

Safeguarding Policy

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REVISION HISTORY

Issue No	Date	Description
4	September 2020	Included reference to Covid-19 and Safeguarding addendum. Data Protection requirements updated.

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[children 2019](#), the Governance Handbook and this policy also complies with our funding agreement and articles of association.

We comply with the guidance and the procedures set by the Local Safeguarding Partner arrangements (Appendix 1).

This policy is also based on the following legislation:

- Part 3 of the schedule to the [Education \(Independent School Standards\) Regulations 2014](#), which places a duty on academies and independent schools to safeguard and promote the welfare of pupils at the school
- [The Children Act 1989](#) (and [2004 amendment](#)), which provides a framework for the care and protection of children
- Section 5B(11) of the Female Genital Mutilation Act 2003, as inserted by section 74 of the [Serious Crime Act 2015](#), which places a statutory duty on teachers to report to the police where they discover that female genital mutilation (FGM) appears to have been carried out on a girl under 18
- [Statutory guidance on FGM](#), which sets out responsibilities with regards to safeguarding and supporting girls affected by FGM
- [The Rehabilitation of Offenders Act 1974](#), which outlines when people with criminal convictions can work with children
- Schedule 4 of the [Safeguarding Vulnerable Groups Act 2006](#), which defines what 'regulated activity' is in relation to children
- Statutory [guidance on the Prevent duty](#), which explains schools' duties under the Counter-Terrorism and Security Act 2015 with respect to protecting people from the risk of radicalisation and extremism
- The [Childcare \(Disqualification\) Regulations 2009](#) (and [2018 amendment](#)) and [Childcare Act 2006](#), which set out who is disqualified from working with children
- This policy also meets requirements relating to safeguarding and welfare in the [statutory framework for the Early Years Foundation Stage](#).

1.2 COVID-19

Keeping Children Safe in Education (KCSIE) remains in force throughout the response to coronavirus (COVID-19).

<https://www.gov.uk/government/publications/covid-19-safeguarding-in-schools-colleges-and-other-providers>

The department has issued non-statutory interim guidance on safeguarding in schools, colleges, and other providers during the coronavirus outbreak. This guidance supports governing bodies, proprietors, senior leadership teams and designated safeguarding leads to continue to have appropriate regard to KCSIE

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and keep their children safe. It suggests where schools and colleges might consider safeguarding policy and process differently when compared to business as usual. The Trust has in place an agreed Covid-19 Addendum to the Safeguarding Policy which will be reviewed and updated regularly in accordance with the latest Government guidance.

1.3 Objectives

This policy applies to all adults, including volunteers, working in or on behalf of the Trust or its Academies

Everyone in the education service shares an objective to help keep children and young people safe by contributing to:

- Providing a safe environment for children and young people to learn in education settings.
- Identifying children and young people who are suffering or likely to suffer significant harm and taking appropriate action with the aim of making sure they are kept safe both at home and in the education setting.
- Safeguarding and promoting the welfare of children which is **everyone's** responsibility. **Everyone** who comes into contact with children and their families and carers has a role to play in safeguarding children. To fulfil this responsibility effectively, all professionals should make sure their approach is child centred. This means that they should consider, always, what is in the **best interests** of the child.

2. The North East Learning Trust Commitment

The Trust is committed to safeguarding and promoting the welfare of all its students. Each student's welfare is of paramount importance. We recognise that some children may be especially vulnerable to abuse e.g. those with Special Educational Needs, those living in adverse circumstances. We recognise that children who are abused or neglected may find it difficult to develop a sense of self-worth and to view the world in a positive way. Whilst at the Academies, their behaviour may be challenging. We recognise that some children who have experienced abuse may harm others. We will always take a considered and sensitive approach in order that we can support all our students.

There will be a named Designated Safeguarding Lead and Deputy Designated Safeguarding Lead in each Academy and the Trustees and Local Academy Councils will appoint a named Safeguarding Governor. (Appendix 2).

3. Links with other policies

Safeguarding covers more than the contribution made to child protection in relation to individual children. It also encompasses issues such as student health and safety and bullying and a range of other issues, for example, arrangements for meeting the medical needs of children, providing first aid, school security, drugs, and substance misuse etc. There may also be other safeguarding issues that are specific to the local area of population.

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Other related Trust and Academy Policies and Protocols that should be referred to include:

- Acceptable Use Policy
- Alcohol Tobacco and Drug Policy
- Anti-Bullying Policy
- Attendance Policy
- Behaviour Management Policy
- Child Missing in Education Policy
- Confidential Reporting Code (Whistleblowing Policy)
- Educational Visits Policy
- Exclusions Policy
- Health and Safety Policy
- Prevent Policy
- Recruitment Procedure
- Supporting Students with Medical Conditions Policy

All policies are available on the Trust website and Academy websites.

www.nelt.co.uk

www.ashingtonacademy.co.uk

www.bedlingtonacademy.co.uk

www.browneyacdemy.co.uk

www.diamondhalljuniors.co.uk

www.easingtonacademy.co.uk

www.sacristonacademy.co.uk

www.teesdaleschool.co.uk

www.theacademyatshottonhall.co.uk

www.hermitageacademy.co.uk

4. PROVIDING A SAFE AND SUPPORTIVE ENVIRONMENT

4.1 Safer Recruitment and Selection

The Trust pays full regard to DfE guidance 'Keeping Children Safe in Education' 2019. We ensure that all appropriate measures are applied in relation to everyone who works in a Trust Academy who is likely to be perceived by the students as a safe and trustworthy adult, including volunteers and staff employed by contractors. Safer recruitment practice has been fully encompassed in the Trust's Recruitment Policy Procedures. Safer recruitment practice includes scrutinising applications, verifying identity and qualifications, obtaining professional and character references, checking previous employment history, and ensuring that a candidate has the health and physical capacity for the job. It also includes undertaking rigorous selection procedures and Disclosure and Barring Service (DBS) and other checks.

