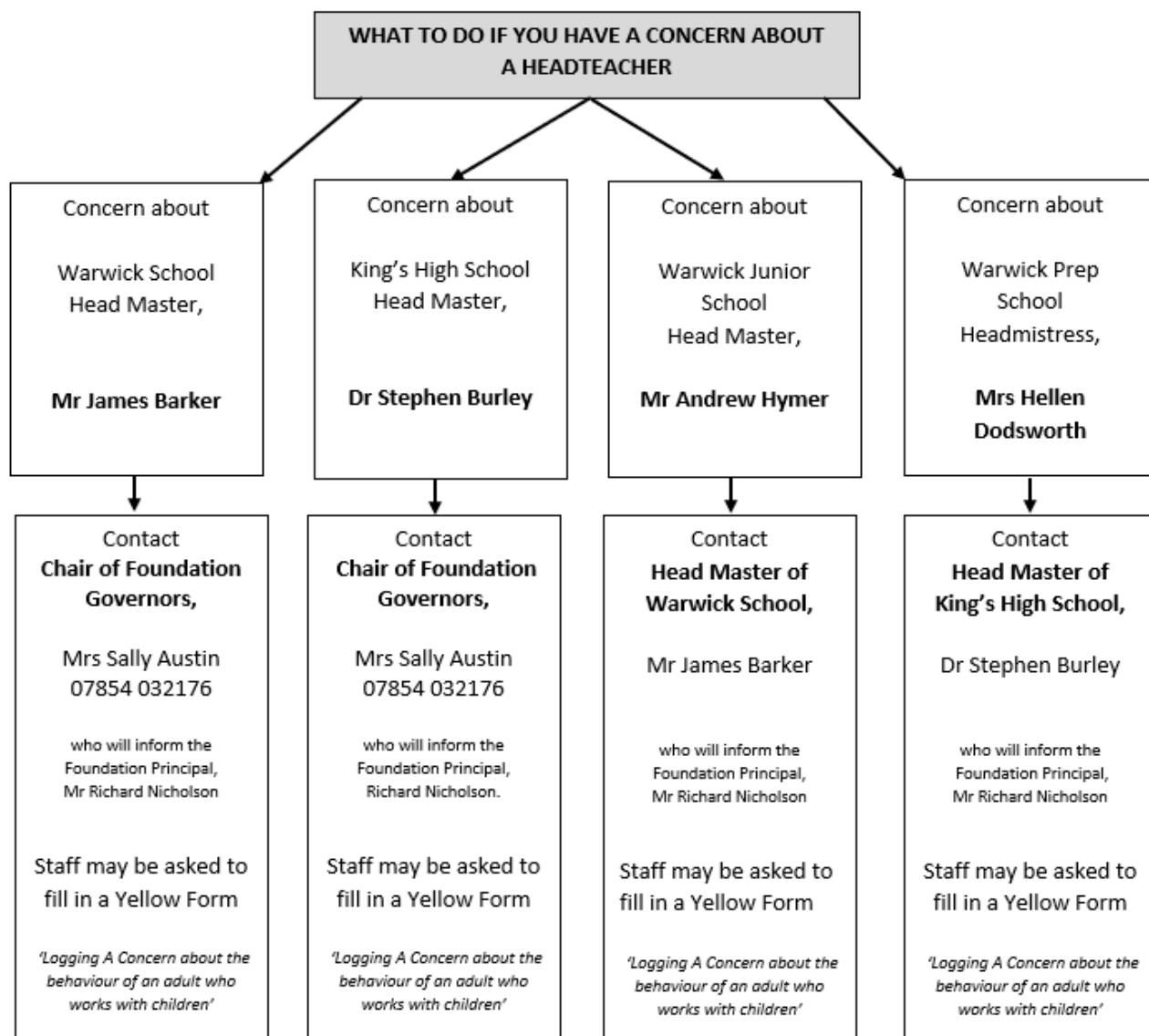
1. 2.12.21: Change to contact number for King's DSL
2. 3.1.22 Change to named DDSLs at King's
3. ....
4. ....

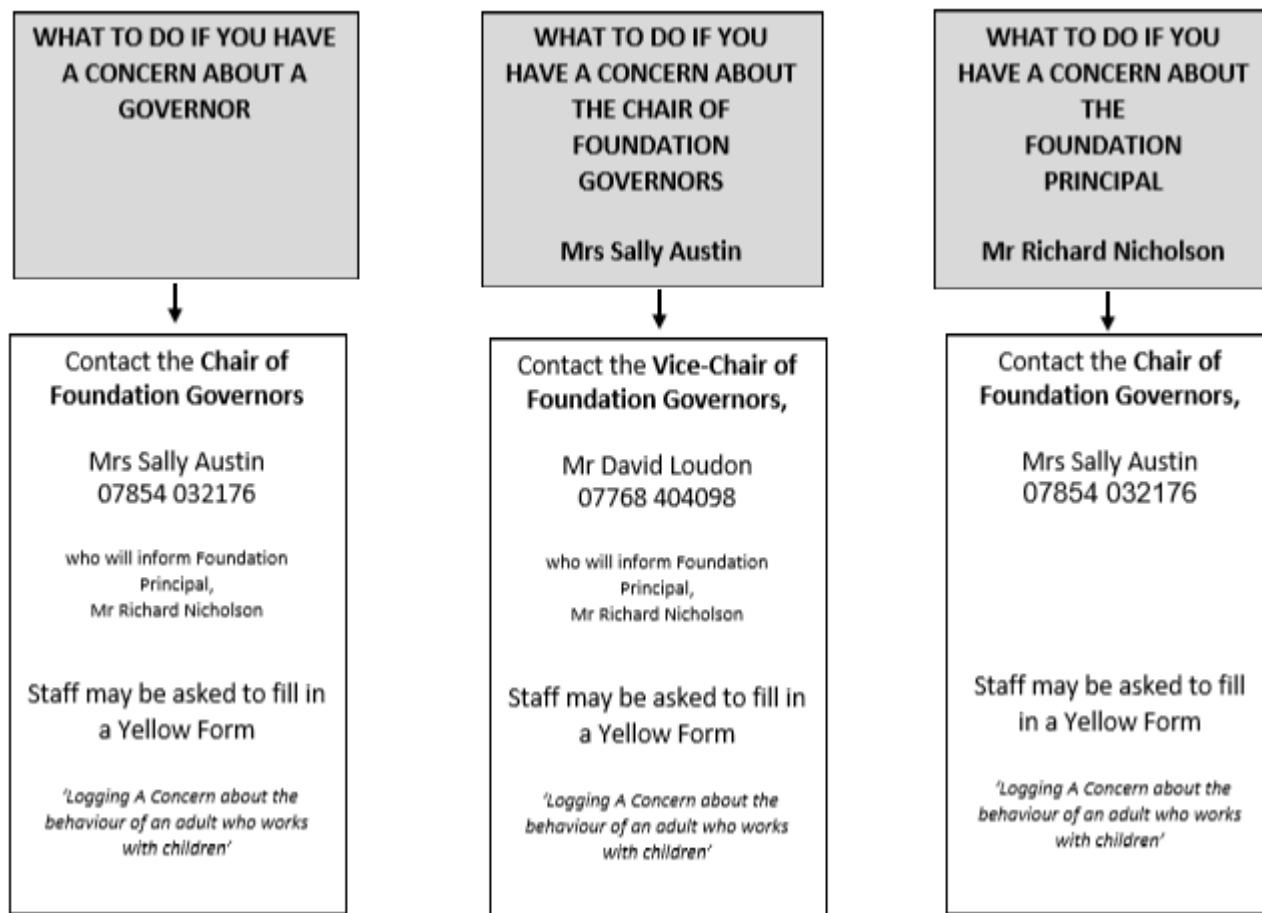
Signed Reviewed by: DSL: R.Thomson, S.Watson, D.Ward .....  
DDSL: J. Jones, G. Smeeton, H, Mellor  
Nominated governor: A.Wilson.....





*If the concern relates to a former member of staff, please refer to Section 16 for further information.*





For concerns about any member of staff, you can also:

- **Ring the Local Authority Designated Officer (LADO) 01926 745376**  
The LADO is responsible for the co-ordination of responses to allegations against people who work with children.
- **Ring the Police 999 or Warwickshire Children and Families Front Door (MASH) 01926 414144**  
This should be done if the child is at immediate risk of harm or neglect

In addition, staff can:

- **Contact the NSPCC Whistleblowing Helpline 0800 028 0285**  
or e-mail [help@nspcc.org.uk](mailto:help@nspcc.org.uk)  
This is available **for staff** who do not feel able to raise concerns regarding child protection issues internally.  
Information is also available on the NSPCC website

## KEY CONTACT NUMBERS

### Designated Safeguarding Leads

King's High School	Shirley Watson	Deputy Head Pastoral	<a href="mailto:s.watson@kingshighwarwick.co.uk">s.watson@kingshighwarwick.co.uk</a> 01926 695936
Warwick School and Warwick Junior School	Richard Thomson	Deputy Head Pastoral	<a href="mailto:r.thomson@warwickschool.org">r.thomson@warwickschool.org</a> 07896 004558
Warwick Prep School (including EYFS)	Deborah Ward	Head of Prep Department	<a href="mailto:d.ward@warwickprep.com">d.ward@warwickprep.com</a> 07778 465726

## LOCAL SAFEGUARDING PARTNERS

Police	999 101	Emergency Non Emergency
Warwickshire Children and Families Front Door (MASH)	01926 414144	Child at immediate danger of risk/harm
Warwickshire Education Lead	01926 418608	Non-emergency advice for staff
DfE Counter Extremism Helpline	020 7340 7264	Non-emergency advice for staff
FGM Helpline	0800 028 3550	Advice when FGM suspected or student is at risk of FGM
Warwickshire Family Information Service	01926 742274	Advice for parents
Local Authority Designated Officer (LADO)	01926 745376	Safeguarding concerns about a member of staff
Oxfordshire MASH	0345 050 7666	Children living in Oxfordshire
Coventry MASH	024 7678 8555	Children living in Coventry
Solihull MASH	0121 788 4300	Children living in Solihull
Northamptonshire MASH	0300 126 7000	Children living in Northamptonshire
Birmingham MASH	0121 303 1888	Children living in Birmingham

## Contents of policy

<b>Section</b>	<b>Contents</b>	<b>Page</b>
<b>1</b>	<b>Policy statement and principles</b>	10
	Child protection statement	10
	Policy principles	10
	Policy aims	11
<b>2</b>	<b>Safeguarding legislation and guidance</b>	12
<b>3</b>	<b>Roles and responsibilities</b>	13
	The Designated Safeguarding Lead	15
	The Deputy Designated Safeguarding Leads	17
	The Governing body	17
	The Head of each School	19
	Parents	20
<b>4</b>	<b>Good practice guidelines and staff code of conduct</b>	20
<b>5</b>	<b>Abuse of position of trust</b>	21
<b>6</b>	<b>Children who may be particularly vulnerable</b>	21
<b>7</b>	<b>Children with special educational needs and disabilities (SEND) and / or physical health needs and / or who have mental health needs</b>	22
<b>8</b>	<b>The Early Help 'Pathway to Change' process</b>	24
<b>9</b>	<b>Attendance</b>	26
<b>10</b>	<b>Children missing from education</b>	26
	Non-standard transition point	27
<b>11</b>	<b>Children who run away or go missing from home or care</b>	28
<b>12</b>	<b>Helping children to understand and recognise risk and identity available support</b>	28
<b>13</b>	<b>Support for pupils, families and staff involved in a child protection issue</b>	30
<b>14</b>	<b>Foundation complaints procedure</b>	30
<b>15</b>	<b>Staff reporting concerns, including both low-level concerns and allegations, about a colleague, themselves or another adult who works with children (including whistleblowing)</b>	31
<b>16</b>	<b>Managing all concerns, including low-level concerns and allegations against staff (including former members of staff)</b>	33
	A) Responding to low-level concerns	34
	B) Responding to allegations	35
<b>17</b>	<b>Staff training</b>	44
<b>18</b>	<b>Safer recruitment</b>	45
	Volunteers	47
	Supervised volunteers	47
	Contractors	47
	Visitors	47
<b>19</b>	<b>Site security</b>	47
<b>20</b>	<b>Behaviour management</b>	47
	Searching	48
<b>21</b>	<b>Record keeping</b>	48
<b>22</b>	<b>Confidentiality and information sharing</b>	49

23	<b>Extended school and off-site arrangements</b>	51
24	<b>Photography and images</b>	51
25	<b>Online safety</b>	52
	Safeguarding pupils in online learning and communication between staff and pupils	54
26	<b>Child protection procedures</b>	55
	Recognising abuse	55
	Physical abuse	55
	Emotional abuse	55
	Sexual abuse	56
	Neglect	56
	Indicators of abuse	56
	Impact of abuse	57
	Taking action	57
	If a member of staff or volunteer is concerned about a pupil's welfare	57
	If a pupil discloses to a member of staff or volunteer	58
	Notifying parents	59
27	<b>Making a referral to Children's Social Care</b>	60
	Statutory assessments	60
28	<b>Submitting child protection referrals</b>	60
29	<b>Staff reporting directly to child protection agencies</b>	61
30	<b>What will Children's Social Care do?</b>	61
31	<b>Bullying, peer on peer abuse and harmful sexual behaviour</b>	62
	Peer on peer abuse, sexual violence and harassment	64
	What is sexual violence and sexual harassment?	64
	Minimising the risk of sexual violence and sexual harassment within the Foundation through a planned curriculum	65
	How the Schools will respond to reports of sexual violence and sexual harassment	66
	Risk assessment	66
	Action following a report of sexual violence and/or sexual harassment – what to consider	66
	Children sharing a classroom	67
	Responding to the report	67
	Subsequent considerations	69
	Youth produced sexual imagery ('sexting')	70
32	<b>Serious violence</b>	73
33	<b>Contextual safeguarding</b>	73
34	<b>Child sexual exploitation and child criminal exploitation</b>	73
	County lines	76
35	<b>So-called 'honour-based' abuse</b>	76
	Female genital mutilation	76
	Forced marriage	77
36	<b>Protecting children from radicalisation and extremism</b>	78
37	<b>Children who are looked after, were previously looked after or who have a social worker</b>	79
	Children with a social worker	79
	Care leavers	80
38	<b>Private fostering arrangements</b>	80
39	<b>Related safeguarding portfolio policies</b>	80
40	<b>Domestic abuse</b>	81
41	<b>Homelessness</b>	82



<b>42</b>	<b>Special circumstances</b>	<b>82</b>
	Alternative provision	82
	Work experience	82
	Children staying with host families	83
	Boarding schools, residential special schools, residential colleges and children's homes	83
	Children and the court system	84
	Children with family members in prison	84
<b>43</b>	<b>Modern slavery</b>	<b>85</b>
<b>44</b>	<b>Cybercrime</b>	<b>85</b>
<b>45</b>	<b>Child abduction and community safety incidents</b>	<b>85</b>
<b>46</b>	<b>Monitoring, evaluation and review of policy and procedures</b>	<b>86</b>
	What to do if you have a concern about safeguarding practices - escalation	86
	<b>Appendices</b>	<b>87</b>
	1. Logging a concern about a child on MyConcern	87
	2. GREEN FORM for logging a concern about a child	88
	3. YELLOW FORM for logging a concern about a member of staff/adult	90
	4. Standards for effective child protection practice in school	92
	5. Suggested wording for information about child protection and safeguarding to be included in school documentation	94

## **1. Policy statement, values and principles**

The Foundation fully recognises the responsibility it has to safeguard children and staff. Each of the Foundation schools recognises the importance of maintaining a culture of safety, equality and protection. This policy is one of a series in the Foundation's integrated safeguarding portfolio. All staff, including governors and visitors, have a duty of care to safeguarding and must have an active role in protecting children and ensuring that the Foundation is a safe, stimulating environment in which to learn. The best interests of the child must always be taken into consideration and appropriate action taken to enable all children to have the best outcomes.

The Foundation's safeguarding arrangements are inspected by Independent Schools Inspectorate under the judgements for leadership & management and also impact the judgement on the personal development, behaviour and welfare of children and learners. This policy is available on each School's website and all staff and volunteers are required to read it and confirm they have done so in writing before commencing work in the Foundation.

### **Child protection statement**

We recognise our moral and statutory responsibility to safeguard and promote the welfare of all pupils to enable them all to achieve the best outcomes. We endeavour to provide a safe and welcoming environment where children are respected, actively listened to and valued. We are alert to the signs of abuse and neglect and follow our procedures to ensure that children receive effective support, protection and justice. The procedures contained in this policy apply to all staff, volunteers and governors and are consistent with statutory guidance and those of the locally agreed multi-agency safeguarding arrangements put in place by Warwickshire Safeguarding (WS).

### **Policy principles**

- Safeguarding is everyone's responsibility. All practitioners regardless of their role are, professionally accountable for their actions and decision making in relation to keeping children safe.
- All DSLs should access Warwickshire's Early Help 'Pathway to Change' training.
- The Foundation's responsibility to safeguard and promote the welfare of children is of paramount importance.
- All children, regardless of age, gender, ability, culture, race, language, religion or sexual identity, have equal rights to protection.
- Children who are safe and feel safe are better equipped to learn and will achieve the best outcomes.
- This Foundation is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment. All adults in the Foundation are required to take all welfare concerns seriously and to encourage children and young people to talk to them about anything that worries them.

- Due to their day-to-day contact with pupils, staff in each School are uniquely placed to observe changes in children's behaviour and the outward signs of abuse, neglect, exploitation and radicalisation. Children may also turn to a trusted adult in School when they are in distress or at risk. It is vital that **all** School staff are alert to the signs of abuse, are approachable and trusted by students, listen actively to children and understand the procedures for reporting their concerns. Each School will act on identified concerns and will provide initial help to prevent concerns from escalating.
- All staff have an equal responsibility to act on any suspicion or disclosure that may suggest a child is at risk of harm at home, in the community or in school.
- The Foundation is committed to creating an environment where staff feel able to raise any concerns and feel supported in their safeguarding role.
- All staff members will maintain an attitude of 'It could happen here' where safeguarding is concerned. When concerned about the welfare of a child, staff members should always act in the interests of the child.
- If, at any point, there is a risk of immediate serious harm to a child a referral will be made to Children's Social Care and/or the Police immediately. Anybody can make a referral. If the child's situation does not appear to be improving, any staff member with concerns should press the Designated Safeguarding Lead (DSL) for re-consideration.
- If a member of staff remains concerned about a child, they can discuss their concerns with the Head, another DSL or contact the Children and Families Front Door (previously known as MASH) Education Lead for additional advice as necessary 01926 414144.
- Pupils and staff involved in child protection issues will receive appropriate support.

This policy will reference online abuse and abuse that will take place in person, please be aware that they are not mutually exclusive, and children can experience these types of abuse simultaneously. This policy will also refer to harassment. Harassment is determined legally as behaviour from one person towards at least one other which is intended to cause alarm or distress. Sexual harassment is meant, in the context of this policy, as unwanted conduct of a sexual nature, whether occurring online or offline.

This policy will be reviewed at least annually unless an incident; new legislation or guidance suggests the need for an interim review. Representatives of the whole Foundation community of pupils, parents, staff, volunteers and governors will be involved in reviewing, shaping and developing the Foundation's safeguarding arrangements and child protection policy.

### **Policy aims**

- To promote the safety and well-being of pupils at each School;
- To provide all staff with the necessary information to enable them to meet their safeguarding and child protection responsibilities;
- To ensure consistent good practice;
- To demonstrate the school's commitment with regard to safeguarding and child protection to pupils, parents and other partners;
- To contribute to the school's safeguarding portfolio.

## Terminology

**Safeguarding** and promoting the welfare of children refers to the process of protecting children from maltreatment; preventing the impairment of children's mental and physical health or development; ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and taking action to enable all children to have the best outcomes.

**Child protection** refers to the processes undertaken to protect children who have been identified as suffering or at risk of suffering significant harm.

**Staff** refers to all those working for or on behalf of the Foundation, full-time or part-time, temporary or permanent, in either a paid or voluntary capacity.

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

**Parent** refers to birth parents and other adults who are in a parenting role, for example step-parents, foster carers and adoptive parents.

## 2. Safeguarding legislation and guidance

The Foundation recognises the responsibility it has under Section 157 of the Education Act 2002 and the Education (Independent School Standards) Regulations 2014 requiring proprietors of independent schools to have arrangements to safeguard and promote the welfare of children who are pupils at the school.

- The **Teachers' Standards 2013** state that teachers, including Heads, must have regard for the need to safeguard pupils' well-being, in accordance with statutory provisions; and uphold public trust in the teaching profession as part of their professional duties.
- The statutory guidance **Working Together to Safeguard Children (2018 and updated 2020)** covers the legislative requirements and expectations of individual services (including schools and colleges) to safeguard and promote the welfare of children. It also provides the framework for the three local safeguarding partners (the local authority; a clinical commissioning group for an area, any part of which falls within the local authority; and the chief officer of Police for a Police area, any part of which falls within the local authority area) to make arrangements to work together to safeguard and promote the welfare of local children including identifying and responding to their needs. The guidance references non statutory advice about **Information Sharing (2018)**. The guidance confirms that it applies, in its entirety, to all schools.
- The statutory guidance **Keeping Children Safe in Education (2021) (KCSIE)** is issued under **Section 175 of the Education Act (2002)** and the **Education (Independent School Standards) Regulations (2014)**. Schools and colleges must have regard to this guidance when carrying out their duties to safeguard and promote the welfare of children. Unless otherwise stated, 'school' in this guidance means all schools, whether maintained, non-maintained or independent, including academies and free schools, alternative provision academies, maintained nursery schools and pupil referral units. **KCSIE (2021)** incorporates the additional statutory guidance, **Disqualification under the Childcare Act 2006 (September 2018)**. **KCSIE (2021)** also refers to the non-statutory advice for practitioners (everyone who works with children) to identify abuse and neglect and take appropriate action: **What to do if you're worried a child is being abused (March 2015)**. **KCSIE (2021)** refers also to **When to call the police**, non-statutory guidance from the National Police Chiefs' Council.

- All staff and volunteers must read **Part One or Annex A** (as determined by the DSL) of **Keeping Children Safe in Education (2021)**. Staff can find a copy of **KCSIE (2021)** in the staff room or staff area of the Schools and at Reception and receive a copy as part of their induction and at least annually thereafter. In addition, all staff who work directly with children (e.g. senior management/leadership teams, teaching assistants, lunchtime supervisors, pastoral support staff) must also read **Part Five and Annex B of KCSIE (2021)**.
- All staff are required annually to complete an electronic form stating that they have read the relevant safeguarding documentation (including the WISF Child Protection Policy and relevant parts of the most recent KCSIE) Staff are also required to answer questions which demonstrate understanding.
- The statutory guidance for teaching **Relationships and Sex Education** (2019) informs teaching of safeguarding in each of the School's PSHEE provision and is detailed in separate policies.
- Following the statutory **Prevent Duty Guidance** for England and Wales, issued in the **Counter-Terrorism and Security Act (2015)**, Foundation policies and procedures have "due regard to the needs to prevent people from being drawn into terrorism", with particular reference to the **Prevent Duty: Departmental advice for schools and childminders, (June 2015)** (paragraphs 57–76). In addition, the **Use of Social Media for Online Radicalisation (July 2015)** advice is followed.

### 3. Roles and responsibilities

#### Key personnel

The designated and deputy designated safeguarding leads (DSL & DDSL) at each of the Foundation Schools are as follows:

#### King's High DSL and DDSLs

DSL	Shirley Watson	Deputy Head Pastoral	<a href="mailto:s.watson@kingshighwarwick.co.uk">s.watson@kingshighwarwick.co.uk</a> 01926 695936
DDSL	Lisa Whittington	Director of Wellbeing, Values and Skills	<a href="mailto:l.whittington@kingshighwarwick.co.uk">l.whittington@kingshighwarwick.co.uk</a>
DDSL	Elizabeth Lees	Head of Key Stage 3	<a href="mailto:e.lees@kingshighwarwick.co.uk">e.lees@kingshighwarwick.co.uk</a>
DDSL	Una Birbeck	Head of Key Stage 4	<a href="mailto:u.birbeck@kingshighwarwick.co.uk">u.birbeck@kingshighwarwick.co.uk</a>
DDSL	Celia Tedd	Head of Sixth Form	<a href="mailto:c.tedd@kingshighwarwick.co.uk">c.tedd@kingshighwarwick.co.uk</a>

#### Warwick Prep School DSL and DDSL

DSL (including for EYFS)	Deborah Ward	Head of Prep Department	<a href="mailto:d.ward@warwickprep.com">d.ward@warwickprep.com</a> 07778 465726
DDSL (including for EYFS)	Gillian Smeeton	Head of Pre-Prep Department	<a href="mailto:g.smeeton@warwickprep.com">g.smeeton@warwickprep.com</a>

**Warwick Prep follows the Arrangements for Early Years Foundation Stage (EYFS) outlined in Keeping Children Safe in Education (September 2021)**  
**Warwick School DSL and DDSLs**

Senior School:

DSL(including for EYFS at WJS)	Richard Thomson	Deputy Head Pastoral	<a href="mailto:r.thomson@warwickschool.org">r.thomson@warwickschool.org</a> 07896004558
DDSL	Vicky Bell	Head of Sixth Form	<a href="mailto:v.bell@warwickschool.org">v.bell@warwickschool.org</a>
DDSL	Brian Davies	Head of Upper School	<a href="mailto:b.davies@warwickschool.org">b.davies@warwickschool.org</a>
DDSL	Keith Davenport	Head of Middle School	<a href="mailto:k.davenport@warwickschool.org">k.davenport@warwickschool.org</a>
DDSL	Pete Walker	Head of Year 7	<a href="mailto:p.walker@warwickschool.org">p.walker@warwickschool.org</a>
DDSL	David Bull	Boarding Housemaster	<a href="mailto:d.bull@warwickschool.org">d.bull@warwickschool.org</a>

Warwick Junior School:

DSL (including for EYFS)	Richard Thomson	Deputy Head Pastoral	<a href="mailto:r.thomson@warwickschool.org">r.thomson@warwickschool.org</a> 07896004558
DDSL (including for EYFS)	Heather Mellor	Acting Deputy Head	<a href="mailto:h.mellor@warwickschool.org">h.mellor@warwickschool.org</a>
DDSL (including for EYFS)	Andrew Hymer	Headmaster	<a href="mailto:a.hymer@warwickschool.org">a.hymer@warwickschool.org</a>

**Other staff trained to undertake the functions of the DSL are:**

**King's High:**

Stephen Burley (Head Master)	<a href="mailto:s.burley@kingshighwarwick.co.uk">s.burley@kingshighwarwick.co.uk</a>
Emma Williams (School Counsellor)	<a href="mailto:e.williams@kingshighwarwick.co.uk">e.williams@kingshighwarwick.co.uk</a>
Charlotte Murphy (Teacher of French)	<a href="mailto:c.murphy@kingshighwarwick.co.uk">c.murphy@kingshighwarwick.co.uk</a>
Cat Price (Staff Mentor/ Director of Drama)	<a href="mailto:c.price@kingshighwarwick.co.uk">c.price@kingshighwarwick.co.uk</a>

**Warwick Preparatory School:**

Hellen Dodsworth (Headmistress)	<a href="mailto:h.dodsworth@warwickprep.com">h.dodsworth@warwickprep.com</a>
Dee Alder (Deputy Head)	<a href="mailto:d.alder@warwickprep.com">d.alder@warwickprep.com</a>

**Warwick School:**

James Barker (Headmaster)	<a href="mailto:head@warwickschool.org">head@warwickschool.org</a>
Simon Chapman (Senior Deputy Head)	<a href="mailto:s.chapman@warwickschool.org">s.chapman@warwickschool.org</a>
Kim Wyatt (Dep. Head Teaching & Learning)	<a href="mailto:k.wyatt@warwickschool.org">k.wyatt@warwickschool.org</a>
Helen Leaf (SEN Specialist in Mental Health)	<a href="mailto:h.leaf@warwickschool.org">h.leaf@warwickschool.org</a>
Alex Wilson (Pastoral Support Manager)	<a href="mailto:a.wilson@warwickschool.org">a.wilson@warwickschool.org</a>
Kate Poole (Assistant Head of Sixth Form)	<a href="mailto:k.poole@warwickschool.org">k.poole@warwickschool.org</a>
James Soper (Foundation Chaplain)	<a href="mailto:j.soper@warwickschool.org">j.soper@warwickschool.org</a>
Claire Martindale (School Nurse)	<a href="mailto:c.martindale@warwickschool.org">c.martindale@warwickschool.org</a>

**Shared Services**

Jayne Jones (Head of HR)	<a href="mailto:j.jones@warwickschools.co.uk">j.jones@warwickschools.co.uk</a>
--------------------------	--

**The nominated Safeguarding/Child Protection Governor is:**

Mrs Anne Wilson	<a href="mailto:An.Wilson@warwickschools.co.uk">An.Wilson@warwickschools.co.uk</a>
-----------------	--

**The nominated Deputy Safeguarding/Child Protection Governor is:**

Mrs Joanna Broughton	<a href="mailto:J.Broughton@warwickschools.co.uk">J.Broughton@warwickschools.co.uk</a>
----------------------	--

**The Heads of the Foundation Schools are as follows:**

King's High – Dr Stephen Burley	<a href="mailto:s.burley@kingshighwarwick.co.uk">s.burley@kingshighwarwick.co.uk</a>
Warwick School – Mr James Barker	<a href="mailto:j.barker@warwickschool.org">j.barker@warwickschool.org</a>
Warwick Prep – Mrs Hellen Dodsworth	<a href="mailto:h.dodsworth@warwickprep.com">h.dodsworth@warwickprep.com</a>
Warwick Junior School – Mr Andrew Hymer	<a href="mailto:a.hymer@warwickschool.org">a.hymer@warwickschool.org</a>

**The Foundation Principal is:**

Mr Richard Nicholson	<a href="mailto:r.nicholson@warwickschools.co.uk">r.nicholson@warwickschools.co.uk</a>
----------------------	--

All Foundation DSLs are members of the Senior Leadership Team of their respective school. They will co-ordinate child protection arrangements, ensure that there are appropriate cover arrangements and disseminate that information accordingly.

DDSLs receive the same training (in line with Warwickshire County Council requirements) as DSLs and are able to cover if the DSL is absent. Each School has a number of trained DDSLs to ensure cover is always available within the setting including during the Covid-19 pandemic.

**a. The Designated Safeguarding Lead (DSL)**

The DSLs fulfil the same responsibilities at each of the Schools. Each DSL is a senior member of staff from the school's leadership team and therefore has the status and authority within the School to carry out the duties of the post, including committing resources and supporting and directing other staff. The DSL has responsibility for safeguarding and child protection, including e-safety and online safety throughout the school. The DSL:

- Is responsible for managing referrals and is expected to:
  - Refer cases of suspected abuse to the local authority Children's Social Care) or the Police as required; [NPCC - When to call the police guidance](#)
  - Support staff who make referrals to local authority children's social care and ensure they do everything they can to support social workers when Children's Social Care become involved;
  - Refer cases to the Channel programme where there is a radicalisation concern as required;
  - Support staff who make referrals to the Channel programme;
  - Refer cases where a person is dismissed or left due to risk/harm to a child to the Disclosure and Barring Service as required; and
  - Refer cases where a crime may have been committed to the Police as required.
- Works with others, including:
  - liaising with the Head to inform them of issues especially ongoing enquiries under section 47 of the Children Act 1989 and police investigations;
  - liaising as required with the Case Managers and the designated officer(s) at the local authority for child protection concerns (all cases which concern a staff member);
  - liaising with staff on matters of safety and safeguarding and when deciding whether to make a referral by liaising with relevant agencies;
  - acting as a source of advice, support, and expertise for staff and being available during term time (during school hours) for staff in their School to discuss any safeguarding concerns. A DSL/DDSL is available at least via telephone or other media during all out-of-school and out-of-term time activities. Each School makes adequate arrangements for how advice can be sought during holiday periods. A senior manager, Warwickshire Children and Families Front Door or the Police should be contacted in the unlikely event that a DSL/DDSL cannot be contacted.
  - working with other agencies including the relevant statutory and voluntary agencies including the local safeguarding partnership.
- Undertakes training in line with Warwickshire Safeguarding's recommendations:

- to provide them with the knowledge and skills required to carry out the role – this training should be updated at least every two years;
  - to have a working knowledge of relevant national guidance in respect of all specific safeguarding issues highlighted in sections 31-54 (pages 11-16) and Annex B (pages 125) of **Keeping Children Safe in Education (2021)** ensuring that all staff receive necessary training, information and guidance;
  - in Prevent awareness and internet safety;
  - to continue to keep their knowledge and skills refreshed (this might be via e-bulletins, meeting other designated safeguarding leads, or simply taking time to read and digest safeguarding developments) at regular intervals, as required, but at least annually, to allow them to understand and keep up with any developments relevant to their role so they:
    - understand the assessment process for providing Early Help 'Pathway to Change' intervention, for example, through locally agreed common and shared assessment processes such as Early Help 'Pathway to Change' assessments;
    - can attend and/or contribute to child protection conferences, strategy meetings and multi- agency sexual exploitation (MASE) meetings;
    - ensure each member of staff has access to and understands the School's child protection policy and procedures, especially new and part time staff;
    - are alert to the specific needs of children in need, those with special educational needs; children who are looked after or were previously looked after; and young carers and oversees the provision of effective pastoral support;
    - are able to keep detailed, accurate, and secure written records of concerns and referrals;
    - understand and support the School with regards to the requirements of the Prevent duty and is able to provide advice and support to staff on protecting children from the risk of radicalisation;
    - understands, and has overarching responsibility for the School with regards to promoting online and digital safety.
- Notifies Children's Social Care if a child with a child protection plan is absent for more than two days without explanation;
  - Obtains access to resources and attends any relevant or refresher training courses;
  - Encourages a culture of listening to children and taking account of their wishes and feelings, among all staff, in any measures the school or college may put in place to protect them;
  - Raises awareness through:
    - ensuring the School's child protection policies are known, understood and used appropriately;
    - ensuring the School's child protection policy is reviewed annually (as a minimum) and the procedures and implementation are updated and reviewed regularly, working with governing body regarding this; and
    - ensuring the child protection policy is available publicly and parents are aware of the fact that referrals about suspected abuse or neglect may be made and the role of the school in this;
    - linking with Warwickshire Safeguarding to make sure staff are aware of training opportunities and the latest local policies on safeguarding;
    - helping to promote educational outcomes by sharing the information about the welfare, safeguarding and child protection issues that children, including children with a social worker, are experiencing, or have experienced, with teachers and leadership staff. Also, supports teaching staff to identify the challenges that children in this group might face and the additional academic support and adjustments that they could make to best support these children.
  - Manages the Child Protection file and, where children leave the School, ensures their child protection file is transferred to the new school or college as soon as possible. This should



be transferred separately from the main pupil file, ensuring secure transit and confirmation of receipt should be obtained. If the child is the subject of an open case to Children's Social Care, the pupil's social worker is also informed. In addition to handing over any Child Protection file, contact with the new school is sought by the DSL so suitable safeguarding arrangements can be put in place in advance of the pupil starting the school so that key staff such as the SENCO are aware of the needs.

- Is responsible for Internet Safety
- Ensures that the relevant Head is aware of the responsibility under **Working Together to Safeguard Children (2018)** to refer all allegations that a child has been harmed by or that children may be at risk of harm from a member of staff or volunteer to the Local Authority Designated Officer (LADO) within **one working day** prior to any internal investigation; and promptly to the Disclosure and Barring Service (DBS) as appropriate.
- Acts as Case Manager in the management of allegations concerning members of staff and volunteers, as directed by the relevant Head.
- Makes verbal and written reports as required to the Governing Body, each term, with a full, overarching review annually.
- In addition, the DSLs from each School meet at least termly with the designated Safeguarding Governor. DSLs liaise with the designated Safeguarding Governor in preparing the formal annual review to the Governing Body.

#### **b. The Deputy Designated Safeguarding Leads**

The Deputy Designated Safeguarding Leads are appropriately trained to the same level as the DSL and support the DSL with safeguarding matters as appropriate. In the absence of the DSL, the DDSLs carry out those functions necessary to ensure the ongoing safety and protection of pupils. In the event of the long-term absence of the DSL, the deputy will assume all of the functions above.

#### **c. The Governing Body**

The Governing body must ensure that they comply with their duties under legislation and have due regard to the **KCSIE (2021)** guidance to ensure that the policies, procedures and training is effective and complies with the law at all times. In addition, they should ensure that appropriate policies and procedures are put in place in order for appropriate action to be taken in a timely manner to safeguard and promote children's welfare.

They will ensure that each of the Schools:

- appoints a Designated Safeguarding Lead who is a member of the senior leadership team and who has undertaken training in inter-agency working, in addition to basic child protection training. These staff are listed above.
- appoints a Deputy Designated Safeguarding Lead (DDSL).
- ensures that the DSL role is explicit in the role holder's job description.
- has a child protection policy and procedures, including a staff code of conduct policy, that are;
  - consistent with the requirements of Warwickshire Safeguarding (WS).
  - and statutory requirements (understanding and reflecting the assessment protocols, threshold documentation and the need to supply information as requested),
  - reviewed annually and
  - made available publicly on each School's website and by other means on request.
- has procedures for dealing with allegations of abuse made against members of staff and volunteers including allegations made against the Head and allegations against other children.
- follows safer recruitment procedures that include statutory checks on staff suitability to work with children and disqualification by association regulations.

- develops a training strategy that ensures:
  - on induction all staff, including the Head, receive:
  - information about the School's safeguarding arrangements,
  - information about staff code of conduct (behaviour) policy,
  - information about the pupil behaviour policy,
  - information about online safety,
  - information about safeguarding response to children missing from education,
  - information about the roles of the DSL and DDSL,
  - appropriate child protection training, which is regularly updated in line with any requirements of Warwickshire Safeguarding
  - that the DSL and DDSLs receive refresher training at two-yearly intervals.
- ensures that all staff, including temporary staff and volunteers, are provided with copies of or access to the Foundation's Child Protection and Safeguarding Policy and Staff Code of Conduct Policy before they start work at the school.
- ensures that all temporary staff and volunteers are made aware of the school's arrangements for child protection including the Staff Code of Conduct Policy.
- appoints a designated teacher to promote the educational achievement of children who are looked after by the Local Authority and ensures that the designated teacher has appropriate training.
- ensures that the school contributes to inter-agency working and plans in line with Working Together to Safeguard Children (2018), where school will work with social care, the police, the health services and other services to promote the welfare of children, offering where possible a co-ordinated offer of the Early Help 'Pathway to Change'.
- recognises the need to share information (through inter-agency working) and that the Data Protection Act 1998 should not stand in the way of promoting the welfare and protect the safety of children. Therefore, it is important to share information between professionals and local agencies as part of meeting a child's needs and this is also vital for identifying and preventing child sexual exploitation.
- participates in the Early Help 'Pathway to Change' process and offers to initiate the Early Help 'Pathway to Change' for pupils/students with additional needs.
- teaches pupils about safeguarding, including how to keep themselves safe at all times (including online safety) as part of a broad and balanced curriculum.
- has appropriate safeguarding responses in place for those children who go missing from education, particularly on repeat occasions, to help identify the risk of abuse and neglect including sexual abuse or exploitation and to help prevent the risk of those going missing in the future.
- passes any information held by the schools to the Disclosure and Barring Service when requested.
- gives staff the skills, knowledge and understanding necessary to keep children who are looked after by a local authority safe.

In addition:

- Allegations against the Head Master of Warwick School / Head of King's High School should be reported immediately, and without first informing the Head against whom the allegation is made, to the Chair of Foundation Governors: Mrs Sally Austin (07854 032176), who will also inform the Principal, Mr Richard Nicholson.
- It is the responsibility of the Governing Body to ensure that the Foundation's safeguarding, recruitment and managing allegations procedures take into account the procedures and practice of the local authority, local safeguarding partnership and national guidance.
- Whilst being mindful that safeguarding duties remain the responsibility of the Governing Body as a whole, Mrs Anne Wilson has been appointed as the governor with particular responsibility for safeguarding arrangements (including those for

Children Looked After). The safeguarding governor and the deputy safeguarding governor receive DSL training and refresher training in line with that provided to the DSL.

- The Foundation Governor School Committees receive regular (at least termly) reports on their respective School's child protection policies and processes, and the full board of Foundation Governors receives a report annually.
- Safeguarding incidents are regularly reviewed by the safeguarding governor in line with bullying and behaviour incidents.
- An annual report, using an audit pro forma provided by the local authority, will be submitted to Warwickshire Safeguarding about how the governing body's duties have been carried out. Any weaknesses will be rectified without delay. This local authority audit is also submitted to the full board of Foundation Governors.
- In addition, the Governor with specific responsibility for Child Protection undertakes questionnaire interviews with staff to check their understanding of their child protection responsibilities and also meets termly with the DSLs and undertakes an annual audit that child protection procedures are being carried out.

**d. The Head of each School:**

- ensures that the child protection policy and procedures are understood and implemented by all staff;
- allocates sufficient time, training, support and resources, including cover arrangements when necessary, to enable the DSL and DDSL(s) to carry out their roles effectively, including the assessment of pupils and attendance at strategy discussions and other necessary meetings;
- supports the designated teacher for looked after children to promote the educational achievement of any pupils who are looked after by the Local Authority and who have left care through adoption, special guardianship or child arrangement orders or who were adopted from state care outside England and Wales;
- ensures that all staff have the skills, knowledge and understanding necessary for keeping looked after and previously looked after children safe;
- ensures that all staff feel able and are encouraged to raise concerns about poor or unsafe practice and that such concerns are handled sensitively and in accordance with the whistleblowing procedures;
- ensures that the culture of the School supports the provision of effective pastoral care and initial help;
- ensures that staff do everything they can to support social workers when Children's Social Care become involved;
- ensures that pupils are provided with opportunities throughout the curriculum to learn about safeguarding, including keeping themselves safe at all times including online as part of a broad and balanced curriculum;
- refers all allegations that a child has been harmed by or that children may be at risk of harm from a member of staff or volunteer to the Designated Officer at the Local Authority within one working day prior to any internal investigation;
- ensures that anyone who has harmed or may pose a risk to a child is referred to the Disclosure and Barring Service promptly, as advised by the Designated Officer at the Local Authority
- appoints a case officer who will be a member of the senior leadership team to investigate allegations concerning members of staff and volunteers and/or act as a point of contact for the member of staff/volunteer against whom the allegation is made;
- refers any member of staff who has been dismissed (or would have been dismissed if they had not resigned), and where a prohibition order may be appropriate, to the Teaching Regulation Agency.

#### **e. Parents**

If a parent is concerned that any pupil (including their own child) at any of the Foundation schools, is in immediate danger or at risk of harm they should take emergency action e.g. call 999 and also inform the relevant DSL. Parents may also make their own referral to Warwickshire Children and Families Front Door (MASH) 01926 414144. Parents should follow the charts on pages 3 and 4 if the concern relates to a DSL or any other member of Foundation staff.

### **4. Good practice guidelines and staff code of conduct**

To meet and maintain responsibilities towards pupils, the Schools identify standards of good practice and expectations of all staff are set out in the Foundation's Staff Code of Conduct, which all members of staff and volunteers are required to read and sign before starting work in the Foundation schools. It should be read in conjunction with this policy. In summary, expectations of staff include:

- treating all pupils with respect;
- setting a good example by conducting ourselves appropriately;
- involving pupils in decisions that affect them;
- encouraging positive, respectful and safe behaviour among pupils;
- being a good and active listener;
- being alert to changes in pupils' behaviour and to signs of abuse and neglect and exploitation;
- recognising that challenging behaviour and mental health difficulties may be an indicator of abuse;
- reading and understanding the Foundation's Child Protection and Safeguarding Policy, Staff Code of Conduct and guidance documents on wider safeguarding issues, for example bullying, behaviour, physical contact, criminal and sexual exploitation, extremism, online safety and information-sharing;
- asking the pupil's permission before initiating physical contact, such as assisting with dressing, physical support during PE or administering first aid;
- taking particular care where close one-to-one tuition is required (such as LAMDA, music lessons, learning support lessons and sports tuition) and following procedures such as ensuring staff are not blocking the child's route to the door and ensuring visibility through the glass panel or open door;
- maintaining appropriate standards of conversation and interaction with and between pupils and avoiding the use of sexualised or derogatory language;
- not participating in, tolerating or dismissing sexual violence or sexual harassment as "banter", "part of growing up", "just having a laugh" or "boys being boys";
- understanding that the school has zero tolerance of sexual violence and sexual harassment and that it is not an inevitable part of growing up;
- challenging behaviours (potentially criminal in nature) which constitute sexual harassment, such as grabbing bottoms, breasts and genitalia, flicking bras and lifting up skirts;
- being aware that the personal and family circumstances and lifestyles of some pupils lead to an increased risk of abuse;
- applying the use of reasonable force and physical intervention only as a last resort and in compliance with school procedures and Warwickshire Safeguarding guidance
- referring all concerns about a pupil's safety and welfare to the DSL or, if necessary, directly to the Police or Children's Social Care;
- following the School's rules regarding communication and relationships with pupils, including via social media;
- within the Early Years Foundation Stage (EYFS) where there are children under the age of eight, staff mobile phones are left with personal belongings and only used away from children. There is a clear expectation that all personal use of mobile phones is limited to times when staff are not supervising or responsible for children. Visitors (including staff not directly in the EYFS) may

only use their phones in the foyer or outside the building. Cameras and mobile phones are prohibited in the toilet or changing areas. All mobile phone use is open to scrutiny and any member of the leadership team may withdraw or restrict authorisation for use at any time, if it is to be deemed necessary.

- referring all allegations against members of staff, volunteers or other adults that work with children and any concerns about breaches of the Staff Code of Conduct directly to the Head; and follow procedure on page 3 for any similar allegations against or concerns about the Head, Principal or Governors.

Staff must pass on any safeguarding concerns they may have regarding a pupil without delay to the respective DSL of their School, even if the pupil is not in immediate danger. They should not assume that someone else will address this; it is everyone's responsibility to raise their concerns and share information that might be critical in keeping children safe. The member of staff and the DSL should have a discussion and agree a course of action, although any member of staff may make a referral to children's social care. All appropriate options will be looked at to support the pupil such as referral to the Early Help 'Pathway to Change' services or other specialist services that are set by the Warwickshire Safeguarding.

## **5. Abuse of position of trust**

All staff are aware that inappropriate behaviour towards pupils is unacceptable and that staff conduct towards pupils must be beyond reproach.

In addition, staff should understand that, under the Sexual Offences Act 2003, it is an offence for a person over the age of 18 to have a sexual relationship with a person under the age of 18, where that person is in a position of trust, even if the relationship is consensual. This means that any sexual activity between a member of the school staff and a pupil under 18 may be a criminal offence, even if that pupil is over the age of consent.

Any member of staff who is proved to have had an inappropriate relationship with a pupil, even if that pupil was over 18, or if the mode of behaviour with a pupil younger than 18, once referred and investigated by the proper authorities, did not meet the threshold for police action, would nonetheless have their case progressed under the Foundation's disciplinary processes for gross misconduct, the sanction for which is dismissal.

The Schools' Staff Code of Conduct Policy sets out our expectations of staff and is signed by all staff members.

## **6. Children who may be particularly vulnerable**

Some children are more vulnerable to abuse and neglect than others. Several factors may contribute to that increased vulnerability, including prejudice and discrimination, isolation, social exclusion, communication issues, a reluctance on the part of some adults to accept that abuse can occur as well as an individual child's personality, behaviour, disability, mental and physical health needs and family circumstances.

To ensure that all our pupils receive equal protection, we will give special consideration to children who are:

- disabled, have special educational needs or have mental health needs
- young carers
- affected by parental substance misuse, domestic abuse and violence or parental mental health needs
- asylum seekers
- looked after by the Local Authority, otherwise living away from home or were previously

looked after

- in receipt of support and services from a social worker
- vulnerable to being bullied, or engaging in bullying behaviours
- living away from home or in temporary accommodation
- living transient lifestyles
- living in chaotic and unsupportive home situations
- vulnerable to discrimination and maltreatment on the grounds of race, ethnicity, religion, disability or sexuality
- at risk of child sexual exploitation (CSE) and/or child criminal exploitation
- at risk from or are involved with serious violent crime
- do not have English as a first language
- at risk of female genital mutilation (FGM)
- at risk of forced marriage
- at risk of being drawn into extremism.

This list provides examples of additionally vulnerable groups and is not exhaustive. Staff should be aware that behaviours linked to the likes of drug taking, alcohol abuse, truancy and sexting put children in danger. Safeguarding issues can manifest themselves via peer on peer abuse including but not limited to: bullying (including cyber bullying), gender-based violence/sexual assaults, upskirting, sexual harassment, initiation/hazing type violence/rituals and sexting (or youth produced sexual imagery).

Special consideration includes the provision of safeguarding information and resources in community languages and accessible formats for children and parents/carers with communication needs.

## **7. Children with special educational needs and disabilities (SEND) and/or physical health needs and/or who have mental health needs**

The non-statutory guidance **Mental health and behaviour in schools (2018)** and **Promoting children and young people's emotional health and wellbeing: a whole school approach (2015, updated 2021)** inform the mental health procedures adopted by each School.

Children with special educational needs and disabilities (SEND), or who have mental health needs can face additional safeguarding challenges.

Additional barriers can exist when recognising abuse and neglect in this group of children, which can include:

- assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability or mental health issues without further exploration;
- the potential for children with SEND being disproportionately impacted by behaviours such as isolation or bullying, (including prejudice-based bullying) without outwardly showing any signs;
- communication barriers and difficulties in managing or reporting these challenges.

Staff are trained to manage these additional barriers to ensure this group of children are appropriately safeguarded; and are aware that mental health difficulties can, in some cases, be an indicator that a child has suffered or is at risk of suffering abuse, neglect or exploitation.

Staff are not expected or trained to diagnose mental health conditions or issues, but they will record and report any concerns about a child's mental health to the Designated Safeguarding Lead as with any other safeguarding concern, recognising that mental health concerns may be an outcome and/or indicator of wider safeguarding issues and concerns.

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

Only appropriately trained professionals should attempt to make a diagnosis of a mental health problem. Staff however, are well placed to observe children day-to-day and identify those whose behaviour suggests that they may be experiencing a mental health problem or be at risk of developing one. By being attentive to a child or young person's mood and behaviour, staff can recognise patterns that suggest they need support.

Common warning signs of mental health issues include:

- sudden mood and behaviour changes
- self-harming
- unexplained physical changes, such as weight loss or gain
- sudden poor academic behaviour or performance
- sleeping problems
- changes in social habits, such as withdrawal or avoidance of friends and family.

If staff have a mental health concern about a child that is also a safeguarding concern, immediate action should be taken, following the Child Protection and Safeguarding Policy and speaking to the Designated Safeguarding Lead or a deputy.

Staff should always act on a concern they may have and not assume that a colleague or another professional will take action. Early information sharing is vital for effective identification, assessment and allocation of appropriate service provision. Staff should not assume that other professionals will share information that might be critical in keeping children safe.

If a pupil is suspected of having a mental health problem, a graduated response process (assess – plan – do – review) is followed:

- an assessment to establish the pupil's needs;
- a plan to set out how the pupil will be supported;
- action to provide that support;
- regular reviews to assess the effectiveness of the provision and lead to changes where necessary.

Reasonable steps should be taken immediately to help safeguard the child's mental health, even before any formal diagnosis.

Prevention of mental health issues forms part of PSHE and pastoral programmes throughout the schools.

Early-stage interventions include monitoring, signposting to online sources of help and individual support from the school nurse, counsellor and other pastoral staff.

Higher level in-house interventions include more regular counselling which may include CBT. Parents are advised that their child should visit a doctor to seek medical advice. The Early Help 'Pathway to Change' may be initiated at this stage if appropriate. Where mental health issues are more serious, referrals can be made to the Rise Navigation Hub:

RISE (CAMHS) Navigation Hub telephone helpline 0300 200 2021

RISE (CAMHS) referral via school

<https://cwrise.com/download.cfm?doc=docm93jjm4n3714.docx&ver=5115>

The school counsellor and SENCO / Head of Learning Support can assist with referrals to a clinical psychologist or psychiatrist.

## 8. The Early Help 'Pathway to Change' process

School staff are particularly important as they are in a position to identify concerns early, provide help for children, promote children's welfare, and prevent concerns from escalating. Children may not be at immediate risk of harm but they and their families may need some additional support, and School staff and a range of external services may be used to good effect to safeguard against a situation escalating.

The Foundation recognises that providing timely initial help is more effective in promoting the welfare of children than reacting later. DSLs are accountable and responsible for ensuring the identified needs of children are acted upon early; without delay and as soon as the problem emerges which may be at any point in a child's life.

**KCSIE (2021)** emphasises that **all** staff should be aware of the Early Help 'Pathway to Change' process and understand their role in it. All DSLs should be trained in the Warwickshire Early Help 'Pathway to Change' processes. All school staff are therefore trained and required to notice any concerns about children which may help to identify those that would benefit from the Early Help 'Pathway to Change' support.

Schools record concerns using their designated safeguarding recording systems (green forms and/or My Concern) and staff are trained to share their concerns with the Designated Safeguarding Lead (or a Deputy DSL), who is most likely to have a complete picture and be the most appropriate person to decide how best to respond to any concerns. The DSL may delegate the initiation of the Early Help 'Pathway to Change' process to an appropriate trained member of the school staff. The DSL is responsible and accountable for overseeing and managing the Early Help 'Pathway to Change' process but the process including acting as lead professional can be undertaken by for example your TAs, SENCO, teaching staff, pastoral staff, seen to be appropriate for your setting.

The Early Help 'Pathway to Change' might be simple pastoral support and something the School is able to address with parents so that the child's needs are met quickly and easily. The School will keep a record of any such help to record clear targets, actions for all parties including parents/carers and progress, using WCC's Early Help 'Pathway to Change' documentation as appropriate. The Early Help 'Pathway to Change' paperwork is used in order to support families prior to the requirement of formalised Early Help 'Pathway to Change' process being initiated. The Spectrum of Support document (2021) will enable practitioners to understand the level of needs presented by families and what support may be required.

It will be necessary to take time to understand a child and family's needs and to fully appreciate their circumstances in a more structured way. Children and families may also need support from a range of local agencies beyond the Foundation, where it has been identified that a multi-agency coordinated response would best meet their needs and support their family, with parental consent.

The Early Help 'Pathway to Change' is a restorative approach which helps to identify what support the family require by working WITH them, through the use of a coordinated assessment. The Early Help 'Pathway to Change' aims to prevent the child's needs escalating to a point where intervention would be required via a statutory assessment under the Children Act 1989. Practitioners should seek to reassure children and families that this approach is designed to prevent needs from escalating and should be looked on as a positive and proactive way of addressing needs early in partnership with the family.

The Foundation is committed to working in partnership with children, parents and other agencies to:

- identify situations in which children and/or their families would benefit from 'Pathway to Change' process;



- undertake an assessment of the need for Early Help 'Pathway to Change' support when that is appropriate, using the Early Help 'Pathway to Change' process; and
- provide targeted Early Help 'Pathway to Change' services to address the assessed needs of a child and their family, developing an action plan that will focus on activity to improve the child's outcomes. The school will be particularly alert to the potential need for Early Help 'Pathway to Change' support for any child who:
  - is disabled and has specific additional needs;
  - has special educational needs (whether or not they have a statutory education, health and care plan);
  - is a young carer;
  - is showing signs of being drawn into anti-social or criminal behaviour, including gang involvement and association with organised crime groups;
  - is frequently missing/goes missing from care or from home;
  - is misusing drugs or alcohol themselves;
  - is at risk of modern slavery, trafficking or exploitation;
  - is in a family whose circumstances present challenges for the child, such as substance abuse, adult mental health issues or domestic abuse;
  - has returned home to their family from care;
  - is at risk of being radicalised or exploited;
  - is a privately fostered child.
  - is showing early signs of abuse and/or neglect; and/or
  - is particularly vulnerable in any of the ways identified in section 6 above.

The Early Help 'Pathway to Change' process can only be effective if it is undertaken with the agreement of the child's parents/carers. Young people in secondary schools may consent to the Early Help 'Pathway to Change' process, possibly including an Early Help 'Pathway to Change' process in their own right, subject to *Information sharing - Advice for practitioners providing safeguarding services to children, young people, parents and carers (HMG 2018)*. The school should seek advice from a Targeted Support Officer or the Children and Families Front Door Education Lead in those circumstances. The Early Help 'Pathway to Change' process must involve the child and family as well as all the practitioners who are working with them. The student voice is recognised as very important and active listening by staff is essential. Each School encourages students to talk to them about matters that may seem awful or small, in line with Protective Behaviours teaching.

The Foundation will keep the needs and circumstances of children receiving Early Help 'Pathway to Change' support under constant review. If the child's situation does not improve and/or the child's parents and/or the child do not consent to Early Help 'Pathway to Change' support, the School will make a judgement about whether, without help, the needs of the child will escalate. If so, the School may wish to consult with;

- Targeted Support Officers
- Early Help 'Pathway to Change' Social Worker
- Children and Families Front Door/ MASH Education Lead
- Early Help 'Pathway to Change' Team Leaders
- Children and Families Front Door (MASH)

Consultations are available in the Children and Families Front Door (MASH) for practitioners seeking advice about children they are concerned about. **If you have a concern that a child or young person may be in need of protection or significant harm the DSL/lead professional should contact the Children and Families Front Door (MASH) and submit a referral.**

## 9. Attendance

We recognise that full attendance at school is important to the well-being of all our pupils and enables them to access the opportunities made available to them at school. Attendance is monitored closely, and we address poor or irregular attendance without delay, and if necessary, working in partnership with the Warwickshire Attendance Service when patterns of absence give rise to concern. Early Help 'Pathway to Change' support is recommended to support families with attendance concerns at the emergence of an issue to prevent escalation. Our attendance policy is set out in a separate document and is reviewed regularly by the governing body.

## 10. Children missing from education

Child is missing education and their whereabouts is <b>KNOWN</b>	It is each School's responsibility to follow their attendance procedures. They can seek support from the Warwickshire Attendance Service
Child is missing education and their whereabouts is <b>UNKNOWN</b>	A referral must be made to the Children Missing Education Team

All children, regardless of their circumstances, are legally entitled to an efficient, full-time education which is suitable to their age, ability, aptitude and any special educational needs they may have.

For most children, including those that are vulnerable, attendance in school is a protective factor and is essential aspect of keeping them safe. Children who are missing education (CME) have increased vulnerability and can be at more risk of neglect, abuse, exploitation radicalisation and mental health problems. Staff will also be alert to signs of children at risk of travelling to conflict zones, female genital mutilation and forced marriage.

The Foundation operates in accordance with DfE statutory guidance [Children Missing Education \(2016\)](#)

Each of the Schools has attendance policies that outline how they monitor:

- Attendance
- Unauthorised absences
- Children who go missing during the school day

Each of the Schools follow the DfE legal requirements (**Education (Pupil Registration) (England) Regulations, 2006**) in respect of placing all children on both registers (Admissions and Attendance) and in respect of recording and reporting those children who leave their School with an unknown future destination. Where a pupil has 10 consecutive school days of unexplained absence, without permission and their whereabouts is unknown, the Schools take all reasonable steps\* to establish their whereabouts. If unsuccessful, the Schools will make an immediate referral to Warwickshire County Council's Children Missing Education Team on 01926 736323 or via email [cme@warwickshire.gov.uk](mailto:cme@warwickshire.gov.uk).

\*Reasonable steps include:

- Telephone calls to all known contacts. Parents are asked to provide a minimum of three

emergency contacts in the event of children not arriving at school without prior notification and also for other emergency purposes;

- Letters home (including recorded delivery);
- Contact with other schools where siblings may be registered;
- Home visits where safe to do so;
- Enquiries to friends, neighbours etc. through school contacts;
- Enquiries with any other service known to be involved with the pupil/family;
- Consideration of information about the child in social media;
- All contacts and outcomes will be recorded on the pupil's file.

If the Local Authority is able to contact the pupil with the child/children and their parents and carers, arrangements will be made with the school and family for a return to education. This may include a re-integration programme where necessary. If the pupil has registered at a new school, the previous school will delete the child's name from their roll and transfer the child's educational records to the new school in the normal way. Any child protection records will be transferred separately and securely for the attention of the DSL in the new school and a receipt secured.

Visit [www.warwickshire.gov.uk/childrenmissingeducation](http://www.warwickshire.gov.uk/childrenmissingeducation) for more information or to access the referral form.

Effective information sharing between parents, schools and local authorities is critical to ensuring that all children of compulsory school age are safe and receiving suitable education.

### **Non-standard transition points**

Each School is required to inform the Local Authority when they are about to remove a pupil's name from the school admissions register at non-standard transition points irrespective of the reason. The Local Authority may also require the school to provide information about pupils who are going to be removed from the register at standard transition points.

Each School will inform the local authority when it plans to take a child off roll when they leave the School to be home educated; move away from the School's location; remain medically unfit beyond compulsory school age; are in custody for four months or more (and will not return to school afterwards); or are permanently excluded.

If a parent has informed the School of their intention to remove their child in order to electively home educate their child, the school should notify the Elective Home Education Team imminently by email ([ehet@warwickshire.gov.uk](mailto:ehet@warwickshire.gov.uk) / tel. 01926 736323). School and colleges are advised to allow the parent or carer a 2-week period of reflection prior to removing their child from the school roll as this is best practice.

Each School will also notify the local authority within five days of adding a pupil's name to the admission register at a non-standard transition point. The Local Authority may also require the school to provide information about pupils added to the register at a standard transition point.

It is essential for each School to comply with this duty so that the Local Authority can, as part of its duty to identify children of compulsory school age who are missing education, follow up with any child who might be in danger of not receiving an education and who might be at risk of abuse or neglect. If no confirmation is received, the above Children Missing Education procedures will apply.

Each School will ensure that pupils who are expected to attend their School but fail to take up the place are referred to the Local Authority.

When a pupil leaves any of the Schools, the School will record the name of the pupil's new school and their expected start date. Deletions from any of the School's roll in liaison with the Local Authority will normally be backdated to the first day of absence.

More information is found in the statutory guidance Children missing education (2013, updated 2016).

Pupils leaving any of the Schools for known destinations outside the maintained sector in England and Wales will be updated to the School to School Database using M M M M M M M M in the destination box. This includes private/independent schools, schools in other countries (including Scotland and Northern Ireland) and pupils moving into Elective Home Education. The latter will be formally notified to the Children Missing Education team by the school as soon as written confirmation is received from the parent(s).

If no confirmation is received, the above Children Missing Education procedures will apply. Each School will ensure that pupils who are expected to attend the school but fail to take up the place are referred to the Local Authority.

When a pupil leaves any of the Schools, the name of the pupil's new school is recorded with their expected start date.

## 11. Children who run away or go missing from home or care

The Foundation recognises that children who run away or go missing (particularly repeatedly) and are thus absent from their normal residence are potentially vulnerable to abuse and neglect, which may include sexual abuse or exploitation and child criminal exploitation. It could also indicate mental health problems, risk of substance abuse, risk of travelling to conflict zones, risk of female genital mutilation or risk of forced marriage.

**KCSIE (2021)** highlights that '**Statutory Guidance on Children who Run Away or go Missing from Home or Care**' (DfE 2014) requires that every child or young person who runs away or goes missing must be offered a Return Home Interview (RHI).

RHI's are intended to ascertain the factors that triggered the young person's absence. Those factors may include difficulties at home, in school and in the community. The short timescale is 72 hours which is imposed in order to ensure that the RHI remains relevant to the young person and enables any required action to be initiated at the earliest opportunity. When necessary and in conjunction with the Local Authority, the relevant School will facilitate Return Home Interviews, both in terms of releasing the young person from their normal timetable to participate in an interview and in providing an appropriate and safe space on the school site for the interview to take place.

RHI's are undertaken by practitioners who are independent in order to facilitate a discussion with the young person that is as open as possible. As soon as the Local Authority receives notification that a young person has gone missing from home or care, a letter will be sent to parents/carers seeking their consent. If the Local Authority has been unable to secure consent from parents/carers, the school and college will contact the parent/carer and seek to secure their consent for the RHI.

Direct contact will then be made to make arrangements for the interview.

Young people aged 16 and 17 years old are generally considered to be able to consent and withhold consent to their own information being shared and therefore they can choose to participate or not in an RHI. With reference to the Fraser Guidelines, younger children may also be deemed able to give consent. However, if the child/young person is assessed as not being capable of giving their own consent (Fraser Guidelines) or they are withholding informed consent, the School should seek consent from parents and carers for the RHI to go ahead. Schools are advised to seek expert advice if they are unsure as to whether a child or young person has the necessary capacity to make such decisions for themselves.

Parents/carers may also choose to accompany their child in interviews and the Schools will facilitate that as appropriate.

## **12. Helping children to understand and recognise risk and identify available support**

**KCSIE (2021)** requires governing bodies and proprietors to ensure that children are taught about safeguarding, including online safety, and recognise that a one size fits all approach may not be appropriate for all children, and a more personalised or contextualise approach for more vulnerable children, victims of abuse and some SEND children might be needed as part of providing a 'broad and balanced curriculum.'

Children are taught to understand and manage risk through our personal, social, health and economic education (PSHEE) programme; sex and relationships lessons; and through all aspects of school life. Our approach is designed to help children to think about risks they may encounter, recognise when they are at risk and with the support of staff work out how to get help when they need it and how risks might be reduced or managed. Discussions about risk are empowering and enabling for all children and promote sensible behaviour rather than fear or anxiety. Children are taught how to conduct themselves and how to behave in a responsible manner. Children are also reminded regularly about online safety, the risks of sharing content and images online and tackling bullying, including cyber bullying procedures. The school continually promotes an ethos of respect for children and pupils are encouraged to speak to a member of staff of their choosing about any worries they may have.

Discussions about risk will include talking to children about the risks and issues associated with young people sending, receiving and/or disseminating indecent images of themselves and other young people, which is referred to as 'youth produced sexual imagery' (or 'sexting'). Youth produced sexual imagery produced consensually is illegal. If it is produced non-consensually it is both abusive and illegal. Please refer to *Youth produced sexual imagery ['sexting']* in section 31 below.

It is recognised that a young person may choose to share indecent images with another young person in the context of a romantic relationship and that she or he may do so without any intention to cause harm or distress to anybody. Although technically an offence, youth produced sexual imagery of that nature is referred to as 'experimental' and it is usually not necessary or appropriate to criminalise young people in those circumstances. However, there are clear risks associated with such behaviour. Staff are trained to be vigilant and to notice and record any concerns about young people sending and receiving indecent images, which includes listening to what young people say to each other and to staff, as they do with any other safeguarding concern.

When concerns are identified, staff will always speak to children and will inform parents about their concerns unless there is good reason to believe that doing so would place the child at increased risk of significant harm. The DSL will also need to consider the Fraser guidelines in making a judgement about whether or not to respect a young person's request not to inform his/her parents/carers.

N.B. Children under the age of 13 are unable to consent to sexual activity. Any imagery containing sexual activity involving under 13-year olds will therefore be referred to the Police.

Warwick Prep School and Warwick Junior School have adopted the personal safety programme 'Taking Care' (based on the Protective Behaviours Process) for Foundation/Key Stage 1 and Key Stage 2, which is designed to fit in with the requirements of the PSHEE Curriculum. This programme reinforces essential skills for every child. Self-esteem and confidence building, thinking independently and making assessments of risk based on their own judgements are encouraged throughout the course.

Warwick Prep School and Warwick Junior School have adopted the Jigsaw Programme to teach children about health and relationships or health, sex and relationships. Warwick School and King's High base the curriculum on guidance from the PSHE Association for Senior Schools for Health, Relationships and Sex Education.

Children are also taught at an appropriate age about online safety, issues of consent and healthy relationships, fundamental British values, grooming, how children can keep themselves safe from all forms of bullying including online bullying, child criminal and sexual exploitation including issues of informed consent, sexting, drugs and alcohol, risks associated with gang activity, risks associated with county lines.

### **13. Support for pupils, families and staff involved in a child protection issue**

Child abuse is devastating for the child and can also result in distress and anxiety for staff who become involved.

We will support pupils, their families, and staff by:

- taking all suspicions and disclosures seriously;
- nominating a link person (usually the DSL) who will keep all parties informed and be the central point of contact;
- Where a member of staff is the subject of an allegation made by a pupil, separate link people will be nominated to avoid any conflict of interest;
- responding sympathetically to any request from pupils or staff for time out to deal with distress or anxiety;
- maintaining confidentiality and sharing information on a need-to-know basis only with relevant individuals and agencies;
- storing records securely;
- offering details of helplines, counselling or other avenues of external support;
- following the procedures laid down in our child protection, whistleblowing, complaints and disciplinary procedures;
- co-operating fully with relevant statutory agencies.

### **14. The Foundation's Complaints Procedure**

The Foundation's complaints procedure will be followed where a pupil or parent raises a concern about poor practice towards a pupil that initially does not reach the threshold for child protection action. Poor practice examples include unfairly singling out a pupil or attempting to humiliate them, bullying or belittling a pupil or discriminating against them in some way. Complaints are managed by the relevant Head, other members of the senior leadership team and governors. An explanation of the complaints' procedure is included in the safeguarding information for parents and pupils.

Complaints from staff are dealt with under the Foundation's grievance procedures (see Grievance Policy).

Complaints which escalate into a child protection concern will automatically be managed under the school's child protection procedures.

## 15. Staff reporting concerns, including both low-level concerns and allegations, about a colleague, themselves or another adult who works with children (including whistleblowing)

Staff who are concerned about the conduct of a colleague, (including visiting practitioners and volunteers, the DSL and agency staff), towards a pupil are undoubtedly placed in a very difficult situation. They may worry that they have misunderstood a situation and they will wonder whether a report could jeopardise a colleague's career. All staff must remember that the welfare of the child is paramount.

This section of the policy applies to **all** staff and other individuals who work or volunteer in the Foundation. It sets out a framework whereby staff are expected to report **all concerns**, no matter how small, about their own behaviour or that of another member of staff, volunteer, supply teacher, contractor or other person working in the Foundation. Staff are required to report **all concerns** about poor practice or possible child abuse by Foundation staff and also what they may consider to be minor contraventions of the Staff Code of Conduct, to facilitate proactive and early intervention in order to maintain appropriate boundaries and a safe culture that protects children and reduces the risk of serious abuse. Concerns can be raised (initially in confidence) so a sensitive enquiry can take place and appropriate action taken to safeguard children.

Concerns reported to School can relate to an adult's behaviour outside of work, and their relationships with others, if they have behaved in a way in their personal life that raises safeguarding concerns. These concerns do not have to directly relate to a child. Examples of concerning staff behaviour outside of School could include, but are not limited to:

- arrest for the possession of a weapon;
- subject to child protection procedures as a parent or carer;
- close association with someone in their personal lives (e.g. partner, member of the family or other household member) who may present a risk of harm to children for whom the adult is responsible in their employment/volunteering.

### Purpose

The purpose of this section of the policy is to help create and embed a culture of openness, trust and transparency in which the clear values and expected behaviour set out in the Staff Code of Conduct (based on **Guidance for safer working practice for those working with children and young people in education settings (May 2019)**) are constantly lived, monitored, and reinforced. This section of the policy should be read in conjunction with the current statutory guidance **KCSIE (2021) Part 4, Section 2**.

### Definitions:

#### (1) Appropriate staff conduct

This is behaviour which is entirely consistent with the Staff Code of Conduct.

#### (2) Low-level concern

A low-level concern is any concern, no matter how small, even if no more than causing a sense of unease or a 'nagging doubt', that a person working in or on behalf of the Foundation may have acted in a way that:

- is inconsistent with the Staff Code of Conduct, including inappropriate conduct outside of work, and
- does not meet the allegations (or harms) threshold (see 'allegation' below) or is otherwise not considered serious enough to make a referral to the Local Authority Designated Officer (LADO).

Examples of such behaviour could include, but are not limited to:

- being over friendly with children;
- having favourites;

- engaging with a child on a one-to-one basis in a secluded area or behind a closed door;
- using inappropriate or offensive language

A low-level concern *may* be significant so should always be reported.

### (3) Allegation

An allegation means that the 'harms' threshold has been met. The harms threshold is reached when it is alleged that anyone working in the Foundation (which provides education for children under 18 years of age) including supply teachers, volunteers and contractors has:

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

The behaviour might indicate that a person may pose a risk of harm to children if they continue to work in regular or close contact with children in their present position or in any capacity.

**Staff do not need to be able to determine in each case whether their concern is a low-level concern, or if it meets the threshold for an allegation; staff are only required to report anything they believe may be a concern using the appropriate pathway summarised on page 3-5 of this policy.** The Headteacher/Principal/ Governor with whom the concern has been raised will determine whether or not it reaches the 'harms' threshold and is this dealt with as a low-level concern or an allegation.

### **Staff reporting and recording processes for all concerns (including low-level concerns and allegations)**

Where a low-level concern or allegation has been identified this will be reported, as a **neutral act**, as soon as possible. However, it is never too late to share a concern if this has not already happened.

The recommended format for all staff in school to record **any low-level concerns or allegations** of poor practice or possible child abuse by colleagues or other adults who work with children, is the pro forma *Logging A Concern about the behaviour of an adult who works with children*, also known as the '**Yellow Form**' (see Appendix 3 and also available in staff areas and the Reception in each school). Alternatively, a verbal report of a concern can be made.

Everyone is responsible for reporting their concerns and should not assume that someone else will action this. This helps to ensure proactive and early intervention is facilitated in order to maintain appropriate boundaries and a safe culture that protect children and reduce the risk of serious abuse in school. Farrer and Co: Developing and implementing a low-levels concerns policy: a guide for organisations which work with children (2021) informs the Foundation's developing procedures.

**The correct routes for reporting any concern, however small, using the Yellow Form or by reporting verbally, are summarised on pages 3-5 of this policy.** These procedures are explained in staff training sessions (including induction of new staff) and in the Staff Code of Conduct and the Foundation's Whistleblowing Policy.

### **Self-reporting**

It may be the case that a person finds themselves in a situation which could be misinterpreted or might appear compromising to others; or they may have behaved in a manner which on reflection they consider falls below the standard set out in the Staff Code of Conduct. In these circumstances self-reporting can be positive as it will enable a potentially difficult situation to be addressed at an early opportunity if necessary, demonstrates an awareness of the expected



standards of conduct and crucially helps to maintain a culture where everyone aspires to the highest standards of behaviour and conduct. The Foundation strives to create a culture where staff feel confident to self-report.

### **Reporting concerns about staff/adults to external agencies**

Staff may report concerns about suspected abuse or neglect directly to **Children's Social Care** or the **Police** if they believe direct reporting is necessary to secure action to safeguard children.

Staff can alternatively contact the **LADO** (01926 745376) who is responsible for the co-ordination of responses to allegations against people who work with children (see contact and referral details in Section 16 below). The LADO's contact details are also displayed on the safeguarding noticeboard in the staff room.

The **NSPCC whistleblowing helpline** is also available for staff who do not feel able to raise concerns regarding child protection failures internally. Staff can call 0800 028 0285 between 8.00 am and 8.00 pm, Monday to Friday or e mail [help@nspcc.org.uk](mailto:help@nspcc.org.uk). Information is also available on the [NSPCC website](https://www.nspcc.org.uk). The NSPCC whistleblowing helpline and contact numbers for Children's Social Care, the Police and the Designated Officer are all displayed in the staff room.

## **16. Managing all concerns, including low-level concerns and allegations, against staff (including former members of staff)**

- The appropriate Head, Governor, or the Principal (see flow chart on pages 3-5) receives Yellow Forms from members of staff.
- If the Head is absent, the Deputy Head will receive the Yellow Form and inform the Head immediately on their return.
- Where concerns are reported verbally to the appropriate Head, Governor, or the Principal, a record of the conversation will be made by the Head/ Principal/Governor on a Yellow Form (with time, date and signature).
- The appropriate Head, Governor or the Principal with whom the concern has been raised will determine whether or not it reaches the 'harms' threshold and is thus dealt with as a low-level concern or as an allegation. Where they are in any doubt whatsoever, advice will be sought from the LADO, on a no-names basis if necessary, within one working day.
- Collaboration across the Foundation Schools and Shared Services will take place where appropriate and the Head of each School will keep a log of their low-level concerns to include any concerns relevant to staff working in their school passed on by another Head, the Principal or Governor.
- Concerns about supply staff and contractors should be notified by the Head to their employers so any potential patterns of inappropriate behaviour can be identified.
- Low-level concerns are discussed as part of new staff induction.
- Consultation with and feedback from staff on reporting and managing low-level concerns is welcomed so necessary adjustments to procedures can be made every 12-18 months and Governors receive regular updates.

### **Classifying a concern**

Where a concern has been raised this will be taken seriously and dealt with promptly. The Head, Principal or Governor will:

- speak to the person who raised the concern (even if it was raised by a third party or in writing) to gather all the relevant information;

- speak to (or arrange for a line manager or senior member of staff) to speak to the individual about the concern raised to ascertain their response, unless advised not to do so by the LADO or Police (HR advice may also need to be taken);
- where necessary arrange for further investigation to gather all relevant information, including speaking to any potential witnesses.

The next step is to review the information reported and gathered to determine whether the behaviour:

- **is consistent with the Staff Code of Conduct and the law:** no further action will be required;
- **constitutes a low-level concern** – see below ‘Responding to low-level concerns’
- **merits consultation with the LADO** (on a no-names basis if necessary) but is not serious enough to consider *referral* to the LADO
- **in and of itself reaches the ‘harms’ threshold**, in which case it will be classed as an allegation and a referral to the LADO will be instigated and advice will be taken from HR. In this case the school’s Managing Allegations procedure (see below) within the Child Protection and Safeguarding Policy and Disciplinary Policy will be followed.
- **should be reclassified as an allegation** when considered with any other low-level concerns that have previously been raised about the same individual, and a referral should be made to the LADO (or Police) and advice taken from HR. In this case the Foundation’s Managing Allegations procedure within the Safeguarding Policy and Disciplinary Policy will be followed (see below).

### **A) Responding to low-level concerns**

- Low-level concerns will be responded to in a sensitive and proportionate way – one the one hand maintaining confidence that such concerns, when raised will be handled promptly and effectively whilst on the other hand protecting staff from any false allegations or misunderstandings.
- Most low-level concerns by their very nature are likely to be minor. Some will not give rise to any ongoing concern and, accordingly, will not require any further action.
- Others may be most appropriately dealt with by means of management guidance and/or training.
- In many cases, a low-level concern will simply require a conversation with the individual about whom the concern has been raised. Lasting change in behaviour is least likely to be achieved by an approach experienced as critical or threatening - a ‘values-based conversation’ is more likely to be effective and help maintain a positive professional relationship.
- Any such conversation should include being clear with the individual as to why their behaviour is concerning, problematic or inappropriate, what change is required in their behaviour, enquiring what, if any, support they might need in order to achieve and maintain that, and being clear about the consequences if they fail to reach the required standard or repeat the behaviour in question.
- Ongoing and transparent monitoring of the individual’s behaviour may be appropriate.
- Some low-level concerns may also raise issues of misconduct or poor performance in which case advice from HR should be sought on a named or no-names basis where necessary. Where a low-level concern does not raise misconduct or poor performance issues, it will not be a matter for HR.
- Where behaviour is consistent with the Staff Code of Conduct and the law, feedback will still be given to both parties to explain why the behaviour was consistent with the Staff Code of Conduct.

### **Record-keeping**

Dated and signed records will be made for each concern including:

- name of person reporting the concern and their role
- name of individual about whom the concern is raised and their role

- the original concern, context and accurate, precise chronological details
- the individual's opposing view to the concern (if they hold one)
- all internal conversations including the person reporting, the adult who the concern is about and any relevant witnesses;
- all external conversations e.g. with the LADO;
- the determination and the rationale for it;
- any action taken and the rationale for it.

A centralised low-level concerns record is kept by the Head of each School, (either as a hard copy or electronically). Multiple concerns about an individual will be organised chronologically alongside a timeline of incidents. The records are held securely and access is limited e.g. to the Head, DSL, Head of HR. Low-level concern records are not stored in staff personal files.

### **Anonymity of the reporter**

The person bringing forward the concern will be named in the written record. Where they request to remain anonymous, this will be respected as far as possible. However, there may be circumstances where this is not possible e.g. where a fair disciplinary investigation is needed or where a later criminal investigation is required.

### **Reviewing low-level concerns**

The records will be reviewed periodically, and whenever a new low-level concern is added, so that potential patterns of concerning, problematic or inappropriate behaviour can be identified and referred to the LADO if required. A record of these reviews will be retained.

The School must consider if any wider cultural issues in school enabled the behaviour to occur and if appropriate policies could be revised or extra training delivered to minimise the risk of recurrence. The School will regularly review the staff Code of Conduct and training provided in the light of concerns raised.

The rationale for all decisions and actions taken must be recorded.

### **References**

Low-level concerns will not be included in references unless a low-level concern, or group of concerns, has met the threshold for referral to the LADO and found to be substantiated.

### **Role of Governors**

The Head will regularly inform the Governors about the implementation of the low-level concerns procedures including any evidence of its effectiveness e.g. with relevant data. The Safeguarding Governor may also review an anonymised sample to ensure that these concerns have been handled appropriately.

## **B) Responding to Allegations**

When an allegation is made against a member of staff, set procedures must be followed. More details are available in the Foundation Whistleblowing Policy. The full procedures for dealing with allegations against staff can be found in **Part 4 of KCSIE (2021)** and **Warwickshire Safeguarding inter-agency safeguarding procedures: Allegations against staff or volunteers** (paragraph 14)

### **a. Introduction and definition of allegation**

This section of the policy is concerned with cases of allegations that might indicate a person may pose a risk of harm if they continue to work in regular or close contact with children in their present position or in any capacity. It is to be used in all cases in which it is alleged

that a member of staff, supply staff or a volunteer:

- behaved in a way that has harmed a child or may have harmed a child;
- possibly committed a criminal offence against or related to a child; or
- behaved towards a child or children in a way that indicates he/she would pose a risk of harm if they work regularly or closely with children.
- behaved or may have behaved in a way that indicates they may not be suitable to work with children.

It is essential that any allegation of abuse made against a member of staff, supply staff or volunteer is dealt with very quickly, in a fair and consistent way that provides effective protection for the child and at the same time supports the person who is the subject of the allegation. The quick resolution of the allegation should be the clear priority, and unnecessary delays should be eradicated.

An allegation of abuse against the Principal, Head, member of staff, or the Designated Safeguarding Lead for any of the Schools, supply staff or a volunteer, is to be reported immediately in accordance with Section 1 and Section 15 of this policy, who will follow the procedures described below. **The correct routes for reporting all concerns, including allegations, are summarised on pages 3-5.** This relates to members of staff who are currently working in the Foundation, regardless of whether the Foundation is where the alleged abuse took place.

In deciding whether to make a referral, the Head of the respective School (or Foundation Principal or Chair/Vice-Chair of Governors) will not make their own decision over what appear to be borderline cases but will discuss the issues with the Local Authority Designated Officer (LADO) within one working day.

The LADO's contact number is 01926 745376. Referrals to the LADO should be submitted on a PoT (Position of Trust) MARF form and sent to [lado@warwickshire.gov.uk](mailto:lado@warwickshire.gov.uk).

The School will do nothing to jeopardise a Police investigation (such as asking the child leading questions or attempting to investigate the allegations of abuse) and will only gather information as required by the LADO.

Where an allegation against an individual not directly employed by the School and where its disciplinary procedures do not fully apply, for example, supply teachers provided by an employment agency or business, the School will ensure allegations are dealt with properly. In no circumstances will the School decide to cease to use a supply teacher due to safeguarding concerns, without finding out the facts and liaising with the LADO to determine a suitable outcome. The Governing bodies and proprietors will discuss with the agency whether it is appropriate to suspend the supply teacher, or redeploy them to another part of the school, whilst they carry out their investigation.

The School will ensure that agencies are fully involved and co-operate in any enquiries from the LADO, police and/or children's social services. The School will take the lead as agencies do not have direct access to children or other school staff, so they will not be able to collect the facts when an allegation is made, nor do they have all the relevant information required by the LADO as part of the referral process. Supply teachers, whilst not employed by the school, are under the supervision, direction and control of the governing body or proprietor when working in the school. They should be advised to contact their trade union representative if they have one, or a colleague for support. The allegations management meeting which is often arranged by the LADO should address issues such as information sharing, to ensure that any previous concerns or allegations known to the agency are taken into account by the school during the investigation.

When using an agency, the School should inform the agency of its process for managing allegations. This should include inviting the agency's human resource manager or equivalent to meetings and keeping them up to date with information about its policies.

The following terms will be used when determining the outcome any investigation:

- *Substantiated*: there is sufficient evidence to prove the allegation;
- *Malicious*: there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive;
- *False*: there is sufficient evidence to disprove the allegation;
- *Unsubstantiated*: there is insufficient evidence to either prove or disprove the allegation. The term, therefore, does not imply guilt or innocence;
- *Unfounded*: to reflect cases where there is no evidence or proper basis which supports the allegation being made.

## **b. Initial response**

On receiving the allegation, the following action will be taken:

- In the first instance the Head, Principal or (where the Head/Principal is the subject of an allegation) the Chair of Governors, or the Vice-Chair of Governors (the 'Case Manager'), should discuss the allegation immediately with the LADO. The purpose of an initial discussion is for the LADO and the Case Manager to consider the nature, content and context of the allegation and agree a course of action. The LADO may ask the Case Manager to provide or obtain relevant additional information, such as previous history, whether the child or their family have made similar allegations previously and about the individual's current contact with children. There may be situations when the Case Manager will want to involve the police immediately, for example if the person is deemed to be an immediate risk to children or there is evidence of a possible criminal offence. Where there is no such evidence, the Case Manager should discuss the allegations with the designated officer(s) in order to help determine whether police involvement is necessary.
- The person who liaises with the LADO on any particular case is referred to throughout this policy as the 'Case Manager'. Where the Case Manager is not the employer, he/she will inform the relevant school authorities, as agreed with the LADO, of the progress of the case, and involve them appropriately regarding any decisions which have to be made.
- Relevant information, as required and agreed by the LADO, will be gathered by the Case Manager, and shared with the LADO. An appropriate course of action will then be determined with the LADO. In some cases, further enquiries will be needed before a decision on how to proceed can be taken. In such circumstances the Case Manager and the LADO will decide how and by whom the investigation will be undertaken.
- If the allegation is about physical contact, the strategy discussion or initial evaluation with the Police should take into account that teachers and other School staff are entitled to use reasonable force to control or restrain children in certain circumstances, including dealing with disruptive behaviour.
- The initial sharing of information and evaluation may lead to a decision that no further action is to be taken. If this is the case, then this decision and a justification for it will be recorded by both the School and the LADO and agreement reached as to what information should be put in writing to the individual concerned and by whom. The Case Manager and the LADO will also consider what action should follow in respect of the individual against whom the allegation was made and the person(s) who made the allegation.
- If it is decided that an investigation by the local authority children's social care services or the Police is unnecessary, the Case Manager and the LADO will discuss the options open to the School which will range from taking no further action to summary dismissal, or a decision not to use the person's services in future.

- Where the person against whom an allegation has been made is deemed to be an immediate risk to children or there is evidence of a possible criminal offence, the Police will be informed immediately. Where there is no such evidence, the Case Manager will discuss the allegations with the LADO in order to help determine whether police involvement is necessary. Likewise, if the allegation is not demonstrably false and there is cause to suspect a child is suffering or is likely to suffer significant harm, a strategy discussion will be convened in accordance with paragraph 5.56 of **Working Together to Safeguard Children (2018)** at which representative from the following organisations might be in attendance: local authority children's social care services, the Police, health and other bodies as appropriate, in particular any referring agency.
- If agreed by the LADO, the member of staff concerned will be informed of the allegation by the Case Manager as soon as possible after the LADO has been consulted. As much information as possible will be shared with the member of staff. However, where a strategy discussion is needed, or Police or children's social care services need to be involved, this will only happen once those agencies have been consulted and have agreed what information can be disclosed to the accused. Suspension will not be the default option when an allegation is reported. (See below: *d. Suspension*)
- If agreed by the LADO, the child's parents will be informed in confidence of the allegation. (If the allegation involves the parents, the LADO will contact Children's Social Care before any contact is made.)

#### **c. Timescales**

It is in everyone's interest to resolve cases as quickly as possible consistent with a fair and thorough investigation. All allegations should be investigated as a priority to avoid any delay. Target timescales are shown below: the time taken to investigate and resolve individual cases depends on a variety of factors including the nature, seriousness and complexity of the allegation, but these targets should be achieved in all but truly exceptional cases. It is expected that 80 per cent of cases should be resolved within one month, 90 per cent within three months, and all but the most exceptional cases should be completed within 12 months.

For those cases where it is clear immediately that the allegation is unsubstantiated or malicious, they should be resolved within one week. Where the initial consideration decides that the allegation does not involve a possible criminal offence it will be for the employer to deal with it, although if there are concerns about child protection, the Foundation should discuss them with the designated officer(s). In such cases, if the nature of the allegation does not require formal disciplinary action, the Foundation should instigate appropriate action within three working days. If a disciplinary hearing is required and can be held without further investigation, the hearing should be held within 15 working days.

#### **d. Suspension**

The possible risk of harm to children posed by an accused person will be evaluated and managed in respect of the child(ren) involved in the allegations. In some rare cases, that will require the Case Manager to consider suspending the accused until the case is resolved.

Suspension will not be an automatic response when an allegation is reported; all options to avoid suspension will be considered prior to taking that step.

Suspension will be considered only in a case where there is cause to suspect a child or

other children at the School is/are at risk of harm or the case is so serious that it might be grounds for dismissal.

The Case Manager will consider carefully whether the circumstances warrant suspension from contact with children at the School or until the allegation is resolved and will always seek advice from the LADO.

If the Case Manager is concerned about the welfare of other children in the community or the teacher's family, those concerns should be reported to the designated officer(s), children's social care or the police. The Case Manager will also consider whether the result that would be achieved by immediate suspension could be obtained by alternative arrangements. In many cases an investigation can be resolved quickly and without the need for suspension. If the LADO, Police and children's social care services have no objections to the member of staff continuing to work during the investigation, the Case Manager will be as inventive as possible to avoid suspension. For example, based on assessment of risk, the following alternatives will be considered by the Case Manager before suspending a member of staff:

- redeployment within the School 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;
- redeployment to alternative work in the School so the individual does not have unsupervised access to children; or
- moving the child or children to classes where they will not come into contact with the member of staff, making it clear that this is not a punishment and parents have been consulted.

The Case Manager will consider the potential permanent professional reputational damage to employees that can result from suspension where an allegation is later found to be unsubstantiated or maliciously intended.

If immediate suspension is considered necessary, the rationale and justification for such a course of action will be agreed and recorded by both the Case Manager and the LADO. This will also include what alternatives to suspension have been considered and why they were rejected.

In cases where the school is made aware that the Secretary of State has made an interim prohibition order in respect of an individual at the School, it will be necessary to immediately suspend that person from teaching pending the findings of the TRA's investigation. Where it has been deemed appropriate to suspend the person, written confirmation will be dispatched as soon as possible (within one working day), giving as much detail as appropriate for the reasons for the suspension. The person will be informed at the point of their suspension who their named contact is, and provided with their contact details.

Where the Case Manager is not the employer, the Case Manager will keep the relevant school authorities informed of the advice regarding suspension, as the power to suspend a member of staff/volunteer lies with them. The School will always give due weight to the views of the LADO when making a decision about suspension.

#### **e. Support for those involved: employees and volunteers**

The Foundation, as the employer, has a duty of care to its employees and the Foundation Governors and respective Heads Executive Group and Senior Management/Leadership Teams will act to manage and minimise the stress inherent in any such allegations and disciplinary process.

Individuals will be informed of concerns or allegations as soon as possible and given an explanation of the likely course of action (unless there is an objection by the local authority

social care services or the police: see **Initial response** above). The individual should contact their trade union if they belong to one and access to the School's counsellor would be made available, or a colleague for support. The Case Manager will appoint a named representative to keep the person who is the subject of the allegation informed of the progress of the case, including if they are suspended, and will consider what additional support may be required. Social contact with colleagues or friends will not be prevented, unless there is evidence that such contact is likely to be prejudicial to the gathering and presentation of evidence.

**f. Support for those involved: parents or carers of the child/children involved**

Parents or carers of a child or children involved will be told by the Case Manager about the allegation as soon as possible, and providing that the local authority social care services and/or the Police have agreed what information can be disclosed.

Parents and carers will be kept informed about the progress of the case and told the outcome where there is not a criminal prosecution. This includes informing them, in confidence, of the outcome of any disciplinary process. They will also be informed of any reporting restrictions, and advised to seek legal advice, if required.

Parents and carers will also be made aware of the prohibition on reporting or publishing allegations about teachers in **section 13 of the Education Act (2011)**. If parents or carers wish to apply to the court to have reporting restrictions removed, they should be told to seek legal advice.

If a child has suffered significant harm, or where there is a criminal prosecution, support for the alleged victim will be considered by the Police or social services.

**g. Confidentiality**

Every effort will be made to maintain confidentiality and guard against unwanted publicity.

In accordance with **KCSIE (2021)**, the School will make every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered.

The **Education Act (2011)** introduced reporting restrictions preventing the identification of a teacher who has been accused by, or on behalf of, a pupil from the same school. Reporting restrictions apply until the point that the accused is charged with an offence; or if the Secretary of State publishes information about an investigation or disciplinary case arising from the allegation; or if the individual to whom the restrictions apply effectively waives their right to anonymity by going public themselves, or by giving their written consent for another to do so; or if a judge or magistrate lifts the restrictions in response to a request to do so. The provisions commenced on 1 October 2012.

The legislation imposing restrictions makes clear that "publication" of material that may lead to the identification of the teacher who is the subject of the allegation is prohibited. "Publication" includes "any speech, writing, relevant programme or other communication in whatever form, which is addressed to the public at large or any section of the public". This means that a parent who, for example, published details of the allegation on a social networking site would be in breach of the reporting restrictions (if what was published could lead to the identification of the teacher by members of the public).

In accordance with the **Authorised Professional Practice (2017)**, published by the College of Policing, the Police will not normally provide any information to the press or media that might identify an individual who is under investigation, unless and until the person is charged with a criminal offence. (In exceptional cases where the Police would



like to depart from that rule, for example an appeal to trace a suspect, they must apply to a magistrates' court to request that reporting restrictions be lifted.)

The Case Manager will take advice from the LADO, Police and children's social care services to agree the following:

- who needs to know and what information can be shared;
- how to manage speculation, leaks and gossip;
- what, if any, information can be reasonably given to the wider community to reduce speculation;
- how to manage press interest.

#### **h. Information sharing**

In a strategy discussion or the initial evaluation of the case, the agencies involved should share all relevant information they have about the person who is the subject of the allegation, and about the alleged victim. Wherever possible the School will ask the police and/or Social Services to obtain consent from the individuals involved to share their statements and evidence for use in the employer disciplinary process.

#### **i. Oversight and monitoring**

As stated in **KCSIE (2021)**, the LADO has overall responsibility for: the oversight of the procedures for dealing with allegations; resolving any multi-agency safeguarding arrangements and issues; and liaison the locally agreed multi-agency safeguarding arrangements put in place by Warwickshire Safeguarding on the subject. The LADO will provide advice and guidance to the Case Manager, in addition to liaising with the Police and other agencies, and monitoring the progress of cases to ensure that they are dealt with as quickly as possible consistent with a thorough and fair process. It is expected that reviews will be conducted at fortnightly or monthly intervals, depending on the complexity of the case.

Police forces have responsibility for identifying officers who will be responsible for:

- liaising with the LADO;
- taking part in the strategy discussion or initial evaluation;
- subsequently reviewing the progress of those cases in which there is a police investigation; and
- sharing information on completion of the investigation or any prosecution.

If the strategy discussion or initial assessment decides that a police investigation is required, the Police are responsible for setting a target date for reviewing the progress of the investigation and consulting the Crown Prosecution Service (CPS) about whether to charge the individual, continue to investigate, or close the investigation. Wherever possible, it is expected that the review will take place no later than four weeks after the initial evaluation.

Dates for subsequent reviews, ideally at fortnightly intervals, will be set at the meeting if the investigation continues.

#### **j. Record keeping**

Details of allegations that are found to have been malicious will be removed from any personnel records.

For all other allegations, a clear and comprehensive summary of the allegation, details of

how the allegation was followed up and resolved and a note of any action taken and decisions reached, is to be kept on a person's confidential personnel file and a copy given to the person concerned.

The purpose of the record is to enable accurate information to be given in response to any future request for a reference, where appropriate. It will provide clarification in cases where future DBS checks reveal information from the Police about an allegation that did not result in a criminal conviction and it will help to prevent unnecessary re-investigation if, as sometimes happens, an allegation re-surfaces after a period of time.

The record will be retained at least until the person has reached at least retirement or for a period of 10 years from the date of the allegation if that is longer.

#### **k. Resignations and 'Settlement Agreements'**

If the accused person resigns, or ceases to provide their services, this will not prevent an allegation being followed up in accordance with this guidance.

A referral to the DBS must be made if the criteria are met where the person is deemed to have harmed or poses a risk of harm to a child, any settlement agreement that would prevent a school or college from making a DBS referral even though the criteria for referral are met, is likely to result in a criminal offence being committed. This is because the School would not be complying with its legal duty to make the referral. Similarly, the school also will consider its legal duties to make a referral to the Teaching Regulation Authority (TRA). It is important that every effort is made to reach a conclusion in all cases of allegations bearing on the safety or welfare of children, including any in which the person concerned refuses to cooperate with the process. Wherever possible, the accused should be given a full opportunity to answer the allegation and make representations about it. However, the process of recording the allegation and any supporting evidence, and reaching a judgement about whether it can be substantiated on the basis of all the information available, should continue even if that cannot be done or the accused does not cooperate. It may be difficult to reach a conclusion in those circumstances, and it may not be possible to apply any disciplinary sanctions if a person's period of notice expires before the process is complete, but it is important to reach and record a conclusion wherever possible.

'Settlement agreements' (previously referred to as compromise agreements), by which a person agrees to resign if the employer agrees not to pursue disciplinary action, and both parties agree a form of words to be used in any future reference, should not be used in cases of refusal to cooperate or resignation before the person's notice period expires.

#### **l. References**

Cases in which an allegation was proven to be false, unsubstantiated or malicious will not be included in employer references. A history of repeated concerns or allegations which have all been found to be false, unsubstantiated or malicious will also not be included in any reference.

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

The police will inform the school immediately once a criminal investigation and any subsequent trial is complete or if it is decided to close an investigation without charge or not to continue to prosecute the case after the person has been charged.

In those circumstances, the LADO should discuss with the school whether any further action, including disciplinary action, is appropriate and, if so, how to proceed. The information provided by the Police and/or children's social care services will inform that decision. The options will depend on the circumstances of the case and the consideration will take into account the result of the Police investigation or the trial, as well as the different

standard of proof required in disciplinary and criminal proceedings.

**n. Action on conclusion of a case, including referrals to the Disclosure and Barring Service (DBS) or the Teaching Regulation Authority (TRA)**

If the allegation is substantiated and the person is dismissed, or the Foundation ceases to use the person's services, or the person resigns or otherwise ceases to provide his or her services, the Case Manager will work with the LADO to determine whether a referral to the DBS for consideration of inclusion on the barred lists is required; and in the case of a member of teaching staff, whether to refer the matter to the Teaching Regulation Authority (TRA) to consider prohibiting the individual from teaching, if the threshold for a referral to the DBS has not been met.

The School acknowledges its legal duty to refer to the DBS anyone who has harmed, or poses a risk of harm, to a child, or if there is reason to believe the member of staff has committed a listed offence, and who has been removed from working (paid or unpaid) in regulated activity, or would have been removed had they not left. The DBS will consider whether to bar the person. Referrals will be made as soon as possible after the resignation or removal of the individual. The School will supply any information held to the Disclosure and Barring Service (DBS) when requested.

The School also acknowledges its duty to consider a separate referral to the TRA regarding a teacher who has been dismissed, resigned or their services cease to be used, when the criteria for a referral does not meet the threshold of a referral to the DBS but a prohibition order may be appropriate. The reasons such an order would be considered are: "unacceptable professional conduct", "conduct that may bring the profession into disrepute" or a "conviction, at any time, for a relevant offence". Further guidance is published on the TRA website. The school will seek advice if required, about whether the allegation against a teacher is sufficiently serious to refer to the TRA.

Where it is decided on the conclusion of a case that a person who has been suspended can return to work, the Case Manager will consider how best to facilitate that, how the person's contact with the child or children who made the allegation can best be managed, if they are still a pupil at the school.

**o. Action in case of unfounded or malicious allegations**

If an allegation is determined to be unfounded or malicious, the matter will be referred to the local authority children's social care services to determine whether the child concerned is in need of services or may have been abused by someone else.

In the event that an allegation is shown to have been deliberately invented or malicious, the School will consider whether any disciplinary action is appropriate against the pupil who made it or the police will be asked to consider whether any action might be appropriate against the person responsible, even if he or she is not a pupil.

**p. Learning lessons**

At the conclusion of a case in which an allegation is substantiated, the Case Manager on behalf of the School will work with the LADO to determine whether any improvements can be made to the School's procedures and/or practice to help prevent similar events in future.

This will include issues arising from the decision to suspend the member of staff, the duration of the suspension and whether or not suspension was justified. Lessons should also be learnt from the use of suspension when the individual is subsequently reinstated. The LADO and Case Manager will consider how future investigations of a similar nature could be carried out without suspending the individual.

## q. Whistleblowing

The School is committed to safeguarding and the implementation of this policy, but if staff and volunteers have any concerns at any time about poor or unsafe practice, and potential failures in the school safeguarding regime, they should in the first instance, raise their concerns with the DSL or the Head of the respective School. If the member of staff or volunteer feels unable to raise the issue with either of them or feels that their genuine concerns are not being addressed, they should, without informing the relevant Head first, immediately follow the procedures on page 3. The Whistleblowing Policy is shared with staff annually; to ensure they are fully aware of the action required. (See also Section 15.)

## r. Allegations or concerns relating to former staff

Anyone who wishes to report allegations about the historic conduct of a member of staff who no longer works for the Foundation or otherwise raise safeguarding concerns about them, should either raise these issues with the appropriate Head, or directly with Warwickshire Police.

If raised with the Foundation, the issue will be handled in accordance with this policy and the relevant government guidance. This may include referral to the police and other third parties (e.g. Local Authority Designated Officer).

## 17. Staff training

It is important that all staff (including volunteers) have training to enable them to recognise the possible signs of abuse (including peer-on-peer abuse), neglect, exploitation and radicalisation and to know what to do if they have a concern.

New staff, governors who will have direct contact with children and volunteers will receive an explanation during their induction which will include:

- the Foundation's Child Protection and Safeguarding Policy\* which includes the identity and role of the DSL and all Deputy DSLs, an explanation of Early Help 'Pathway to Change' support and policy and procedures for dealing with peer-on-peer abuse;
- signs and symptoms of abuse and neglect;
- responding to disclosure of abuse or neglect by a child;
- reporting and recording arrangements;
- the pupil Behaviour Policy\* (which includes measures to prevent bullying, including cyberbullying, prejudice-based and discriminatory bullying);
- the Staff Code of Conduct\* (including whistleblowing and acceptable use of IT, staff-pupil relationships and communications including social media);
- the School's safeguarding response to children who go missing from education\* (included in the Foundation's Child Protection and Safeguarding Policy);
- online safety;
- KCSIE\* Part One (or Annex A as determined by the Head/Principal). (In addition, Part 5 and Annex B is required for leaders and those with direct access to children.);
- guidance on the Prevent duty;
- Whistleblowing Policy;

\* Copies given to new staff

All of the above will be explained **before** a new member of staff, governor or volunteer has direct contact with children in school. The Foundation's Child Protection and Safeguarding Policy, Staff Code of Conduct Policy, Whistleblowing Policy and appropriate section of KCSIE will be sent with the letter confirming an appointment with a written requirement that the

individual reads the two policies in advance of starting work at the school. The individual will be given an opportunity to clarify any issues on their first day at work and then asked to sign to confirm that they have read and understood both policies and undertake to comply with them.

All staff, volunteers and governors will receive appropriate and regularly updated safeguarding and child protection training and thematic updates as required (at least annually) during inset days and regular discussions at staff meetings, to provide them with the requisite skills and knowledge to safeguard children effectively in line with statutory guidance including updates to **KCSIE (2021)** and any requirements of Warwickshire Safeguarding. Measures are taken to check staff understanding of the procedures.

The DSL should attend training for newly appointed DSLs and refresher training every two years. Every DSL should also attend Warwickshire's Early Help 'Pathway to Change' training which includes up to date information relevant to Warwickshire procedures and processes. DSLs update their knowledge and skills (including about Prevent duty and internet safety) by accessing training and development relevant to their role and their setting. DSLs receive job descriptions, detailing the specifics of their role. The Integrated Training Programme has a number of free courses that will support DSLs with their CPD and can be accessed [here](#). Informal updates are received by email and webinars.

All staff will be made aware of the increased risk of abuse to certain groups, including children with special educational needs and disabilities, looked after children, previously looked after children, young carers and risks associated with specific safeguarding issues including child sexual exploitation, child criminal exploitation, county lines activity, peer on peer/ child on child abuse, sexual harassment and sexual violence in school, extremism, so-called honour based abuse including female genital mutilation and forced marriage; and will receive training in relation to keeping children safe online.

A number of additional safety measures are in place for teachers working one-to-one in tuition, music, performing arts or sports coaching.

In addition to formal training, regular updates to staff will be given in meetings and via email.

The Head (and/or other school leaders as appropriate) and at least one governor (usually the chair) will attend safer recruitment training and the School will ensure that there are at least two school leaders and/or governors that have attended safer recruitment training within the past three years.

Supply staff and other visiting staff will be given the school's Visiting Staff Leaflet which includes information about the DSL and DDSs.

## 18. Safer recruitment

The Foundation endeavours to ensure that we do our utmost to employ only 'suitable' staff and allow only 'suitable' volunteers to work with children by complying with the requirements of **KCSIE (2021)** together with the Foundation's Recruitment and Selection Policy and the Warwickshire Safeguarding **Safer Recruitment** policies and the **Independent Schools' Regulatory Requirements**. The Schools operate safe recruitment procedures which include procedures to comply with the statutory guidance **Disqualification under the Childcare Act (2016)**.

Safer recruitment means that all applicants will:

- complete an application form which includes their employment history and explains any gaps in that history;
- provide two referees, including at least one who can comment on the applicant's suitability to work with children;

- provide evidence of identity and qualifications. Documentation such as marriage certificate / birth certificate / divorce confirmation etc. will be required to verify name / change in name;
- if offered employment, be checked in accordance with the Disclosure and Barring Service (DBS) regulations as appropriate to their role. This will include:
  - an enhanced DBS check and a barred list check for those including unsupervised volunteers engaged in Regulated Activity;
  - an enhanced DBS check without a barred list check for all volunteers not involved in Regulated Activity but who have the opportunity of regular contact with children;
  - an enhanced DBS check for all governors (not including associate members), which will only include a barred list check for governors involved in Regulated Activity;
- Where necessary, in accordance with regulatory requirements and the Foundation policy, overseas checks/certificates of good conduct for those who have lived or worked abroad, will be required. The Foundation will follow the appropriate guidance about the recruitment of overseas trained teachers, as specific guidance is currently being updated by the government. Additional measures will be put in place where it is not possible to obtain such documentation;
- if offered employment, provide evidence of their right to work in the UK;
- be interviewed by a panel of at least two school leaders/governors, if shortlisted.

The Schools will also:

- ensure that every job description and person specification for roles in school includes a description of the role holder's responsibility for safeguarding;
- ask at least one value-based question at interview for every role in school about the candidate's attitude to safeguarding and motivation for working with children;
- verify the preferred candidate's mental and physical fitness to carry out their work responsibilities;
- obtain references, from senior persons with appropriate authority, all shortlisted candidates, including internal candidates and verify the source of each reference;
- carry out additional or alternative checks for applicants who have lived or worked outside the UK;
- ensure that applicants for teaching posts are not subject to a prohibition order issued by the Secretary of State;
- check that an applicant for a management position is not the subject of a section 128 direction made by the secretary of state prohibiting or restricting her/him from taking part in the management of an independent school, academy or free school;

At least one member of each recruitment panel will have attended safer recruitment training.

All new members of staff and volunteers will undergo an induction that includes familiarisation with the school's Child Protection and Safeguarding Policy and Staff Code of Conduct Policy and other issues as in section 17 of this policy and identification of their child protection training needs.

All staff are required to sign to confirm they have received a copy of the Child Protection and Safeguarding Policy, Staff Code of Conduct Policy, Whistleblowing Policy and KCSIE Part One.

At present, all staff who come into contact with children under 8 in EYFS are required to confirm that they are not disqualified from providing childcare in accordance with the Childcare Regulations, updated in 2018. The definition of which members of staff across the Foundation are within scope of this legislation will be reviewed during the academic year 2021-2022.

The Foundation obtains written confirmation from supply agencies and third-party organisations that they have satisfactorily undertaken all appropriate checks in respect of individuals they provide to work in the school that the school would have undertaken if they were employing the individual directly; and that those individuals are suitable to work with

children. Trainee teachers will be checked either by the school or by the training provider, from whom written confirmation will be obtained confirming their suitability to work with children.

The Foundation maintains a single central record of recruitment checks undertaken and ensures that the record is maintained in accordance with section 3 of *Keeping Children Safe in Education 2021* and guidance issued by Warwickshire County Council. Further details are to be found in the separate Recruitment and Selection Policy.

Schools are 'specified places' which means that the majority of staff and volunteers will be engaged in Regulated Activity. A fuller explanation of Regulated Activity can be found in Part 3 of *Keeping Children Safe in Education 2021* and in Annex F

### **Volunteers**

Volunteers will undergo checks commensurate with their work in the school and contact with pupils. Under no circumstances will a volunteer who has not been appropriately checked be left unsupervised or be allowed to engage in Regulated Activity.

### **Supervised volunteers**

Volunteers who work only in a supervised capacity and are not in Regulated Activity will undergo the safer recruitment checks appropriate to their role, in accordance with the school's risk assessment process and statutory guidance.

### **Contractors**

The Foundation checks the identity of all contractors and their staff on arrival at the school/college and requests DBS checks where appropriate. As required by statutory guidance, where contractors and/or their staff are engaged in Regulated Activity, barred list checks are also requested. Contractors and any of their staff who have not undergone checks will not be allowed to work unsupervised or in Regulated Activity.

### **Visitors**

All visitors are expected to observe safeguarding procedures (see 19 Site Security). Where visiting speakers are invited into the School by staff, the School will ensure that they are suitable and appropriately supervised. The School will ensure that appropriate vetting has been undertaken, which will at least include an internet search to ascertain the speaker's suitability. Appropriate details of all visiting speakers will be logged on the SCR, in line with 'Prevent' guidance. All staff will be made aware of the need to ensure that the Prevent guidance with respect to visiting speakers is carried out.

## **19. Site security**

Visitors, including contractors, are asked to sign in and are given an identity badge, which confirms they have permission to be on site. Parents who are simply delivering or collecting their children do not need to sign in. All visitors are expected to observe the school's safeguarding and health and safety regulations to ensure children in school are kept safe. The Head will exercise professional judgement in determining whether any visitor should be escorted or supervised while on site.

## **20. Behaviour management**

Each School's Behaviour Policy is set out in a separate document and is reviewed regularly by the Governing Body. It is shared with all staff before they start working with children as part of their induction. The policy is transparent to staff, parents and pupils.

**KCSIE, (2021)** highlights that there are circumstances when it is appropriate for staff in schools and colleges to use reasonable force to safeguard children and young people. 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.

The Schools operate in accordance with Warwickshire County Council's **Guidance on the Use of Force and Physical Intervention**, which highlights that staff should deploy every possible strategy to prevent the need for physical intervention. Those strategies would include de-escalation whenever there is a threat of violence or aggression towards an individual or property; communicating calmly with children; using non-threatening verbal and body language; helping children to recognise their own 'triggers' and 'early warning signs', and distracting or helping children to see a positive way out of a difficult situation.

However, each School supports staff to intervene physically and to use reasonable force when all of those strategies are unsuccessful in calming a situation; and a risk of physical harm to other children, adults or the child her/himself, serious damage to property or serious disruption to the school remains. Staff should always be able to demonstrate that any such intervention is reasonable, proportionate and necessary in the circumstances, is used for the shortest possible period of time, deploys the minimum force that is necessary and is never used as a sanction.

### **Searching**

In accordance with DfE guidance **Searching, screening and confiscation - Advice for Heads, school staff and governing bodies (2018)** school staff can search a pupil for any item if the pupil agrees. The relevant Head and any member of staff authorised by the Head also has a statutory power to search pupils or their possessions, without consent, where they have reasonable grounds for suspecting that the pupil may have one or more of the following prohibited items in their possession: knives or weapons; alcohol; illegal drugs; stolen items; tobacco and cigarette papers; fireworks; pornographic images; indecent images of children; any article that a member of staff reasonably suspects has been, or is likely to be, used to commit an offence or to cause personal injury to or damage to the property of any person (including the pupil).

The Head and authorised staff can also search for any item banned by the school rules which has been identified in the rules as an item which may be searched for. School staff can confiscate any prohibited item found as a result of a search. They can also confiscate any item they consider harmful or detrimental to school discipline.

In the event that a member of staff suspects that a confiscated device contains indecent images of children, they will pass the device to the DSL and will not examine the device themselves. The DSL will take advice from the Police and/or the Children and Families Front Door (MASH) before examining the device – see 'Viewing the Imagery' on page 57 below.

## **21. Record keeping**

The schools will maintain safeguarding (including Early Help 'Pathway to Change') and Child Protection records in accordance with the guidance document **Child Protection Record Keeping Guidance (2020)**.

The schools will:

- keep clear detailed written records of concerns about children (noting the date, event and action taken), even where there is no need to refer the matter to Children's Social Care immediately;
- keep records in a meticulous chronological order, either on paper or electronically;
- ensure all records are kept secure and in locked locations;



- ensure all safeguarding records are transferred - separately from the child's main pupil file to the receiving school, college or other education establishment when a pupil moves. The DSL will do this as soon as possible, ensuring secure transit, and will ensure that confirmation of receipt of the records is obtained;
- the DSL will also consider whether it is appropriate to share any information with a child's receiving school/setting in advance of the child leaving so that the receiving school/setting is able to support the child as effectively as possible and plan for her/his arrival;
- ensure that incoming safeguarding records are brought to the attention of the DSL, Deputy DSLs and other key staff such as the SENCO when a child transfers in from another school/setting.

Safeguarding and child protection records will be maintained independently from the pupil's school file and the school file will be 'tagged' to indicate that separate information is held. Such records will only be accessible to the Designated Safeguarding Lead and school leaders who need to be aware.

The recommended format for staff in the Schools to record any safeguarding or child protection observations or concerns about a child is MyConcern or at Warwick Prep School, Green Forms. Shared Services staff, and staff who do not have access to a computer, should use the pro forma Logging A Concern About A Child's Safety and Welfare also known as the 'Green Form'.

Such records will include, in addition to the name, address and age of the child, timed and dated observations describing the child's behaviour, appearance, statements/remarks made to staff or other children and observations of interactions between the child, other children, members of staff and/or parents/carers that give rise to concern. Where possible and without interpretation, the exact words spoken by the child or parent/carer will be recorded. Records will be signed, dated and timed by the member of staff making the record.

Records of safeguarding/child protection observations or concerns can be completed electronically or as a paper version but it is most important that one consistent system for the recording of concerns is readily accessible to every member of staff irrespective of role and that all records are passed to the Designated Safeguarding Lead, who should complete the record to confirm what action has been taken.

Child protection records form a part of a child's pupil record, which parents ordinarily have a right to see. Any pupil or parent wishing to access the pupil's child protection records will need to submit a request to the school for consideration. Access to the record will then be arranged but records may be redacted in line with the requirements of the General Data Protection Regulation (GDPR) if releasing information would place the child, or any other person, at risk of significant harm.

The Data Protection Act 2018 and GDPR do not prevent school staff from sharing information with relevant agencies without the consent of parents, where that information may help to protect a child.

## 22. Confidentiality and information sharing

The schools will manage and share confidential information about children in line with **Information sharing - Advice for practitioners providing safeguarding services to children, young people, parents and carers (HMG 2018)**

All staff will understand that child protection issues warrant a high level of confidentiality, not only out of respect for the pupil, family and staff involved but also to ensure that information being released into the public domain does not compromise evidence.

The **Data Protection Act (2018) (DPA)** and **General Data Protection Regulation (2018) (GDPR)** places duties on the school and individual staff to process personal information fairly and lawfully and to keep the information they hold safe and secure.

However, neither the **DPA** nor the **GDPR** prevent or limit the sharing of information for the purposes of keeping children safe. **KCSIE (2021)** states clearly that “*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*”.

Staff will ensure confidentiality protocols are adhered to and information is shared appropriately. If in any doubt about confidentiality, staff will seek advice from the DSL, another member of the senior management team or outside agency as required (e.g. the Children and Families Front Door (MASH) Education Lead).

It is reasonable for staff to discuss day-to-day concerns about pupils with colleagues in order to ensure that children’s general needs are met in school. However, staff should report all child protection and safeguarding concerns to the DSL or relevant Head, Governor or Principal (see pages 3-5). The person receiving the referral will then decide who else needs to have the information and they will disseminate it on a ‘need-to-know’ basis.

**KCSIE (2021)** emphasises that the DSL or a deputy DSL should always be available to discuss safeguarding concerns but in exceptional circumstances where neither the DSL nor any appointed deputy DSL are available, that should not delay appropriate action being taken and staff should speak to a member of the senior management team or take advice from Children’s Social Care if they are concerned about a child.

The **GDPR** and the **DPA (2018)** do not prevent school staff from sharing information with relevant agencies, where that information may help to protect a child. All staff must be aware that they have a professional responsibility to share information with other agencies in order to safeguard children.

The DSL will normally obtain consent from the pupil and/or parents to share sensitive information within the school or with outside agencies. Where there is good reason to do so, the DSL may share information *without* consent, and will record the reason for not obtaining consent.

If any member of staff receives a request from a pupil or parent to see child protection records, they will refer the request to the DSL and data protection officer.

Information sharing will take place in a timely and secure manner and where:

- it is necessary and proportionate to do so; and
- the information to be shared is relevant, adequate and accurate.

Information sharing decisions will be recorded, whether or not the decision is taken to share.

All staff must be aware that they cannot promise a child/parent to keep secrets.

All safeguarding and child protection information will be handled in line with the principles of the Data Protection Act 2018, which require that sensitive information is:

- processed for limited purposes;
- adequate, relevant and not excessive;
- accurate;
- kept no longer than necessary;

- processed in accordance with the data subject's rights;
- secure.

Record of concern forms (Green Forms) and other written information will be stored in a locked facility and any electronic information will be password protected and only made available to relevant individuals.

Every effort will be made to prevent unauthorised access to sensitive information. Any sensitive information that needs to be stored on portable devices such as laptop computers or tablets or on portable media such as a CD or flash drive will be password protected or encrypted and kept in locked storage.

The Foundation's policy on confidentiality and information-sharing is available to parents and pupils on request.

## **23. Extended school and off-site arrangements**

All extended and offsite activities are subject to a risk assessment to satisfy health and safety and safeguarding requirements. When our pupils attend off-site activities, including day and residential visits and work-related activities, we will check that effective child protection and whistleblowing arrangements are in place.

Where extended school activities are provided by and managed by the school, the school's child protection policy and procedures apply. If other organisations provide services or activities on the school site, the school will check that those organisations have appropriate procedures in place, including safer recruitment procedures.

The DSL for Holiday Action takes responsibility for ensuring that robust procedures are in place to confirm attendance and swift reporting of non-attendance and children going missing from Holiday Action at any time when they should be there. The DSL for Holiday Action will also ensure that effective quality assurance arrangements are in place in order to monitor the ongoing effectiveness of all safeguarding arrangements that the children's Holiday Action provision has in place.

When school pupils attend off-site activities, including day and residential visits and work-related activities, the School will check that effective child protection arrangements are in place, and that necessary vetting has been undertaken, where appropriate.

## **24. Photography and images**

The vast majority of people who take or view photographs or videos of children do so for entirely innocent, understandable and acceptable reasons. Sadly, some people abuse children through taking or using images, so the Schools must ensure they have some safeguards in place.

To protect pupils, staff will:

- seek pupil consent for photographs or video images to be taken;
- seek parental consent;
- only take and use images/films that are appropriate and are considered not to be open to misuse;
- ensure pupils are appropriately dressed;
- encourage pupils to say if they are worried about any photographs/images that are taken of them.

Furthermore, when using images for publicity purposes (e.g. on the website or in newspapers or publications), each School will:

- avoid naming children when possible;
- if it is necessary to name children, use first names rather than surnames;
- if children are named, avoid using their image;
- establish whether the image will be retained for further use, where and for how long;
- ensure that images are stored securely and used only by those authorised to do so;

For the protection of pupils and staff, only school owned equipment will be used to record and store images taken by staff or volunteers on the school site or during offsite school activities including residential visits.

Parents may take still photographs of their **own children only** during school activities, subject to other restrictions notified to parents in advance in writing or verbally (e.g. parents may be asked not to take photographs during concerts/performances in order not to distract children who are performing or other audience members). **Parents must never take photographs of groups of children in EYFS.** Parents must never publish (including on social media) photographs of other children inadvertently captured during school events.

Parents are permitted to video record their **own children only** during school activities, subject to the same terms and conditions as for photographs above. **Parents must never take videos of groups of children in EYFS.**

Staff, visitors, volunteers and students are **not permitted** to use their own cameras or mobile phones to take or record any images of EYFS pupils for their own records. In the EYFS, children may have their photographs taken by staff **using School equipment only** during indoor and outdoor activities, to provide evidence of achievements for developmental records. These are displayed in albums or a child's development records for children and parents to look through in the presence of a member of staff in the school. Photographs may contain other children in the background. Any photographs that are taken on EYFS School equipment and stored on the School's computers or network are password protected. They are printed in the setting by staff and images are then removed from each iPad or camera's memory. Where photographs or recordings are made by staff or parents, these are always in full view of those attending. Further information about this and details for parents are included in the Early Years Foundation Stage Policy.

Visiting practitioners who work directly with children are subject to the same restrictions as school staff and volunteers in respect of recording and storing images of children, including in the EYFS. However, some visiting professionals are permitted to record images of the premises only specifically for professional purposes and in order to support the school, e.g. professionals providing advice or preparing quotations for work such as maintenance, health and safety and building.

## 25. Online Safety

Children commonly use electronic equipment including mobile phones, tablets and computers on a daily basis to access the internet and share content and images via social networking sites such as Facebook, Twitter, MSN, Tumblr, Snapchat and Instagram.

Those technologies and the internet are a source of fun, entertainment, communication and education. Unfortunately, however, some adults and young people will use those technologies to harm children and the use of technology has become a significant component of many safeguarding issues. Technology often provides the platform that facilitates harm through child

criminal and sexual exploitation, county lines activity, radicalisation, sexual predation and cyber bullying.

The breadth of issues within online safety is considerable, but can be categorised into four areas of risk:

- **content:** *being exposed to illegal, inappropriate or harmful content, for example: pornography, fake news, racism, misogyny, self-harm, suicide, anti-Semitism, radicalisation and extremism;*
- **contact:** *being subjected to harmful online interaction with other users; for example: peer to peer pressure, commercial advertising and adults posing as children or young adults with the intention to groom or exploit them for sexual, criminal, financial or other purposes;*
- **conduct:** *personal online behaviour that increases the likelihood of, or causes, harm; for example, making, sending and receiving explicit images (e.g. consensual and non-consensual sharing of nudes and semi-nudes and/or pornography, sharing other explicit images and online bullying;*
- **commerce** - *risks such as online gambling, inappropriate advertising, phishing and or financial scams. Pupils, students or staff at risk can be reported to the Anti-Phishing Working Group KCSIE (2021).*

Chatrooms and social networking sites are the more obvious sources of inappropriate and harmful behaviour and pupils are not allowed to access those sites in school. Many pupils own or have access to handheld devices and parents are encouraged to consider measures to keep their children safe when using the internet and social media at home and in the community. Parents are strongly encouraged and frequently reminded to refer to **Internet Matters: parental controls** for guidance on putting restrictions in place to keep children safe online when using 3/4/5G.

Pupils using personal devices in school (e.g. through the BYOD programmes) can access the internet via a dedicated Wifi network. Only authenticated school users can access the network. This network is currently supported by Meraki and secured by the Foundation web filtering of iBoss which also manages user authentication to access the school network. The web filtering and authentication to access the network is managed by iBoss. The networks and web filtering is monitored regularly so that inappropriate content, of a radicalised or sexualised nature for example, and inappropriate websites are blocked from pupils on site. Further technology also prevents pupils from using their mobile phones as hotspots or using VPNs on the Foundation site to prevent the ability to bypass the web filtering systems. When pupils are using a 3/4/5G enabled device content cannot be filtered so there are pastoral programmes in place (through, for example, PSHEE programmes, visiting speakers, assemblies and pastoral time) to help educate pupils in online safety and responsible use. Each School's Acceptable Use of ICT Policy and the Procedures for the Safe and Efficient use of BYOD in the senior Schools provide safety guidelines for pupils including the need to report suspicious behaviour, including suspected extremism and terrorism.

Each of the Schools has procedures in place to limit the times when handheld devices can be used and for the active, vigilant supervision of their use as part of classroom management. The risks of using social media to abuse and/or sexually harass their peers, be at the receiving end of such behaviours, share indecent images consensually and non-consensually and view and share pornography and other harmful content are understood. All staff receive online safety training and know to report any concerns about risk to children online in the same way that they notice and report offline concerns. Each School will ensure that online learning tools and systems are used in line with privacy and data protection/GDPR requirements.

Online bullying and sexting by pupils will be treated as seriously as any other type of bullying

and will be managed through each School's anti-bullying procedures (see '*Youth produced sexual imagery*' ('sexting') in Section 31 below). Serious incidents are managed in line with child protection procedures

### **Safeguarding pupils in online learning and communication between staff and pupils**

Where staff are delivering lessons online or virtually (e.g. to children unable to attend school due to COVID-19 or ill health), all such lessons will be delivered in accordance with The Foundation's Safeguarding and Child Protection, Code of Conduct and Acceptable Use of ICT Policies. This will ensure that The Foundation's filtering and monitoring software is enabled.

The Foundation will take account of guidance from DfE in relation to the planning and delivery of online learning when it is issued; as well as nationally recognised guidance including **Guidance from the UK Safer Internet Centre on safe remote learning** and **London Grid for Learning on the use of videos and livestreaming**.

Staff will always use Foundation owned devices and accounts for the delivery of online/virtual lessons/tutorials.

Parents will always be informed if remote teaching needs to take place and how it will operate safely for each year group. In addition, if staff need to deliver lessons/tutorials on a one-to-one basis or communicate with vulnerable children who are not attending school via video chat, they are required to notify a Senior Manager for their school.

Online/virtual lessons should be timetabled and the Head, DSL and other designated senior staff are able to take a "virtual learning walk" and drop into lessons without having to be a member of the team. This is the online version of entering a classroom for pupil/student welfare and safeguarding purposes.

Where staff do have meetings on line outside the timetabled schedule for clubs, extra academic support etc. these are held only after consultation with a Deputy Head or Lead DSL.

It is important that all staff who interact with children online continue to look out for signs that a child may be at risk, distressed for some reason or vulnerable in some other way and report and record any concerns to the DSL in the normal way. The DSL will respond to any such concern as they would any other safeguarding concern.

Staff delivering online/virtual teaching will be expected to display the same standards of conduct that they would when working face to face in school, modelling appropriate behaviour and presentation to pupils and parents. Below are other issues that staff need to take into account when delivering online/virtual lessons or communicating with children online, particularly where webcams are used:

- Staff and children must be fully dressed and wear suitable clothing, as should anyone else in the household.
- Any computers used should be in appropriate areas and the background should be blurred. If it is not possible to blur the background, staff must consider what children can see in the background and whether it would be appropriate in a classroom. This includes photographs, artwork, identifying features, mirrors etc.
- Staff will ensure that resources and videos used are age appropriate – the child may not have support immediately to hand at home if they feel distressed or anxious about content.
- Live classes will be kept to a reasonable length of time so that children do not have too much screen time and in order to minimise disruption for the family.
- If a lesson is recorded, then pupils are made aware (usually via a pop-up warning in the meeting itself or a verbal communication from the teacher). Staff are asked to delete recorded lessons after their period of use ends.

- Language must be professional and appropriate, including that used by any family members in the background.
- Staff must only use platforms specified by Senior Managers and approved by the School's ICT manager/co-ordinator for communication with pupils/students
- If the session is not a planned curriculum or co-curricular session, the length, time, date and attendance should be noted.

Staff members delivering lessons or communicating with children online/virtually will raise any issues in respect of inappropriate dress, setting, behaviour etc with the child and/or parent immediately and will end the online interaction if necessary. Any such incident will be logged and reported to the DSL.

If a staff member believes that a child or parent is recording a lesson or conversation without prior consent, the lesson will be brought to an end or the child will be logged out immediately.

In **rare and exceptional circumstances** where staff urgently need to contact a pupil or parent by telephone and do not have access to a school-owned device, they will discuss this with a senior member of staff. If it is agreed there is no alternative to using a personally owned device, staff members will always use 'caller withheld' to ensure the pupil and/or parent is not able to identify the staff member's personal contact details.

Staff also receive advice regarding their personal online activity, use of social networking and electronic communication with pupils, about which there are strict rules. (Please refer to the Staff Acceptable Use of ICT Policy). Staff found to be in breach of these rules may be the subject of a referral to the Designated Officer in the Local Authority and/or may be subject to disciplinary action.

## 26. Child protection procedures

### Recognising abuse

To ensure that pupils are protected from harm, all staff need to understand what types of behaviour constitute abuse and neglect. Abuse and neglect are forms of maltreatment of children. Somebody may abuse or neglect a child by inflicting harm, for example by hitting them, or by failing to act to prevent harm, for example by leaving a small child home alone.

Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others. Abuse can take place wholly online, or technology may be used to facilitate offline abuse. Children may be abused by adult men or women or by other children or young people. Staff are trained to understand and recognise indicators of all four categories of abuse as defined below.

**There are four categories of abuse: physical abuse, emotional abuse, sexual abuse and neglect.**

### Physical abuse

A form of abuse which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child (this used to be called Munchausen's Syndrome by Proxy but is now more usually referred to as fabricated or induced illness).

### Emotional abuse

The persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child's emotional development. It may involve conveying to a child that they are worthless

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

### **Sexual abuse**

Involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse. Sexual abuse can take place online, and technology can be used to facilitate offline abuse. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children. The sexual abuse of children by other children is a specific safeguarding issue in education (see Section 31).

### **Neglect**

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

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

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

Definitions are taken from **KCSIE (2021)**.

### **Indicators of abuse**

Physical signs define some types of abuse, for example bruising, bleeding or broken bones resulting from physical or sexual abuse, or injuries sustained while a child has been inadequately supervised. The identification of physical signs is complicated, as children may go to great lengths to hide injuries, often because they are ashamed or embarrassed, or their abuser has threatened further violence or trauma if they 'tell'. It is also quite difficult for anyone without medical training to categorise injuries into accidental or deliberate with any degree of certainty. For those reasons it is vital that staff are also aware of the range of behavioural indicators of abuse and report any concerns to the Designated Safeguarding Lead.

**It is the responsibility of staff to report their concerns. It is not their responsibility to investigate or decide whether a child has been abused.**

A child who is being abused or neglected may:

- have bruises, bleeding, burns, fractures or other injuries;
- show signs of pain or discomfort;
- keep arms and legs covered, even in warm weather;



- be concerned about changing for PE or swimming;
- look unkempt and uncared for;
- change their eating habits;
- have difficulty in making or sustaining friendships;
- appear fearful;
- be reckless with regard to their own or other's safety;
- self-harm;
- frequently miss school or arrive late;
- show signs of not wanting to go home;
- display a change in behaviour – from quiet to aggressive, or happy-go-lucky to withdrawn;
- challenge authority;
- become disinterested in their schoolwork;
- be constantly tired or preoccupied;
- be wary of physical contact;
- be involved in, or particularly knowledgeable about drugs or alcohol;
- display sexual knowledge or behaviour beyond that normally expected for their age and/or stage of development; and/or
- acquire gifts such as money or a mobile phone from new 'friends' or adults recently acquainted with the child's family.

Individual indicators will rarely, in isolation, provide conclusive evidence of abuse. They should be viewed as part of a jigsaw and each small piece of information will help the DSL to decide how to proceed.

**It is very important that staff report all of their concerns, however minor or insignificant they may think they are – they do not need 'absolute proof' that the child is at risk.**

## **Impact of abuse**

The impact of child abuse, neglect and exploitation should not be underestimated. Many children do recover well and go on to lead healthy, happy and productive lives, although most adult survivors agree that the emotional scars remain, however well buried. For some children, full recovery is beyond their reach and the rest of their childhood and their adulthood may be characterised by one or more of the following: anxiety, depression or other mental health difficulties, self-harm, eating disorders, alcohol and substance misuse, unequal and destructive relationships, unfulfilled potential and long-term physical health difficulties.

## **Taking action**

**Any child in any family in any school could become a victim of abuse. Staff should always maintain an attitude of "It could happen here".**

Key points for staff to remember when taking action are:

- in an emergency take the action necessary to help the child, for example, call 999;
- report your concern to the DSL as quickly as possible – immediately when there is evidence of physical or sexual abuse and certainly by the end of the day;
- do not start your own investigation; share information on a need-to-know basis only – do not discuss the issue with colleagues, friends or family;
- complete a record of concern, using MyConcern/ a Green Form (See Appendices 1 and 2)
- seek support for yourself if you are distressed or need to debrief.

**If a member of staff or volunteer is concerned about a pupil's welfare**

There will be occasions when staff may suspect that a pupil may be at risk without unequivocal evidence. The pupil's behaviour may have changed, their artwork could be unusual or bizarre, they may write stories or poetry that reveal confusion or distress, or physical but inconclusive signs may have been noticed. In these circumstances, staff will try to give the pupil the opportunity to talk. The signs they have noticed may be due to a variety of factors, for example a parent has moved out, a pet has died, a grandparent is very ill or an accident has occurred. Staff are encouraged and supported to ask pupils if they are OK, if there is anything the child would like to talk to them about and if they can help in any way. Staff are trained to do this by asking appropriate open questions which do not lead the child in any particular direction but invite the child to talk about anything if they wish to.

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

Concerns which do not meet the threshold for child protection intervention will be managed through the Early Help 'Pathway to Change' process explained in Section 8 of this policy.

### **If a pupil discloses to a member of staff or volunteer**

It takes a lot of courage for a child to disclose that they are being abused or exploited. They may feel ashamed, particularly if the abuse or exploitation is sexual. Their abuser may have threatened what will happen if they tell. They may have lost all trust in adults. Or they may believe, or have been told, that the abuse is their own fault. Sometimes they may not be aware that what is happening is abusive.

If a pupil talks to a member of staff about any risks to their safety or wellbeing, **the staff member will need to let the pupil know that they must pass the information on** – staff are not allowed to keep unsafe secrets. The point at which they tell the pupil this is a matter for professional judgement. If they jump in immediately the pupil may think that they do not want to listen but if left until the very end of the conversation, the pupil may feel that they have been misled into revealing more than they would have otherwise.

Pupils are taught about confidentiality and will generally understand the concept of safe and unsafe secrets. They should have a good knowledge and understanding of why staff cannot keep some information confidential but also know that information is passed on to specific people on a 'need to know' basis only.

DSLs and Senior Leadership teams appraise themselves of **Part 5 of KCSIE (2021)** alongside the further departmental advice titled **Sexual Violence and Sexual Harassment Between Children in Schools and Colleges**.

During their conversations with pupils, staff will:

- actively listen;
- allow the child to speak freely;
- remain calm and not overreact – the pupil may stop talking if they feel they are upsetting their listener;
- give reassuring nods or words of comfort – **'I'm glad you told me'/'Thank you for telling me'; 'You're doing very well'; 'I believe you'; 'What happened to you is not your fault'/'This isn't your fault'; 'I'm going to do what I can to help you'**;
- not be afraid of silences – staff must remember how hard this must be for the pupil;
- **under no circumstances** ask investigative questions – such as how many times this has happened, whether it happens to siblings too, or what does the pupil's mother think about it; (**however**, it is reasonable to ask questions to clarify understanding and to support a meaningful referral if that is required, e.g. 'when did this happen', 'where did this happen?')

- at an appropriate time tell the pupil that in order to help them, the member of staff must pass the information on;
- not automatically offer any physical touch as comfort. It may be anything but comforting to a child who has been abused;
- avoid admonishing the child for not disclosing earlier. Saying things such as 'I do wish you had told me about this when it started' or 'I can't believe what I'm hearing' may be the staff member's way of being supportive but may be interpreted by the child to mean that they have done something wrong;
- tell the pupil what will happen next;
- let the pupil know that someone (either the member of staff or another named person, e.g. the DSL) will come to see them before the end of the day;
- report verbally to the DSL (or Head if the child has made an allegation against a member of staff);
- write up their conversation as soon as possible on the record of concern (MyConcern/ Green form) and hand it to the DSL (or Head if the child has made an allegation against a member of staff); and
- seek support if they feel distressed or need to debrief.
- reassure the student that they are being taken seriously and that they will be supported and kept safe so that they will not be given the impression that they are creating a problem by reporting abuse, sexual violence or sexual harassment and will not ever be made to feel ashamed for making a report.

Schools and colleges should carefully consider any report of sexual violence and/or sexual harassment. The designated safeguarding lead (or deputy) is likely to have a complete safeguarding picture and be the most appropriate person to advise on the School's initial response. Important considerations will include:

- the wishes of the victim in terms of how they want to proceed. This is especially important in the context of sexual violence and sexual harassment. Victims should be given as much control as is reasonably possible over decisions regarding how any investigation will be progressed and any support that they will be offered. This will however need to be balanced with the school's or college's duty and responsibilities to protect other children;
- the nature of the alleged incident(s), including whether a crime may have been committed and consideration of harmful sexual behaviour;
- the ages of the children involved;
- the developmental stages of the children involved;
- any power imbalance between the children. For example, is the alleged perpetrator(s) significantly older, more mature or more confident? Does the victim have a disability or learning difficulty?
- if the alleged incident is a one-off or a sustained pattern of abuse (sexual abuse can be accompanied by other forms of abuse and a sustained pattern may not just be of a sexual nature);
- that sexual violence and sexual harassment can take place within intimate personal relationships between peers;
- are there ongoing risks to the victim, other children, adult students or school or college staff?
- other related issues and wider context, including any links to child sexual exploitation and child criminal exploitation.

## **Notifying parents**

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

Our focus is the safety and wellbeing of the pupil. Therefore, if the school believes that notifying parents could increase the risk to the child or exacerbate the problem, advice will be

sought first from Children's Social Care.

### **The School can make a referral without having parental consent.**

Any member of staff or parent can make a direct referral themselves (see page 6) but the DSL usually has the most complete picture of the circumstances so should be consulted if possible.

## **27. Making a referral to Children's Social Care**

**KCSIE (2021)** emphasises that the DSL (and any deputies) are most likely to have a complete safeguarding picture and be the most appropriate person to advise on the response to safeguarding concerns. The DSL will make a referral to Children's Social Care (and if appropriate the Police) if it is believed that a pupil is suffering or is likely to suffer significant harm.

The pupil (subject to their age and understanding) and the parents will be told that a referral is being made, unless to do so would increase the risk to the child or create undue delay. **KCSIE (2021)** also emphasises that **all** staff should be aware of the process for making referrals to Children's Social Care and for statutory assessments under the **Children Act (1989)**, especially section 17 (children in need) and section 47 (a child suffering, or likely to suffer, significant harm) that may follow a referral, along with the role they might be expected to play in such assessments.

### **Statutory assessments**

**Children in need** A child in need 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 enquires 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. In addition, children and young people may be at risk of significant harm from outside of their home environment (extra familial harm), this too could constitute that the child may 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.

## **28. Submitting child protection referrals**

All child protection referrals should be made by completing a MAC (Multi Agency Contact) form and submitting it to the Children and Families Front Door (previously known as MASH) at [triagehub@warwickshire.gov.uk](mailto:triagehub@warwickshire.gov.uk). The form can also be completed online.

All urgent child protection referrals, i.e. where there is an immediate concern about a child's safety, should be made in the first instance by telephoning the Children and Families Front Door (MASH) on 01926 414144. This should be followed by submission of a MAC as above.

NB If a child is already the subject of an open case to Children's Social Care, the DSL will have the name and contact details of the allocated social worker. Further child protection concerns

about any child in those circumstances must be referred directly to the allocated social worker, **not** to the Children and Families Front Door (MASH). Again, where there is an immediate concern about a child's safety, the DSL should contact the social worker by telephone in the first instance. Any difficulties in contacting the social worker must be escalated to their line manager, **not** to the Children and Families Front Door (MASH).

Outside of office hours, immediate concerns about a child should be referred to the Emergency Duty Team on telephone number 01926 886922

If staff are ever concerned that a child is in immediate danger, they will contact the Police by dialling 999.

Staff may seek support directly from the Children and Families Front Door Education Lead via 01926 418608 should they consider that necessary.

## 29. Staff reporting directly to child protection agencies

Staff should ordinarily follow the reporting procedures outlined in this policy.

However, as highlighted above, **all** staff should be aware of the Early Help 'Pathway to Change' process and understand their role in it; and **all** staff should be aware of the process for making referrals to Children's Social Care and for statutory assessments under the Children Act 1989.

**Any member of staff may therefore refer their concerns directly to Children's Social Care and/or the Police if:**

- the situation is an emergency and the DSL, the deputy DSL, the Head and/or the chair of governors are all unavailable;
- they are convinced that a direct report is the only way to ensure the child's safety; or
- for any other reason they make a judgement that a direct referral is in the best interests of the child.

In any of those circumstances, staff may make direct child protection referrals and share information without being subject of censure or disciplinary action. However, staff should inform the DSL and/or Head at the earliest opportunity that they have made a direct referral unless in their judgement doing so would increase the risk of harm to the child.

If in any doubt, members of staff may consult or seek support from the Children and Families Front Door and /or Education Lead.

## 30. What will Children's Social Care do?

Children's Social Care should make a decision about the type of response that is required within one working day of a referral being made; and should let the referrer know the outcome. This will include determining whether:

- the child requires immediate protection and urgent action is required;
- whether the child is in need, and should be assessed under section 17;
- 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; (Chapter one of Working Together to Safeguard Children provides details of the assessment process.)
- any services are required by the child and family and what type of services; and
- further specialist assessments are required in order to help the local authority to decide what further action to take.

The School will follow up if this information is not forthcoming and if, after a referral, the child's situation does not appear to be improving, the School will consider following the Warwickshire

Safeguarding escalation procedure to ensure the referred concerns have been addressed and, most importantly, that the child's situation improves.

If Children's Social Care decide to carry out a statutory assessment, school staff will do everything they can to support that assessment, led and supported by the DSL (or deputy) as required.

## 31. Bullying, peer on peer abuse and harmful sexual behaviour

The Foundation believes that all children have a right to attend school and learn in a safe environment. Children should be free from harm, both from adults and other students in the school. Incidents of bullying, peer on peer abuse and harmful sexual behaviour will be treated in the same way, whether they occur on the Foundation site or beyond.

Children may be harmed by other children or young people. All staff recognise that children can abuse their peers and are trained to understand and implement their School's policy and procedures regarding peer on peer abuse. They know it is important to challenge abusive behaviour between peers and that any concerns must be reported to the DSL. All peer on peer abuse is unacceptable and will be taken seriously. Pupils are reminded regularly that there is always someone they can talk to about abusive behaviour from their peers and that they will be listened to and their concern will be taken seriously. It is most likely to include, but is not limited to:

- bullying (including cyberbullying, prejudice-based and discriminatory bullying);
- abuse in intimate personal relationships between peers;
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm (this may include an online element which facilitates, threatens and/or encourages physical abuse);
- sexual violence, such as rape, assault by penetration and sexual assault (this may include an online element which facilitates, threatens and/or encourages sexual violence - see **KCSIE (2021)** Part 5 for response guidance.);
- 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 - see **KCSIE (2021)** Part 5 for response guidance;
- consensual and non-consensual sharing of nudes and semi-nude images and / or videos (also known as sexting or youth produced sexual imagery);
- causing someone to engage in sexual activity without consent, such as forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party
- upskirting, which typically involves taking a picture under a person's clothing (not necessarily a skirt) without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm (upskirting is a criminal offence and may constitute sexual harassment). Anyone of any gender can be a victim;
- teenage relationship abuse - defined as a pattern of actual or threatened acts of physical, sexual or emotional abuse, perpetrated against a current or former partner;
- initiation/hazing - this could include activities involving harassment, abuse or humiliation used as a way of initiating a person into a group and may also include an online element. For example, can be used to induct newcomers into an organisation such as sports team or school groups by subjecting them to a series of potentially humiliating, embarrassing or abusing trials which promote a bond between them; and
- prejudiced behaviour - a range of behaviours which causes someone to feel powerless, worthless or excluded and which relates to prejudices around belonging, identity and

equality, in particular prejudices linked to disabilities, special educational needs, ethnic, cultural and religious backgrounds, gender and sexual identity.

Bullying is a very serious issue that can cause children considerable anxiety and distress. At its most serious level, bullying can have a disastrous effect on a child's well-being and in very rare cases has been a feature in the suicide of some young people.

All incidences of bullying, including cyber-bullying and prejudice-based bullying should be reported and will be managed through each School's Anti-bullying Policy which can be accessed on the School's website. All pupils and parents receive a copy of the procedures on joining the School and the subject of bullying is addressed at regular intervals in PSHE education. All members of staff receive a copy of their School's Behaviour Policy, which contains the anti-bullying procedures, as part of their induction and are trained to be aware of the harm caused by bullying and to respond to all incidents of bullying and peer on peer abuse proactively.

Abuse is abuse and the Foundation adopts a zero-tolerance approach to abuse, and it should never be tolerated, minimised or dismissed as 'just banter', 'just having a laugh', 'just part of growing up' or 'boys being boys' or 'girls being girls' as this can lead to a culture of unacceptable behaviours and an unsafe environment for children.

Different gender issues can be prevalent when dealing with peer on peer abuse, for example girls being sexually touched/assaulted or boys being subject to initiation/hazing type violence. Whilst mindful of the particular vulnerability of women and girls to violence, it is also recognised that boys as well as girls can be abused by members of the opposite as well as the same gender group. All peer-on-peer abuse is unacceptable and will be taken seriously.

We recognise that some students will sometimes negatively affect the learning and wellbeing of others and their behaviour will be dealt with under each School's Behaviour Policy. However, there will be occasions when a pupil's behaviour warrants a response under child protection rather than anti-bullying procedures. In particular, research suggests that up to 30 per cent of child sexual abuse is committed by someone under the age of 18.

Occasionally, allegations may be made against students by others in the school, which are of a safeguarding nature. Safeguarding issues raised in this way may include physical abuse, emotional abuse, sexual abuse and sexual exploitation. Members of staff to whom such allegations are made and/or who become concerned about a pupil's sexualised behaviour, including any known online sexualised behaviour, should record their concerns in the usual way on MyConcern or on a Green Form and report them to the DSL as soon as possible, as with any other safeguarding concern.

It is likely that for an allegation or concern to be addressed under child protection procedures, some of the following features will be found. The allegation or concern:

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

It is important for the school/college to consider the wider environmental factors and context within which peer on peer abuse occurs (please also see *Contextual Safeguarding* below). Such factors may include the potential for bullying and peer on peer abuse to take place across a number of social media platforms and services; and for things to move from platform to platform online. Each School will also consider the potential for the impact of the incident to extend further than their School's local community (e.g. for images or content to be shared around neighbouring schools/colleges) and for a victim (or alleged perpetrator(s)) to become marginalised and excluded by both online and offline communities. There is also the strong

potential for repeat victimisation in the future if abusive content continues to exist somewhere online. Online concerns can be especially complicated. Support is available from The UK Safer Internet Centre at 0344 381 4772 and [helpline@saferinternet.org.uk](mailto:helpline@saferinternet.org.uk) and the **Internet Watch Foundation**.

## **Peer on peer sexual violence and sexual harassment**

Sexual violence and sexual harassment can occur between two children of any age and gender and between children of the opposite or the same gender from primary through to secondary stage and into colleges. It can occur through a group of children sexually assaulting or sexually harassing a single child or group of children. As set out in **Part one of KCSIE 2021**, all staff working with children are advised to maintain an attitude of 'it could happen here'. Even if there are no reported cases of peer-on-peer abuse, such abuse may still be taking place and is simply not being reported.

Sexual violence and sexual harassment exist on a continuum and may overlap, they can occur online and offline (both physically and verbally) and are never acceptable. While it is important that **all** victims are taken seriously and offered appropriate support, staff are trained to be aware that it is more likely that girls will be the victims of sexual violence and sexual harassment and more likely it will be perpetrated by boys. All staff should be able to reassure victims 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 abuse, sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report.

**KCSIE (2021)** largely refers to sexual violence and sexual harassment between pupils within a school. However, there may be occasions when pupils report sexual violence and/or harassment perpetrated by other young people who attend a different educational provision. In that situation, the DSL will liaise with the DSL at the alleged perpetrator(s)' school as well as the victim's parents, the Police and Children's Social Care. Support for the victim will be provided as described below, irrespective of which educational provision the alleged perpetrator(s) attends.

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

When referring to sexual violence, this policy uses the definitions of sexual offences in the **Sexual Offences Act (2003)** as follows:

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

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

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

**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, e.g. 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 s/he agrees by choice to that penetration and has the freedom and capacity to make that choice.



- A child under the age of 13 can never consent to any sexual activity;
- The age of consent is 16;
- Sexual intercourse without consent is rape.

**Sexual harassment** in the context of peer on peer behaviour is unwanted conduct of a sexual nature that can occur online and offline. 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.

Online sexual harassment may happen on its own or as part of a wider pattern of sexual harassment and/or sexual violence.

Sexual harassment creates an atmosphere that, if not challenged, can normalise inappropriate behaviours and provide an environment that may lead to sexual violence. The Foundation therefore recognises the importance of recognising the nature of, identifying and challenging sexual violence and sexual harassment in its wider approach to safeguarding and promoting the welfare of children; through policies and through the curriculum.

### **Minimising the risk of sexual violence and sexual harassment within the Foundation through a planned curriculum**

Each School is responsible for the delivery of relationships and sex education (RSE); other named citizenship/PSHE programmes; behaviour policy; pastoral support system; and the Foundation Staff Code of Conduct Policy.

The Foundation works consistently hard to minimise the risk of sexual violence and harassment through a broad curriculum.

The Foundation is mindful of the principle that children of all ages need to learn about respect, consent, body autonomy and healthy relationships and that children can harm other children. This is delivered through PSHEE (such as using the Jigsaw Scheme or resources from Beyond Equality, following the PSHE Association guidelines, and teaching Protective Behaviours), in pastoral time and by drawing on external expertise. The teaching is embedded in the curriculum and in assemblies. Education includes the themes below (although others may be addressed in line with current affairs, locally, nationally and/or internationally):

- healthy and respectful relationships;
- what respectful behaviour looks like;
- consent;
- gender roles, stereotyping, equality;
- body confidence and self-esteem;
- prejudiced behaviour;
- 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";
- challenging cultures of sexual harassment including behaviour (potentially criminal in nature), such as grabbing bottoms, breasts and genitalia and flicking bras and lifting up skirts - dismissing or tolerating such behaviours risks normalising them;
- how to raise concerns about themselves or a friend, how to make a report and how any report will be handled.

Each School shares its ethos with pupils, staff and parents and its inherent values and standards are demonstrated, promoted and upheld throughout all aspects of school life;

Staff are made aware, through regular training, that there may be additional barriers to minimising the risk of sexual violence and harassment and how these are addressed, for example by not assuming that indicators of possible abuse such as behaviour, mood and injury relate to a child's disability or special needs. Further exploration would be necessary.

Staff recognise that, in some cases, a child who is perceived by their peers to be LGBT (whether they are or not) can be just as vulnerable as children who identify as LGBT.

### **How the Schools will respond to reports of sexual violence and sexual harassment**

Schools are advised to refer to the statutory guidance on Sexual violence and sexual harassment between children in schools and colleges (May 2018) Please refer to the annex for further documentation.

Each School will respond to reports in accordance with **Part 5 of Keeping Children Safe in Education 2021**.

It is not possible to anticipate every particular set of circumstances and therefore what a School's response will be to every case. This policy sets out a set of principles which each School will consider in responding on a case by case basis.

All responses to reports of sexual violence will be subject to an immediate risk and needs assessment undertaken by the DSL (or a deputy), using her/his professional judgement and supported by other agencies, such as Children's Social Care and the Police. The need for a risk and needs assessment in relation to reports of sexual harassment will be considered on a case-by-case basis.

Advice may also be sought from the Children and Families Front Door (MASH) Education Lead.

### **Risk assessment**

The risk and needs assessment will consider:

- the victim, especially their protection and support;
- the alleged perpetrator(s) (if she/he/they attend a school in the Foundation);
- all the other children (and, if appropriate, adult students and staff) in the Foundation, especially any actions that are appropriate to protect them.

Any of these children could be at risk as a result of the alleged incident.

The DSL (or a deputy) should ensure they are engaging with Children's Social Care and specialist services as required. Where there has been a report of sexual violence, it is likely that professional risk assessments by social workers and or sexual violence specialists will be required. The School's risk assessment should not replace the detailed assessments of expert professionals. Any such professional assessments should be used to inform each of the School's approach to supporting and protecting pupils and students and updating our own risk assessment.

### **Action following a report of sexual violence and/or sexual harassment - what to consider**

The DSL (or deputy) is likely to have a complete safeguarding picture and will therefore be the most appropriate person to lead the school's initial response. Important considerations will include:

- the wishes of the victim in terms of how they want to proceed. This is especially important in the context of sexual violence and sexual harassment. Victims will be given as much control as is reasonably possible over decisions regarding how any investigation will be progressed and any support that they will be offered. However, if the victim asks the school not to tell anyone about the sexual violence or sexual harassment, the DSL (or a deputy) will have to balance the victim's wishes against their duty to protect the victim and other

children. It is likely to be justified and lawful to share the information if doing so is in the public interest, e.g. to protect the victim and other young people from harm and to promote the welfare of children;

- the nature of the alleged incident(s), including: whether a crime may have been committed and consideration of harmful sexual behaviour;
- the ages of the children involved;
- the developmental stages of the children involved;
- any power imbalance between the children. For example, is the alleged perpetrator(s) significantly older, more mature or more confident? Does the victim have a disability or learning difficulty?
- if the alleged incident is a one-off or a sustained pattern of abuse;
- whether there are ongoing risks to the victim, other children, adult students or school/college staff;
- informing parents/carers (unless this would put the victim at greater risk);
- only sharing information with those staff who need to know in order to support the children involved and/or be involved in any investigation. For instance, teachers may be asked to monitor the victim's welfare without needing to know that they are a victim of sexual violence or harassment.

### **Children sharing a classroom - initial considerations following a report of sexual violence**

Any report of sexual violence is likely to be traumatic for the victim. However, reports of rape and assault by penetration are likely to be especially difficult for the victim and close proximity with the alleged perpetrator(s) is/are likely to be especially distressing. Whilst the school establishes the facts of the case and starts the process of liaising with Children's Social Care and the Police, the alleged perpetrator(s) will usually be removed from any classes they share with the victim. Consideration will also be given to how best to keep the victim and alleged perpetrator a reasonable distance apart on school premises and on transport to and from the school, where appropriate. These actions are in the best interests of both children and should not be perceived to be a judgment on the guilt of the alleged perpetrator(s).

For other reports of sexual violence and sexual harassment, the proximity of the victim and alleged perpetrator and considerations regarding shared classes, sharing school premises and transport, will be considered immediately.

In all cases, the initial report should be carefully evaluated, reflecting the consideration set out in **KCSIE (2021)**, the wishes of the victim, the nature of the allegations and the protection of all children in the school will be especially important when considering any immediate actions.

Consideration also needs to be given to the fact that the alleged perpetrator may also be a victim of exploitation and may be in a position of coercion and control.

### **Responding to the report**

If an offence has been committed, the Police will be informed. It is the prerogative of parents and victims to make complaints to the Police directly, but the school will also speak to the Police in order to ensure effective action is taken to safeguard other young people as well as the victim.

If a child has suffered significant harm, a referral will be made to Children's Social Care via the Children and Families Front Door (MASH) in order to ensure that the needs of both the victim and perpetrator(s)/s are the subject of professional risk assessments by social workers. Similarly, any instance of sexual activity between pupils on the school site will always be referred to Children's Social Care.

Responses to all incidents of both sexual violence and sexual harassment will be underpinned by the principles of:

- zero tolerance of sexual violence and sexual harassment;
- support for both the victim and alleged perpetrator(s), particularly pending the outcome of investigations
- all parties have an ongoing right to an education and are safest if they remain in school subject to appropriate risk assessments and risk management.
- exclusion will be avoided unless that is the only realistic option to keep one or more parties safe.

In principle, there are four possible responses to an allegation or concern about sexual violence or harassment on the part of a pupil/student:

### **1. Manage internally**

In some cases of sexual harassment, e.g. one-off incidents, the School may take the view that the children concerned are not in need of Early Help 'Pathway to Change' or statutory intervention and that it would be appropriate to handle the incident internally, perhaps through utilising the behaviour policy and anti-bullying procedures, speaking to the child and her/his parents, making expectations of future behaviour clear (in writing where appropriate) and by providing pastoral support. Careful consideration will be given to the need to separate the victim and alleged perpetrator(s) in lessons (as with sexual assaults) pending investigation.

### **2. Early Help 'Pathway to Change'**

The School may decide that the child/ren involved do not require statutory interventions but may benefit from Early Help 'Pathway to Change' support, which can be particularly useful to address non-violent harmful sexual behaviour and may prevent escalation of sexual violence.

A safeguarding record will be maintained of all concerns, discussions, decisions and reasons for decisions for all responses in 1. and 2.

### **3. Referrals to Children's Social Care**

Where a child has been harmed, is at risk of harm, or is in immediate danger, the School will make a referral to Children's Social Care. All instances of sexual activity between pupils on the school premises will be referred to Children's Social Care. All instances of sexual violence perpetrated by a child under ten years of age will be referred to Children's Social Care. This will facilitate a consultation about the role of the Police. Whilst the age of criminal responsibility is 10 years, the starting principle of reporting to the Police via the Children and Families Front Door (MASH) remains. The Police will take a welfare, rather than a criminal justice, approach.

The School will generally inform parents or carers, unless there are compelling reasons not to (i.e. if informing a parent or carer is going to put the child at additional risk or create undue delay). Any such decision should be made with the support of Children's Social Care.

Collaborative working will help ensure that the best possible package of co-ordinated support is implemented for the victim and, where appropriate, the alleged perpetrator(s) and any other children that require support.

However, the School will not wait for the outcome (or even the start) of a Children's Social Care investigation before protecting the victim and other children in the school. The DSL (or a deputy) will work closely with Children's Social Care (and other agencies as required) to ensure any actions the school takes do not jeopardise a statutory investigation. The risk assessment as above will help inform any decision. Consideration of safeguarding the **victim, alleged perpetrator(s), any other children** directly involved in the safeguarding report and all children at the school or college should be **immediate**.

In some cases, Children's Social Care will review the evidence and decide a statutory intervention is not appropriate. The School (generally led by the DSL or a deputy) will refer again if it is believed that the child remains in immediate danger or at risk of harm. If a statutory assessment is not appropriate, the DSL (or a deputy) will consider other support mechanisms such as Early Help 'Pathway to Change', specialist support and pastoral support.

#### **4. Reporting to the Police**

Any report to the Police will generally be in parallel with a referral to Children's Social Care (as above).

Where the School receives a report of rape, assault by penetration or sexual assault, the starting point is this should be passed on to the Police. It is the prerogative of victims and their parents/carers to make direct complaints to the Police. However, the School should also be very clear with victims and parents/carers that the School has a duty to ensure the Police are informed when an alleged crime has been committed in order to safeguard other young people.

Where a serious crime is reported, the School can report directly to the local Police station. However, in most circumstances, the school will consult with the Children and Families Front Door (MASH) in the first instance in order to ensure that both the Police and Children's Social Care are informed.

Where a report has been made to the Police, the School should consult the Police and agree what information can be disclosed to staff and others, in particular, the alleged perpetrator and their parents or carers. They should also discuss the best way to protect the victim and their anonymity.

In some cases, it may become clear very quickly that the Police (for whatever reason) will not take further action. In such circumstances, it is important that the School continue to engage with specialist support for the victim as required.

The School will also be informed by the Police or Children's Social Care about referrals made directly to those agencies from other sources (e.g. family members, family friends, parents of other children) in relation to alleged sexual offences or harmful sexual behaviours displayed by pupils inside and/or outside school.

In all such circumstances, the School may be required to attend a strategy meeting under WS inter-agency child protection procedures in order to facilitate risk management and planning with other agencies.

The School is committed to participating in plans both to provide pupils who are at risk from other children and those pupils who may present a risk to other children with appropriate services to address any concerns and, wherever possible, to facilitate ongoing access to education in school for all children concerned, subject to appropriate risk assessments and risk management plans.

#### **Subsequent considerations**

The needs and wishes of the victim should continue to be paramount (along with protecting the child) as the case progresses. Wherever possible, the victim, if they wish, should be able to continue in their normal routine. Overall, the priority should be to make the victim's daily experience as normal as possible, so that the school and Foundation site is a safe space for them.

Similarly, the alleged perpetrator(s) has an ongoing right to an education and should be able to continue in their normal routine subject to the ongoing risk assessment and the needs of the victim. They may also need support.

Where a pupil is subject of bail conditions, the School will work with Children's Social Care and the Police to manage any implications and safeguard all pupils concerned without jeopardising the Police investigation.

If a pupil is convicted or receives a caution for a sexual offence, the School will update its risk assessment, ensure relevant protections are in place for all pupils and consider any suitable action in light of the behaviour policy. If the perpetrator(s) remains at the School along with the victim, the School will meet with the pupil and her/his parents/carers to revisit and reiterate in writing expectations of the perpetrator(s) in terms of future behaviour and complying with any restrictions and arrangements put in place to safeguard the victim and other pupils.

In the light of possible publicity, speculation and interest within the pupil and parent body, the School will consider any other measures necessary to safeguard both the victim and perpetrator(s), especially from any bullying or harassment (including online).

In respect of a not guilty verdict or a decision not to progress with a criminal prosecution, the School recognises that this will likely be traumatic for the victim and will continue to offer support. The alleged perpetrator(s) is also likely to require ongoing support for what will have likely been a difficult experience.

Support will be tailored on a case-by-case basis. Support can include emotional and practical support for victims from Children and Young People's Independent Sexual Violence Advisors in the specialist sexual violence sector; and/or provision of a designated trusted adult in the school of the student's choice to talk to about their needs. Every effort will be made to avoid isolating the victim, in particular from supportive peer groups, but it is recognised that there may be times when a victim finds it difficult to maintain a full-time timetable and may express a wish to withdraw from lessons and activities. The School will provide a physical space for the victim to withdraw.

Where a criminal investigation into a rape or assault by penetration leads to a conviction or caution, the School will consider any suitable sanctions in light of the behaviour policy, including consideration of permanent exclusion. In all but the most exceptional of circumstances, the rape or assault will constitute a serious breach of discipline and lead to the view that allowing the perpetrator(s) to remain in the school would seriously harm the education or welfare of the victim (and potentially other pupils).

Where the perpetrator(s) is going to remain at the School, the principle would be to continue keeping the victim and perpetrator(s) in separate classes and continue to consider the most appropriate way to manage potential contact on school and college premises and transport. The nature of the conviction or caution and wishes of the victim will be especially important in determining how to proceed in such cases.

The School will have a difficult balancing act to consider. On one hand it needs to safeguard the victim (and the wider pupil body) and on the other hand provide the alleged perpetrator(s) with an education, safeguarding support as appropriate and implement any disciplinary sanctions. Support (and sanctions) will be considered on a case-by-case basis. An alleged perpetrator(s) may potentially have unmet needs (in some cases these may be considerable) as well as potentially posing a risk of harm to other children. Harmful sexual behaviours in young children may be (and often are) a symptom of either their own abuse or exposure to abusive practices and or materials. Advice will be taken, as appropriate, from Children's Social Care, specialist sexual violence services and the Police.

If a perpetrator(s) (alleged or convicted) does move to another educational institution (for any reason), the School will make the new educational institution aware of any ongoing support needs and, where appropriate, potential risks to other children and staff. The DSL will take responsibility to ensure this happens as well as transferring the child protection file.

## **Youth produced sexual imagery ('sexting')**

Each School will act in accordance with advice endorsed by DfE **Sexting in schools and colleges: responding to incidents and safeguarding young people (UK Council for Child Internet Safety (2017)**

All incidents of youth produced sexual imagery (YPSI) will be dealt with as safeguarding concerns. The primary concern at all times will be the welfare and protection of the young people involved.

Young people who share sexual imagery of themselves or their peers are breaking the law. However, as highlighted in national guidance, it is important to avoid criminalising young people unnecessarily. The school will therefore work in partnership with external agencies with a view to responding proportionately to the circumstances of any incident.

All incidents of YPSI should be reported to the DSL as with all other safeguarding issues and concerns. Staff will not make their own judgements about whether an issue relating to YPSI is serious enough to warrant a report to the DSL. What may seem like less serious concerns to individual members of staff may be more significant when considered in the light of other information known to the DSL, which the member of staff may not be aware of.

If staff become concerned about a YPSI issue in relation to a device in the possession of a student (e.g. mobile phone, tablet, digital camera), the member of staff will secure the device (i.e. it should be confiscated). This is consistent with DfE advice Searching, screening and confiscation - Advice for Heads, school staff and governing bodies (DfE 2018), page 11 'After the search'.

Staff will not look at or print any indecent images. The confiscated device will be passed immediately to the DSL (see 'Viewing the imagery' below).

The DSL will discuss the concerns with appropriate staff and speak to young people involved as appropriate. Parents/carers will be informed at an early stage and involved in the process unless there is good reason to believe that involving parents would put the young person at risk of harm.

If, at any point in the process, there is concern that a young person has been harmed or is at risk of harm a referral will be made to Children's Social Care and/or the Police via the Children and Families Front Door (MASH) immediately.

The Police will always be informed when there is reason to believe that indecent images involve sexual acts and/or any child in the imagery is under 13 years of age.

The DSL will make a judgement about whether a reported YPSI incident is 'experimental' as in Section 12 above or 'aggravated'.

Aggravated incidents involve criminal or abusive elements beyond the creation, sending or possession of sexual images created by young people. These include possible adult involvement; criminal or abusive behaviour by young people such as sexual abuse, extortion or threats; malicious conduct arising from personal conflicts; coercion; an imbalance of power, e.g. an older student pressurising a younger or vulnerable student to create and share an indecent image; or creation or sending or showing of images without the knowledge or against the will of a young person who is pictured

Aggravated incidents of sexting will usually be referred to the Children and Families Front Door (MASH) for advice about whether or not a response by the Police and/or Children's Social Care is required. This will facilitate consideration of whether:

- there are any offences that warrant a Police investigation
- child protection procedures need to be invoked
- parents/carers require support in order to safeguard their children
- a Multi-Agency Child Exploitation (MACE) meeting is required

- any of the perpetrators and/or victims require additional support. This may require the initiation of the Early Help 'Pathway to Change'.

Examples of aggravated incidents include:

- evidence of adult involvement in acquiring, creating or disseminating indecent images of young people (possibly by an adult pretending to be a young person known to the victim);
- evidence of coercing, intimidating, bullying, threatening and/or extortion of students by one or more other students to create and share indecent images of themselves;
- pressure applied to several students (e.g. all female students in a class or year group) to create and share indecent images of themselves;
- pressurising a student who does not have the capacity to consent (e.g. due to their age, level of understanding or special educational needs) or with additional vulnerability to create and share indecent images of themselves;
- dissemination of indecent images of young people to a significant number of others with an intention to cause harm or distress (possibly as an act of so-called 'revenge porn', bullying or exploitation);
- what is known about the imagery suggests the content depicts sexual acts which are unusual for the young person's developmental stage or are violent;
- sharing of indecent images places a young person is at immediate risk of harm, for example the young person is presenting as suicidal or self-harming.

The DSL will make a judgement about whether or not a situation in which indecent images have been shared with a small number of others in a known friendship group with no previous concerns constitutes an aggravated incident or whether the school is able to contain the situation, in partnership with all parents of the students involved, arrange for the parents to ensure that all indecent images are deleted and that the young people involved learn from the incident in order to keep themselves safe in future.

In the latter instance, the DSL will usually consult with the Police and/or Children's Social Care through the Children and Families Front Door (MASH) to check that no other relevant information is held by those agencies and to ensure an agreed response is documented before proceeding.

**Viewing the imagery** - adults should **not** view youth produced sexual imagery unless there is good and clear reason to do so. Wherever possible, the DSL's responses to incidents will be based on what they have been told about the content of the imagery.

Any decision to view imagery will be based on the DSL's professional judgement. Imagery will never be viewed if the act of viewing will cause significant distress or harm to a pupil.

If a decision is made to view potentially indecent images, the DSL will be satisfied that viewing:

- is the only way to make a decision about whether to involve other agencies (i.e. it is not possible to establish the facts from the young people involved);
- is necessary to report the image to a website, app or suitable reporting agency to have it taken down, or to support the young person or parent in making a report;
- is unavoidable because a young person has presented an image directly to a staff member or the imagery has been found on a school device or network.

If it is necessary to view the imagery then the DSL will:

- discuss and agree the decision to do so beforehand with the Head, Children's Social Care or the Children and Families Front Door (MASH) Education Lead;
- ensure viewing is undertaken by the DSL or Deputy DSL with delegated authority from the



Head;

- ensure viewing takes place with another member of staff present in the room, ideally the Head, another DSL or a member of the Senior Leadership/Management Team. The other staff member does not need to view the images;
- wherever possible ensure viewing takes place on school premises, ideally in the Head or DSL's office;
- ensure wherever possible that images are viewed by a staff member of the same sex as the young person in the imagery;
- record the viewing of the imagery in the pupil's safeguarding record, including who was present, why the image was viewed and any subsequent actions; and ensure this is signed and dated and meets the wider standards set out by Ofsted for recording safeguarding incidents.

**Deletion of images** - if the school has decided that other agencies do not need to be involved, then consideration will be given to deleting imagery from devices and online services to limit any further sharing of the imagery.

## 32. Serious violence

All staff are made aware of indicators that children are at risk from or are involved with serious violent crime; and are trained to record and report any concern about children at risk of or involved in perpetrating serious violence as with any other safeguarding concern. Indicators may include increased absence, 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 could also indicate that children have been approached by or are involved with individuals associated with criminal gangs and/or criminal exploitation.

## 33. Contextual safeguarding

Safeguarding incidents and/or behaviours can be associated with factors both outside children's home environments and outside school; and/or can occur between children outside the school. The DSL, deputy DSLs and all staff will consider the context within which such incidents and/or behaviours occur. Contextual safeguarding means that assessments of children should consider wider environmental factors present in a child's life that are a threat to their safety and/or welfare. Staff will listen to children and be vigilant about any signs or indicators that would suggest children may be at risk in the community and will share intelligence with the Police in order to prevent children suffering harm. The school will provide as much information as possible when asked to do so as part of a police investigation and/or when making referrals to Children's Social Care, thus allowing any investigation or assessment to consider all the available evidence and the full context of any abuse.

## 34. Child sexual exploitation and child criminal exploitation

**Child sexual exploitation (CSE)** is a form of child sexual abuse. **Child criminal exploitation (CCE)** is a form of child abuse. Both occur where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual and/or criminal activity:

- (a) in exchange for something the victim needs or wants;
- (b) for the financial advantage or increased status of the perpetrator(s) or facilitator;
- (c) through violence or the threat of violence;
- (d) grooming behaviour.

The victim may have been sexually and/or criminally exploited even if the sexual/criminal

activity appears consensual. CSE and CCE do not always involve physical contact; they can also occur through the use of technology.

CSE and CCE can affect any child or young person, female or male, under the age of 18 years, including 16 and 17-year olds who can legally give consent to have sex.

Sexual exploitation can include both contact (penetrative and non-penetrative acts) and non-contact sexual activity and may occur without the child or young person's immediate knowledge (e.g. through others copying videos or images they may have created and posted on social media).

CSE is a serious crime and can have a long-lasting adverse impact on a child's physical and emotional health.

It may also be linked to other criminal activity including trafficking and illegal drugs. Drug networks or gangs groom and exploit children and young people to carry drugs and money from urban areas to suburban and rural areas, market and seaside towns.

Criminal exploitation of children can involve force and/or enticement-based methods of compliance and is often accompanied by violence or threats of violence. It can be perpetrated by individuals or groups; males or females; and young people or adults. It is typified by some form of power imbalance in favour of those perpetrating the exploitation. As well as age, the power imbalance can also be due to other factors including gender, cognitive ability, physical strength, status and access to economic or other resources.

Children and young people are often unwittingly drawn into sexual and/or criminal exploitation through the offer of friendship and care, gifts, drugs, alcohol and sometimes accommodation.

Child criminal exploitation may include activities such as:

- a child travelling outside the area in which she/he lives in order to transport, distribute or sell drugs or money for others by whom they are being exploited. This form of criminal activity and exploitation is referred to as **county lines** (see below);
- a child committing crimes on behalf of or at the behest of others because they, their friends or relatives have been threatened, deceived or manipulated;
- a child being forced to shoplift or pickpocket;
- a child being forced to threaten other young people;
- a child being forced to work in a cannabis factory;
- a child being forced or manipulated into committing vehicle crime or threatening/coming serious violence of others;
- a child can be threatened (and their families) with violence or entrap and coerce them into debt.

They may be coerced into carrying weapons or begin to carry a knife for protection:

- a child being forced to commit crime in order to settle actual or fabricated debts;
- gang membership, which may lead to the child being exploited to do something illegal or dangerous in return for kudos/status in the gang;
- a child being encouraged or manipulated to commit crime via social media;
- a child receiving food, money, kudos or status in return for storing a weapon or drugs for others.

It is important to note that the experience of girls who are criminally exploited can be very different to that of boys. The indicators may not be the same, however professionals should be aware that girls are at risk of CCE too. It is also important to note that both boys and girls being criminally exploited may be at higher risk of sexual exploitation.

All staff are trained to be vigilant about and report indicators of CSE and CCE including:

- children appearing with money, clothes, mobile phones, etc. without plausible explanation;
- children who associate with other young people involved in exploitation;
- children in relationships with controlling or significantly older individuals or groups;
- children frequenting areas known for sex work and/or criminal activity;
- children who associate with gangs and/or become isolated from their peers/social networks;
- children receiving excessive texts/phone calls;
- multiple callers (unknown adults or peers) to children;
- concerning use of internet or other social media by children;
- increasing secretiveness around children's behaviours;
- children presenting inappropriate sexualised behaviour for their age and/or with sexually transmitted infections and/or becoming pregnant;
- children self-harming or presenting with significant changes in their emotional well-being;
- children who misuse drugs and alcohol;
- children who go missing for periods of time or regularly come home late;
- children who regularly miss school or education, have unexplained absences or do not take part in education;
- children being exposed to or perpetrating serious levels of violence; and/or being manipulated or forced into excessive violence towards others by somebody who is exploiting them (for further information see **Preventing Youth Violence and Gang Involvement (2015)**);
- evidence of/suspicions of children suffering physical or sexual assault.

Although the following vulnerabilities increase the risk of child sexual and/or criminal exploitation, not all children with these indicators will be exploited and child sexual and criminal exploitation can occur without any of these issues:

- having a prior experience of neglect, physical and/or sexual abuse;
- lack of a safe/stable home environment, now or in the past (domestic violence or parental substance misuse, mental health issues or criminality, for example);
- recent bereavement or loss;
- social isolation or social difficulties;
- absence of a safe environment to explore sexuality;
- economic vulnerability;
- homelessness or insecure accommodation status;
- connections with other children and young people who are being sexually and/or criminally exploited;
- family members or other connections involved in adult sex work and/or other criminal activity;
- having a physical or learning disability;
- being looked after (particularly those in residential care and those with interrupted care histories);
- issues/anxieties about sexual identity.

The Schools teach children about consent and the risks of sexual and criminal exploitation in the PSHEE and RSE curriculum. A common feature of sexual and criminal exploitation is that the child often does not recognise the coercive nature of the relationship and does not see her/himself as a victim. The child may initially resent what she/he perceives as interference by staff, but staff must act on their concerns, as they would for any other type of abuse.

All staff are trained to report all concerns about CSE and CCE to the DSL immediately. The DSL will consider the need to make a referral to Children's Social Care via the Children and Families Front Door (MASH) (see Sections 27 and 28 above) as with any other child

protection concern and with particular reference to Warwickshire Safeguarding procedures. Parents will be consulted and notified as above.

Following a referral to Children's Social Care, a Multi-Agency Child Exploitation (MACE) meeting may be convened under Warwickshire Safeguarding inter-agency safeguarding procedures. The school will attend and share information at MACE meetings as required. Parents and young people will be invited to attend MACE meetings by Children's Social Care as appropriate.

### **County lines**

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

Exploitation is an integral part of the county lines offending model with children and vulnerable adults exploited to move [and store] drugs and money. Offenders will often use coercion, intimidation, violence (including sexual violence) and weapons to ensure compliance of victims.

Children can easily become trapped by this type of exploitation and become victims of modern slavery as county lines gangs create drug debts and can threaten serious violence and kidnap towards victims (and their families) if they attempt to leave the county lines network.

For further information see: **County Line Guidance (2018)**

## **35. So-called 'honour based' abuse**

So-called 'honour-based' abuse (HBA) encompasses crimes which have been committed to protect or defend the honour of a family and/or community. Such crimes include Female Genital Mutilation (FGM), forced marriage, and practices such as breast ironing. Abuse committed in the context of preserving 'honour' often involves a wider network of family or community pressure and can include multiple perpetrators. It is important to be aware of this dynamic and additional risk factors when deciding what form of safeguarding action to take.

Staff will be alert to the possibility of a child being at risk of HBA or already having suffered HBA.

All forms of so-called HBA are abuse (regardless of the motivation) and staff will record and report any concerns about a child who might be at risk of HBA to the Designated Safeguarding Lead as with any other safeguarding concern. The DSL will consider the need to make a referral to the Police and/or Children's Social Care as with any other child protection concern; and may also contact the Forced Marriage Unit on 020 7008 0151 or via email at [fm@fco.gov.uk](mailto:fm@fco.gov.uk) for advice as necessary.

### **Female genital mutilation**

Female genital mutilation (FGM) is a form of child abuse. It is the collective name given to a range of procedures involving the partial or total removal of the external female genitalia for non-medical reasons or other injury to the female genital organs. It has no health benefits and harms girls and women in many ways. The practice, which is most commonly carried out without anaesthetic, can cause intense pain and distress with long-lasting harmful consequences, including difficulties in childbirth.

FGM is carried out on girls of any age, from young babies to older teenagers and adult women, so school staff are trained to be aware of risk indicators. Many such procedures are carried out abroad and staff will be particularly alert to suspicions or concerns expressed by female pupils about going on a long holiday during the summer vacation period.

In England, Wales and Northern Ireland, the practice is illegal under the **Female Genital Mutilation Act (2003)**. Any person found guilty of an offence under this act is liable to a maximum penalty of 14 years imprisonment or a fine, or both. (See **Multi-agency statutory guidance on FGM (2016)** for further information).

If staff have a concern that a girl may be at risk of FGM, they will record their concern and inform the DSL as they would any other safeguarding concern. The DSL will discuss the concern with Warwickshire Safeguarding with a view to making a referral and will inform the Police as appropriate.

Indications that FGM may already have taken place may include a child:

- having difficulty or looking uncomfortable when walking, sitting or standing;
- spending longer than normal in the bathroom or toilet due to difficulties urinating;
- spending long periods of time away from a classroom during the day with bladder or menstrual problems;
- having frequent urinary, menstrual or stomach problems;
- having prolonged or repeated absences from school or college, especially with noticeable behaviour changes (e.g. withdrawal or depression) on the girl's return;
- being reluctant to undergo normal medical examinations;
- confiding in a member of staff without being explicit about the problem due to embarrassment or fear;
- talking about pain or discomfort between her legs.

Teachers are subject to a statutory duty defined by Section 5B of the **Female Genital Mutilation Act (2003)** (as inserted by section 74 of the Serious Crime Act 2015) to report to the Police personally where they discover (e.g. by means of a disclosure) that an act of FGM appears to have been carried out on a girl who is aged under 18. This is known as mandatory reporting. Information and **Government guidance on mandatory reporting (2015, updates 2020)** includes when and how to make a report.

Teachers in that situation will record their concerns and inform the DSL, (unless there is good reason not to), who will support the teacher in making a direct report to the Police. A referral will also be made to Warwickshire Safeguarding.

## **Forced marriage**

A forced marriage is a marriage in which a female (and sometimes a male) does not consent to the marriage but is coerced into it. Coercion may include physical, psychological, financial, sexual and emotional pressure. It may also involve physical or sexual violence and abuse.

A forced marriage is not the same as an arranged marriage. In an arranged marriage, which is common in several cultures, the families of both spouses take a leading role in arranging the marriage but the choice of whether or not to accept the arrangement remains with the prospective spouses.

In a forced marriage situation, children may be married at a very young age, and well below the age of consent in England. School staff will be particularly alert to suspicions or concerns raised by a pupil about being taken abroad and not being allowed to return to England.

Since June 2014 forcing someone to marry has become a criminal offence in England and Wales under s.121 of the Anti-Social Behaviour, Crime and Policing Act 2014 – see <https://www.gov.uk/forced-marriage> for further information).

## 36. Protecting children from radicalisation and extremism

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**.

Some children are vulnerable to extremist ideology and radicalisation. Protecting children from the risk of radicalisation is part of the school's wider safeguarding duties and is similar in nature to protecting children from other forms of harm and abuse. As such, the Designated Safeguarding Lead is responsible for the school's strategy for protecting children from those risks.

Radicalisation refers to the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups. Extremism is the vocal or active opposition to fundamental values, including the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs. This also includes calling for the death of members of the armed forces. Even very young children have been exposed, in rare circumstances, to extremism at home and elsewhere including online.

As children get older, they look for adventure and excitement and they may start to ask questions about their identity and belonging. During that stage of their development they are vulnerable to extremist groups that may claim to offer answers, identity and a social network apparently providing a sense of belonging. Many of those extremist groups make sophisticated use of the internet and social media to target young people and spread their ideology, making young people more vulnerable to being influenced by extremist ideas. Young people who feel isolated or disaffected in some way are particularly vulnerable to radicalisation as they are other forms of abuse and exploitation.

The Schools have defined responsibilities to ensure that children are safe from terrorist and extremist material when accessing the internet in school.

During the process of radicalisation, it is possible to intervene to prevent vulnerable people being radicalised. The Schools are committed to preventing pupils from being radicalised and drawn into any form of extremism or terrorism. The School promotes the values of democracy, the rule of law, individual liberty, mutual respect and tolerance of those with different faiths and beliefs by providing pupils with opportunities through the curriculum to discuss issues of religion, ethnicity and culture and learn how to discuss and debate points of view; and by ensuring that all pupils are valued and listened to within school.

Foundation staff receive training that provides them with both the information they need to understand the risks affecting children and young people in this area; and a specific understanding of how to identify individual children who may be at risk of radicalisation and how to support them. Staff are trained to report all concerns about possible radicalisation and extremism to the DSL immediately as they would any other safeguarding concern, identifying early indicators of possible radicalisation including changes in behaviour and attitudes to learning; and expressions of interest in extremist ideas along with a tolerance towards potential violence to certain members of society.

The Schools recognise the importance of providing a safe space for children to discuss controversial issues; and building their resilience and the critical thinking skills they need in order to challenge extremist perspectives. However, the DSL (or deputy) will make appropriate

referrals to the Police PREVENT team and **Channel programme** in respect of any pupil whose behaviour or comments suggest that they are vulnerable to being radicalised and drawn into extremism and terrorism in order to ensure that children receive appropriate support.

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.

As a Channel partner, the Schools 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.

The Schools will discuss any concerns about possible radicalisation identified in their School with a child's parents/carers as with any other safeguarding or child protection issue unless there is reason to believe that doing so would place the child at risk; and will also support parents/carers who raise concerns about their children being vulnerable to radicalisation. Subject to consultation with the Police PREVENT team and in the interests of making proportionate responses, the school may offer support to children and their families through the provision of Early Help 'Pathway to Change' support as appropriate.

The Schools expect all staff, volunteers, governors, visiting practitioners, contractors and individuals or agencies that hire school premises to behave in accordance with their School's Staff Code of Conduct, will challenge the expression and/or promotion of extremist views and ideas by any adult on school premises or at school events and, when necessary, will make appropriate referrals in respect of any such adult.

Parents and staff may find the website [www.educateagainsthate.com](http://www.educateagainsthate.com) informative and useful. The website is designed to equip school and college leaders, teachers and parents with the information, tools and resources they need to recognise and address extremism and radicalisation in young people and how best to support them. The website provides information on training resources for teachers, staff and school and college leaders.

The DfE telephone helpline and mailbox can be used by school staff and governors seeking no-urgent advice: [counter.extremism@education.gov.uk](mailto:counter.extremism@education.gov.uk) 020 7340 7264.

As part of the school's overall safeguarding arrangements and ongoing action plan for improvement, the DSL will consider identified local issues; intelligence from pupils, parents, staff and partner agencies; and new information from national issues and learning to review practice and procedures in order to keep pupils safe.

### **37. Children who are looked after, were previously looked after or who have a social worker**

The most common reason for children becoming looked after is as a result of abuse or neglect. Children who were previously looked after potentially remain vulnerable. The Schools consider extra pastoral support and attention for these children, along with ensuring any appropriate support for communication is in place. The Schools ensures that staff have the necessary skills and understanding to keep children who are looked after and children who were previously looked after safe and ensures that appropriate staff have information about a child's looked after status and care arrangements, including the level of authority delegated to the carer by the authority looking after the child. The designated teacher for children who are looked after and previously looked after and the DSL hold details of the social workers for all children who are looked after or were previously looked after and the name and contact details of the Local Authority's virtual Head for children who are looked after.

## Children with a social worker

The Schools recognise that when a child has a social worker, that is an indicator that she/he may be more vulnerable to harm than other children as well as facing barriers to educational attainment in relation to attendance, learning, behaviour and poor mental health issues.

The Schools will take those issues and needs into account when making plans to support children who have a social worker.

## Care leavers

Local authorities have ongoing responsibilities to young people who cease to be looked after and become care leavers. That includes keeping in touch with them, preparing an assessment of their needs and appointing a Personal Advisor who develops a pathway plan with the young person. This plan describes how the local authority will support the care leaver to participate in education or training. The DSL will have details of the local authority Personal Advisor appointed to guide and support all care leavers; and should liaise with them as necessary regarding any issues of concern affecting a care leaver.

## 38. Private fostering arrangements

A private fostering arrangement is one that is made privately (without the involvement of a local authority) for the care of a child under the age of 16 years (*under 18 if the child has a disability*) by someone other than a parent or close relative\*, in their own home, with the intention that it should last for 28 days or more. Children looked after by the local authority or who are placed in a residential school, children's home or hospital are not considered to be privately fostered.

\*A close relative is defined as a 'grandparent, brother, sister, uncle or aunt' and includes half-siblings and step-parents; it does not include great-aunts or uncles, great grandparents or cousins.

On admission to The Foundation, we will take steps to verify who has parental responsibility for the child and the relationship of the adults accompanying the child who is being registered.

Private fostering occurs in all cultures including British culture and a private fostering arrangement may start at any age.

Whilst most privately fostered children are appropriately supported, looked after and remain safe and well, they are a potentially vulnerable group who should be monitored by the local authority, particularly when the child has come from another country. In some cases, privately fostered children are affected by abuse and neglect; have been trafficked; are sexually or criminally exploited; or suffer modern-day slavery.

Parents and private foster carers both have a legal duty to inform Children's Social Care in the relevant local authority at least six weeks before the arrangement is due to start. Not to do so is a criminal offence.

Schools have a mandatory duty to report to Children's Social Care in the local authority where they are aware or suspect that a child is subject to a private fostering arrangement.

School staff should notify the designated safeguarding lead when they become aware of or suspect private fostering arrangements. The designated safeguarding lead will speak to the family of the child involved to check that they are aware of their duty to inform the LA. The school will also fulfil its duty to inform the local authority of the private fostering arrangement.



## 39. Related safeguarding portfolio policies

This policy works in conjunction with a series of other Foundation and School policies:

- Staff Code of Conduct Policy (WISF Policy)
- Pupil Behaviour Policy (School Policy)
- Complaints Policy (WISF Policy)
- Anti-bullying Policy (School Policy)
- Whistleblowing Policy (WISF Policy)
- SEND Policy (School Policy)
- Missing/Uncollected Child Policy (WISF Policy)
- Recruitment and Selection Policy (WISF Policy)
- Disciplinary Policy (WISF Policy)
- Forced Marriage Policy (School Policy)
- Policy on the Use of Force to Control or Restrain Pupils (School Policy)
- Staff Acceptable Use of IT Policy (WISF Policy)
- Acceptable Use of IT Policies (WISF Policy and School Policy)
- Registration and Attendance Policy (School Policy)
- Use of Images Policy (School Policy)
- Early Years Foundation Stage (School Policy)
- RSE/ PSHEE Policy (School Policy)

## 40. Domestic abuse

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

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

All children can witness and be adversely affected by domestic abuse in the context of their home life where domestic abuse occurs between family members.

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

All concerns about children being affected by domestic abuse will be reported to the DSL as with any other safeguarding concern. The DSL will respond to the report by consulting Children's Social Care in order to establish whether a referral is required, or the situation should be managed by discussion with parents/carers and possibly the offer of Early Help 'Pathway to Change' support.

The Foundation works in partnership with Warwickshire Police and Warwickshire Children's Services to support pupils who are affected by incidents of domestic violence and abuse. This scheme is called Operation Encompass.

When the Police attend any incident of domestic violence or abuse in any household in which a pupil of the school lives, the Head and the Designated Safeguarding Lead will receive a confidential and secure Email on the morning of the next school day, notifying them simply that

there has been an incident and that the child may need support.

On receipt of any such notification, the Head and/or DSL will ensure that teachers and other staff directly in contact with affected children support them with due kindness, care and sensitivity. In addition to supporting children, the process means that the school will also be able to offer parents and carers support as appropriate.

*The information will be managed and stored with the utmost sensitivity and discretion consistent with all other confidential safeguarding records.*

## **41. Homelessness**

Being homeless or being at risk of becoming homeless presents a real risk to a child's welfare. The DSL (and any deputies) refer any concerns to the *Local Housing Authority* so they can raise/progress concerns at the earliest opportunity. Indicators that a family may be at risk of homelessness include household debt, rent arrears, domestic abuse and anti-social behaviour, as well as the family being asked to leave a property. Whilst referrals and or discussion with the Local Housing Authority should be progressed as appropriate, this does not, and should not, replace a referral into Children's Social Care where a child has been harmed or is at risk of harm.

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

## **42. Special circumstances**

### **Alternative Provision**

**KCSIE (2021)** states that "Where a school places a pupil with an alternative provision provider, the school continues to be responsible for the safeguarding of that pupil and should be satisfied that the provider meets the needs of the pupil. Schools should obtain written confirmation from the alternative provider that appropriate safeguarding checks have been carried out on individuals working at the establishment, i.e. those checks that the school would otherwise perform in respect of its own staff." The school will act in accordance with that guidance.

The DSL will maintain an overview of all pupils accessing any part of their learning from an alternative provider or via delivery online or offsite provided by any organisation or individual not employed by the school. The DSL will ensure that robust arrangements are in place for timely and effective two-way sharing of safeguarding information - including records of all safeguarding concerns - between the school and alternative/external providers.

The DSL will also take responsibility for ensuring that robust procedures are in place to confirm attendance and to enable the swift reporting of non-attendance and children going missing from alternative/ external providers at any time when they should be with that provider. The DSL will also ensure that effective quality assurance arrangements are in place in order to monitor the ongoing effectiveness of all safeguarding arrangements that alternative/external providers have in place.

### **Work experience**

The Foundation has procedures to safeguard pupils undertaking work experience, including

arrangements for checking people who provide placements and supervising pupils on work experience which are in accordance with the guidance in **KCSIE (2021)**. The Foundation Health and Safety Manager and each School's member of staff in charge of Work Experience keep and regularly update work experience procedures.

### **Children staying with host families**

The School may arrange for pupils to stay with a host family during a foreign exchange trip or sports tour. In such circumstances the school follows the guidance in **KCSIE (2021), Annex D** to ensure that hosting arrangements are as safe as possible.

Some overseas pupils may reside with UK host families, and where this falls into 'private fostering' we will work with the Local Authority to check that such arrangements are safe and suitable.

It is not possible for schools to obtain criminal record information from the DBS about adults abroad. Where pupils stay with families abroad, the Schools agree with partner schools a shared understanding of the arrangements in place. Staff will use their professional judgement to satisfy themselves that the arrangements are appropriate to safeguard the pupils, which will include ensuring pupils understand who to contact should an emergency occur, or a situation arise which makes them feel uncomfortable. Parents are also made aware of these arrangements.

### **Boarding schools, residential special schools, residential colleges and children's homes**

Research has shown that children can be particularly vulnerable in residential settings. All boarding schools and residential special schools comply with the National Minimum Standards for their particular setting and are appropriately inspected

All boarding schools and residential special schools should be particularly alert to the signs of abuse in such settings (for example, inappropriate pupil or student relationships and the potential for peer on peer abuse, particularly in schools and colleges where there are significantly more girls than boys or vice versa) and work closely with the host local authority and, where relevant, any local authorities that have placed their children there.

### **Warwick School Policy - Boarding House Arrangements**

Warwick School has and implements an appropriate policy on child protection and response to allegations or suspicions of abuse, which is consistent with the locally agreed multi-agency safeguarding arrangements put in place by Warwickshire Safeguarding and is known to staff and also known, as appropriate, to older boarders in positions of responsibility. In addition to the existing Foundation Child Protection Policy, Warwick School acknowledges its responsibilities as a boarding school in accordance with the National Minimum Standards for Boarding Schools (NMS).

- Where appropriate, House Prefects and senior pupils are provided with a briefing on the appropriate action to take should they receive any allegations of abuse (NMS19).
- The School has a policy for the search and reporting of any boarder missing from School that is known to all boarding house staff. A written record is made of any boarder missing from school, the action taken, and any reasons for the pupil being missing.
- It is understood that all staff and pupils have immunity from retribution or disciplinary action for 'whistleblowing' in good faith.

- The School adheres to NMS 14 in instigating appointment checks for all staff in accordance with acknowledged safe.
- In addition to the requirements for all staff it should be noted that:
- In accordance with NMS 14.2, for all adults who after April 2002 begin to live on the same premises as children/students but are not employed by the School, there is a verifiable Disclosure & Barring Service check completed at the standard level.
- The School has taken reasonably practicable checks to carry out Disclosure & Barring Service checks on taxi drivers booked by the school to drive boarders unaccompanied by staff.
- Warwick School has instigated measures to ensure that all boarders are protected from unsupervised contact at School with adults who have not been subject to the School's complete recruitment checking procedures and there is supervision of all unchecked visitors to the boarding premises.
- Under NMS14, the School does not allow any member of staff (including ancillary staff, sessional/contract staff and volunteers) to work unsupervised with boarders unless that member of staff has been satisfactorily checked with the Disclosure & Barring Service.
- The welfare of boarders placed in lodgings is safeguarded and promoted. In accordance with NMS 20, any lodgings arranged by the School to accommodate pupils provide satisfactory accommodation and supervision, are checked by the School before use, and are monitored by the School during use.
- The DSL or a DDSL can be contacted at any time whilst students are in the boarding house even if the member of boarding staff with DDSL training is not on duty.
- The welfare of boarders is safeguarded and promoted while accommodated away from the school site on short term visits. Any off-site short stay accommodation arranged by the School for any of its boarders provides satisfactory accommodation and supervision is checked by the school (although this may not be feasible when accommodation is in private households) and is monitored by the School during use.
- Under the revised NMS 14, the DBS certificate for 'gap' students is to be obtained before or as Page 59 of 93 soon as practicable after the appointment.
- If an allegation is made against a residential member of boarding staff, then whilst the matter is being investigated and until it is resolved, the boarding house staff member will be provided with alternative accommodation arrangements i.e. not in a boarding house.

### **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. The school will access guidance highlighted in Keeping Children Safe in Education 2021, which 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. The School will seek to support pupils/students in this position through pastoral care, Early Help 'Pathway to Change' support and discussions with parents/carers and other family members as appropriate.

### **43. Modern Slavery**

Each School is aware that slavery is a real problem. Modern slavery encompasses human trafficking and slavery, servitude and forced or compulsory labour. Exploitation can take many forms, including: sexual exploitation, forced labour, slavery, servitude, forced criminality and the removal of organs. The National Referral Mechanism is the UK's framework for identifying and supporting victims of modern slavery. There are some common myths about modern slavery, such as misconceptions that UK nationals cannot be victims and that a person cannot be a victim if they reject offers of help. Further information on the signs that someone may be a victim of modern slavery, the support available to victims and how to refer them to the NRM is available in the **Modern Slavery Statutory Guidance. Modern slavery: how to identify and support victims (2021)**

### **44. Cybercrime**

Cybercrime is criminal activity committed using computers and/or the internet. It is broadly categorised as either 'cyber-enabled' (crimes that can happen off-line but are enabled at scale and at speed on-line) or 'cyber dependent' (crimes that can be committed only by using a computer). Cyber-dependent crimes include:

- unauthorised access to computers (illegal 'hacking'), for example accessing a school's computer network to look for test paper answers or change grades awarded;
- denial of Service (Dos or DDoS) attacks or 'booting'. These are attempts to make a computer, network or website unavailable by overwhelming it with internet traffic from multiple sources;
- making, supplying or obtaining malware (malicious software) such as viruses, spyware, ransomware, botnets and Remote Access Trojans with the intent to commit further offence, including those above.

Children with particular skill and interest in computing and technology may inadvertently or deliberately stray into cyber-dependent crime. If there are concerns about a child in this area, the DSL will consider referring into the Cyber Choices programme. This is a nationwide police programme supported by the Home Office and led by the National Crime Agency, working with regional and local policing. It aims to intervene where young people are at risk of committing, or being drawn into, low level cyber-dependent offences and divert them to a more positive use of their skills and interests. (Cyber Choices does not currently cover 'cyber-enabled' crime such as fraud, purchasing of illegal drugs on-line and child sexual abuse and exploitation, nor other areas of concern such as on-line bullying or general on-line safety). Additional advice can be found at Cyber Choices, 'NPCC- When to call the Police' and National Cyber Security Centre [www.ncsc.gov.uk/](http://www.ncsc.gov.uk/).

### **45. Child abduction and community safety incidents**

Child abduction is the unauthorised removal or retention of a minor from a parent or anyone with legal responsibility for the child. Child abduction can be committed by parents or other family members, by people known but not related to the victim (such as neighbours, friends and acquaintances) and by strangers. The Schools work together when alerts are raised in the local area and seek guidance from the Police when appropriate. Other community safety incidents in

the vicinity of a school can raise concerns amongst children and parents, for example, people loitering nearby or unknown adults engaging children in conversation. As children get older and are granted more independence (for example, as they start walking to school on their own) it is important they are given practical advice on how to keep themselves safe. Further information is available at: [www.actionagainstabduction.org](http://www.actionagainstabduction.org) and [www.clevernevergoes.org](http://www.clevernevergoes.org).

## **46. Monitoring evaluation and review of policy and procedures**

Legal changes and obligations will require the WISF Child Protection and Safeguarding Policy to be updated frequently. It is the responsibility of the Head, DSL and Senior Leadership Team at each school to ensure that any deficiencies or weaknesses in safeguarding arrangements are remedied without delay.

The Governors undertake a termly review of the policy and procedures and of the efficiency with which the related duties have been discharged. Governors also undertake serious case reviews when required.

DSLs individually meet with the Nominated Safeguarding Governor each term to feedback, monitor and evaluate all child protection issues including training to staff and they provide safeguarding reports for governor meetings. DSLs from the Foundation schools review policy and procedures at Foundation Safeguarding Review Committee meetings at least half-termly and share their recommendations with the Nominated Safeguarding Governor.

### **What to do if you have a concern about safeguarding practices – escalation**

All staff should feel able to raise concerns about poor or unsafe practices and potential failures within the safeguarding regime. You have a responsibility to speak up if you have a concern and initially should discuss this with the DSL.

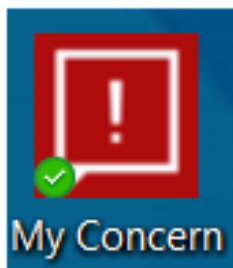
If you need further assistance, the following steps should be followed allowing for resolution at each stage:

1. Discuss your concerns with a DDSL and ask them to discuss your concerns with the DSL and report back to you
2. If you remain concerned, follow the Whistleblowing Policy – see above
3. Call the NSPCC whistleblowing helpline 0800 0280285 or email their helpline on [help@nspcc.org.uk](mailto:help@nspcc.org.uk)

## Appendix 1: Logging a concern about a child on MyConcern

(Staff at King's High and Warwick School, with access to a computer)

*If there is immediate danger/ risk of harm, talk to the DSL or ring the police first.*



### Report a Concern

Name(s) of Pupil(s)

Please name the Pupil(s) subject of this concern and any other Pupil(s) you want linked to it



Start typing a name and PAUSE - then click on the relevant name(s) from the drop down list

Concern Summary

e.g. Injury – Megan arrived at School this morning with a badly bruised right eye.

Concern Date/Time

Details of Concern

There is no need to repeat the Concern Summary.

Location of Incident

Not Applicable

Is this urgent?

☐ If YES, please check this box.

Action taken

Attachment

Browse...

Please attach any media that is relevant to this concern.

Submit Concern

## Appendix 2

### GREEN FORM: Logging a concern about a child's safety and welfare

(For all staff at Warwick Prep School and any Foundation staff without access to a computer)

#### Logging a concern about a child's safety and welfare

**(NB All concerns must be recorded but a Designated Safeguarding Lead must be informed immediately about all disclosures by a child of abuse and any situation where a child may be at immediate risk of harm at the end of their school day – this form should then be filled in and passed to the DSL as soon as possible after the DSL has been informed)**

<b>Pupil's Name:</b>	<b>Date of Birth:</b>	<b>Year Group:</b>	<b>Form:</b>
<b>Date:</b>	<b>Time (of writing this record):</b>		
<b>Name of person completing this form (please print):</b>			
<b>Job Title:</b>			
<b>Signature:</b>			
<b>Reason(s) for recording the incident/concern (headline):</b>			
<p><b>Record the following factually: <u>When</u> (date &amp; time of incident or concern arising)? <u>Where</u> did your concerns arise? <u>Who else</u> - were any other children or staff present? <u>What</u> exactly did you see/hear/smell that raised your concern? N.B. Please record any direct disclosures/statements/comments using the child or adult's exact words in quotation marks.</b></p>			
<p>NB if additional pages are used, these must be attached securely to this form</p>			
<p><b>Professional opinion:</b> Your professional opinions, impressions and worries are important. Facts should be recorded in the box above but please record your opinions, impressions and worries here and state what has led you to form them (e.g. something you have noticed, feel or suspect).</p>			
<b>Action taken, including names of everyone spoken to about the incident/concern:</b>			
<b>Name of Designated Safeguarding Lead this form was passed to:</b>			
<b>Date and time incident/concern was shared with Designated Safeguarding Lead:</b>			

Please check to make sure your report is clear; and will be clear to someone else reading it next year

**NOW PLEASE PASS THIS FORM TO YOUR DESIGNATED SAFEGUARDING LEAD FOR COMPLETION OVERLEAF**

*(NB by end of working day at latest if child is not at immediate risk of harm)*



(Following sections to be completed by Designated Safeguarding Lead)

<b>Time &amp; date information received by DSL and from whom</b>	
<b>Any advice sought by DSL (date, time, name, role, organisation &amp; advice given)</b>	
<b>DSL's analysis of presenting issues/concerns and advice received</b>	
<b>Action taken (referral to or consultation with MASH or local Children's Services team/ monitoring advice given to appropriate staff/ Early Help 'Pathway to Change' etc.) If decision not to refer, state reason.</b>  <b>Note time/date/names/ who information shared with and when etc.</b>	
<b>Outcome</b> (include names of individuals/agencies who have given you information regarding outcome of any referral (if made))	
<b>Parents informed</b> Yes/no – reasons if no	
<b>Where can additional information regarding child/ incident be found? (e.g. pupil file, serious incident book)</b>	
<b>Signed</b>	
<b>Printed Name</b>	
<b>Date</b>	

<b>Date/time/how member of staff submitting this form received feedback about action taken from DSL (please circle below as appropriate)</b>		<b>Date:</b>	<b>Time:</b>
<b>Face to face</b>	<b>Phone call</b>	<b>e mail (copy retained)</b>	
<b>Signature of reporting M of S</b>	<b>Signature of reporting M of S</b>		

## Appendix 3

### YELLOW FORM: Logging a concern about the behaviour of a member of staff/volunteer

(N.B. This form should be used for recording and reporting all allegations of abuse by and all concerns about the behaviour of staff and volunteers that are in breach of the Staff Code of Conduct.

All allegations and all such concerns must be reported to the Headteacher\* without delay)

About the member of staff or volunteer whose behaviour is causing concern or is subject of the allegation: Name: Job:	
Date (of writing this record):	Time (of writing this record):
The person reporting the concern/allegation/ completing this form Name (print): Job Title (print): Signature:	
What is the nature of the specific allegation or concern about behaviour (brief headline)?	
Record the following factually: <u>When</u> ? (date & time of incident); <u>What</u> exactly has raised your concern (what happened, what did you see/hear/find out or what were you told)? <u>Where</u> did your concerns arise? <u>Who else</u> - were any pupils or other staff present or involved? N.B. Please record any direct disclosures/statements/ allegations/comments using the child or adult's exact words in quotation marks	
NB if additional pages are used, these must be attached securely to this form	
Did you do anything or speak to anyone else before reporting the incident/concern to the Headteacher* (if yes, please provide names and details)?	
Any other relevant information:	
Date and time incident/concern was first shared with Headteacher* N.B. It is not necessary to complete this form before speaking to the Headteacher* – the circumstances may mean you need to speak to the Headteacher* first as a matter of priority:	

Check to make sure your report is clear; and will be clear to someone else reading it next year NOW PLEASE PASS THIS FORM TO THE HEADTEACHER\*

(Headteacher\* to complete sections overleaf)

\* In the event that the allegation/concern is about the Headteacher, this form must be passed to the Chair of Governors, who should complete the second part of the form

(Following sections to be completed by Headteacher\*)

<b>Time &amp; date information received by Headteacher*, and from whom</b>	
<b>Action taken (e.g. discussion with LADO; PoT MARF submitted to LADO; advice taken from HR/ Legal/ Chair of Governors)</b>	
<b>Date, time, name, role, organisation advice provided by</b>	
<b>If decision not to refer to LADO, state reason</b>	
<b>Parents informed? Yes/ no State reasons if no</b>	
<b>Outcome (e.g. Referral to LADO, PoT meeting convened, HR advice taken, Police investigation, internal investigation, informal management advice given and recorded, no further action)</b>	
<b>Signed</b>	
<b>Printed Name</b>	
<b>Date</b>	
<b>Signature, date and time when member of staff submitting this form received confirmation of receipt of report/allegation from Headteacher*</b>	

## Appendix 4

### Standards for Effective Child Protection Practice in Schools

*The following standards may assist schools in evaluating their practice. They should be used jointly by the Designated Safeguarding Lead and the Designated Governor for Safeguarding to ensure the school is effective in safeguarding and child protection matters.*

In best practice, schools:

1. Have an ethos in which children feel secure, their viewpoints are valued and they are encouraged to talk and are listened to;
2. Provide suitable support and guidance so that pupils have a range of appropriate adults to whom they can turn if they are worried or in difficulties;
3. Work with parents to build an understanding of the school's responsibilities to safeguard and promote the welfare of all children and a recognition that this may occasionally require children to be referred to investigative agencies as a constructive and helpful measure;
4. Ensure all staff are able to identify children who may benefit from Early Help 'Pathway to Change' support; provide co-ordinated offers of the Early Help 'Pathway to Change'; and ensure that children receive the right help at the right time to address concerns and risks and prevent issues escalating;
5. Are vigilant in cases of suspected child abuse, recognising the signs and symptoms, have clear procedures whereby all members of staff report such cases to the Designated Safeguarding Lead or – in her/his absence – the deputy Designated Safeguarding Lead, and are aware of Local Authority and WS procedures so that information is passed on effectively to the relevant professionals;
6. Monitor children who have been identified as in need of Early Help 'Pathway to Change' support or at risk; maintain clear records of pupils' progress and welfare *in a secure place*; maintain sound policies on confidentiality; provide appropriate information to other professionals; and submit reports to and attend child protection conferences;
7. Provide and support regular child protection training and updates for **all** school staff and ensure that Designated Safeguarding Leads attend refresher training every two years to ensure their skills and expertise are up to date; and ensure that targeted funding for this work is used solely for this purpose;
8. Contribute to an inter-agency approach to safeguarding and child protection by developing effective and supportive liaison with other agencies;
9. Use the curriculum to teach children about safeguarding and raise their awareness and build confidence so that pupils have a range of contacts and strategies to identify risk, know who they can talk to about anything causes them concern and understand the importance of protecting others;
10. Provide clear policy statements for parents, staff and children and young people on this and on both positive behaviour policies and the school's approach to bullying;
11. Have a clear understanding of the various types of bullying and peer on peer abuse – face to face, online, physical, verbal, sexual, prejudice based and indirect - and act promptly and firmly to combat it, making sure that pupils are aware of the school's position on this issue and who they can contact for support;

12. Have a clear understanding of the signs and impact of racist, disability, homophobic, transphobic and teenage relationship abuse; and a clear commitment to identifying and challenging those forms of abuse in order to safeguard children and maintain the safeguarding culture of the school.
13. Take particular care that pupils with SEND and/or physical health issues and/or mental health needs in mainstream and special schools, who may be especially vulnerable to abuse, are supported effectively with particular attention paid to ensuring that those with communication difficulties are enabled to express themselves to a member of staff with appropriate communication skills;
14. Have a clear policy about the handling of allegations of abuse by members of staff, ensuring that all staff are fully aware of the procedures and that they are followed correctly at all times, using the guidance set out in *Keeping Children Safe in Education 2021* and WS inter-agency child protection procedures;
15. Have a written whole school safeguarding policy, which is produced, owned and regularly reviewed by all school staff, taking into account the views of children, parents/carers and governors, and which clearly outlines the school's position and positive action in respect of the aforementioned standards;
16. Ensure that specified information is passed on in a timely manner to the Local Authority and WS for monitoring purposes;
17. Have a Single Central Record in place that fully complies with the guidance in *Keeping Children Safe in Education 2021*

[Keeping Children Safe in Education \(KCSIE \(2021\)\)](#)

[Working Together to Safeguard Children \(2018\)](#)

[Warwickshire Safeguarding \(WS\) inter-agency safeguarding procedures -](#)

[Child Protection Record Keeping Guidance \(WCC Education Safeguarding Service\)](#)

[What to do if You're Worried a Child is being Abused 2015 - Advice for Practitioners \(HMG 2015\)](#)

[Children missing education - Statutory guidance for local authorities \(DfE 2016\)](#)

[Sexting in schools and colleges: responding to incidents and safeguarding young people \(UK Council for Child Internet Safety 2017\)](#)

## **Further Information, Advice and Support**

For advice and support about any safeguarding matter in school, please contact:

**Education Lead on 01926 418608 or email [mashbusinesssupport@warwickshire.gov.uk](mailto:mashbusinesssupport@warwickshire.gov.uk).**

## **Integrated Safeguarding Training**

For information about a range of integrated safeguarding training courses, please contact:

Marina Kitchen  
[marinakitchen@warwickshire.gov.uk](mailto:marinakitchen@warwickshire.gov.uk)

Sophie Morley (Training Administrator) 01926 742601  
[sophiemorley@warwickshire.gov.uk](mailto:sophiemorley@warwickshire.gov.uk)

## Appendix 5

### **Suggested wording for information about Child Protection and Safeguarding to be included in School\* Documentation**

Schools are strongly advised to inform parents/carers of their safeguarding and child protection procedures, their statutory responsibilities to safeguard and promote the welfare of children and the requirements to report child protection concerns to Children's Social Care. *Keeping Children Safe in Education 2021* requires the Designated Safeguarding Lead to ensure that the school's safeguarding and child protection policy is available publicly (e.g. via the school website); that parents know that referrals about suspected abuse or neglect may be made; and the role of the school in that process.

The following information can be used in the school's brochure:

***'Under the Education Act 2002 (Section 175 for maintained schools/Section 157 for academies/free/independent schools), schools must make arrangements to safeguard and promote the welfare of children. Parents/carers should know that the law (Children Act 1989) requires all school staff to pass on information which gives rise to a concern about a child's welfare, including risk from neglect, physical, emotional or sexual abuse. Staff will seek, in general, to discuss any concerns with the parent/carer and discuss the need to make a referral to Children's Social Care if that is considered necessary. This will only be done where such discussion will not place the child at increased risk of significant harm or cause undue delay. The school will seek advice from Children's Social Care when they have reasonable cause to suspect a child may be suffering or likely to suffer significant harm. Occasionally, concerns are passed on which are later found to be unfounded. Parents/carers will appreciate that the school's Designated Safeguarding Lead carries out their responsibilities in accordance with the law and acts in the best interests of all children.'***

\* The word 'school' is used throughout. This includes all schools whether maintained, non-maintained or independent schools, including academies and free schools, alternative providers of education, further education colleges and sixth-form colleges; and relates to children under the age of 18 years.