Recruitment practices in place are:

- An Enhanced DBS with Barred list check is obtained for all new appointments to the Trust workforce (all Members, Trustees and Governors are also required to undertake an Enhanced DBS check).

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- Teacher Prohibition checks are undertaken for all teachers employed by the Trust.
- ID and right to work in the UK is verified prior to appointment.
- Two references are taken for all appointments.
- An Enhanced DBS is obtained for volunteers following a risk assessment considering the frequency, regularity, duration, and nature of contact with children and young people.
- The Trust ensures that any contracted staff are DBS checked where appropriate.
- Each Academy maintains a Single Central Record detailing the range of checks carried out on their staff, volunteers, governors, regular visitors, and contractors.
- All new appointments to the Trust workforce are subject to identity, criminal conviction disclosure, health, and rights to work in the UK checks prior to interview.
- The Trust satisfies itself that the same level of stringent checks have been undertaken on any supply staff.

The CEO, Deputy CEO's, Chair of the Trustees, and the Director of HR have successfully undertaken the approved Safer Recruitment Training.

In each Academy, the Executive Head, Head of School/Headteacher, Senior Leadership Team, and the named Safeguarding Governor have successfully undertaken the approved Safer Recruitment Training. At least one member of every interview or appointment panel has successfully completed this training.

4.2 Safe Practice

All staff employed by the Trust along with Members, Trustees and Governors will undertake Safeguarding and Child Protection Training. Staff training is undertaken annually to ensure that staff are safe and aware of behaviours which should be avoided. In addition, the Trust's Staff Code of Conduct outlines acceptable and unacceptable behaviour towards children and young people. A summary of this is also provided in the Induction program for newly appointed staff. Members, Trustees and Governors will undertake training every 2 years.

Safe working practice ensures that students are safe and that all staff:

- Are responsible for their own action and behaviours and know how to avoid any conduct which could lead any reasonable person to question their motivation or intentions.
- Work in an open and transparent way.
- Discuss and/or take advice from the Academy management over any incident which may give rise to concern.
- Record any incidents or decisions made in relation to a child or young person.
- Apply the same professional standards regardless of gender or sexuality.
- Are aware that breaches of the law and other professional guidelines could result in criminal or disciplinary action being taken against them.

Staff should also be aware that any child may benefit from early help, but all school and college staff should be particularly alert to the potential need for early help for a child who:

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- is disabled and has specific additional needs.
- has special educational needs (whether they have a statutory education, health, and care plan).
- is a young carer.
- is showing signs of being drawn in to anti-social or criminal behaviour, including gang involvement and association with organised crime groups.
- is frequently missing/goes missing from care or from home.
- is misusing drugs or alcohol themselves.
- is at risk of modern slavery, trafficking, or exploitation.
- is in a family circumstance presenting challenges for the child, such as substance abuse, adult mental health problems or domestic abuse.
- has returned home to their family from care.
- is showing early signs of abuse and/or neglect.
- is at risk of being radicalised or exploited.
- is a privately fostered child.

4.3 Sharing Safeguarding Information with Students

The Trust is committed to ensuring that students are aware of behaviour towards them that is not acceptable and how they can keep themselves safe. All students know that we have a senior member of staff with responsibility for child protection and know who this is. We inform students of whom they might talk to, both in and out of the Academy, their right to be listened to and heard and what steps can be taken to protect them from harm. Information is made available to students, including NSPCC and Childline. The Trust's arrangements for consulting with and listening to students are via Student Voice. We make students aware of these arrangements via assemblies, posters, lessons etc.

4.4 Partnership with Parents/Carers

The Trust shares a purpose with parents/carers to keep children safe from harm and to have their welfare promoted.

The North East Learning Trust follow the appropriate Local Safeguarding Partner procedures when dealing with any matters of a child protection nature. The Academy will endeavour to discuss all concerns with parents/carers about their child/ren. However, there may be exceptional circumstances when an Academy will discuss concerns with Social Care and/or the Police without parental knowledge (in accordance with Safeguarding Partner Child Protection Procedures). The Academy will, of course, always aim to maintain a positive relationship with all parents/carers. The Trust's Child Safeguarding Policy is available to all parents/carers upon request.

4.5 Multi Agency Working

The Trust recognises the pivotal role it must play in multi-agency safeguarding arrangements and will contribute to multi agency work in line with the statutory guidance Working together to safeguard children.

The Trust will follow the local arrangements in place for safeguarding partners and child death review partner arrangements. Locally, the three safeguarding partners

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(the LA; a clinical commissioning group for an area within the LA; and the chief officer of police for a police area in the LA) will make arrangements to work together with appropriate relevant agencies to safeguard and promote the welfare of local children, including identifying and responding to their needs.

The Trust will also work with social care, the police, health services and other services to promote the welfare of children and protect them from harm. This will include providing a co-ordinated offer of early help when additional needs of children are identified; and contributing to inter-agency plans to provide additional support to children subject to child protection plans.

4.6 Academy Training and Staff Induction

Each Academy's Designated Safeguarding Lead and Deputy Designated Safeguarding Lead with Responsibility for Child Protection undertake basic child protection and safeguarding training on a 2-yearly basis. Each Academy Principal and all other staff, including associate staff, undertake appropriate training to equip them to carry out their responsibilities for child protection effectively, which is updated annually.

All staff (including temporary staff and volunteers) are provided with a copy of this and other relevant policies during Induction.

4.7 Support, Advice and Guidance for Staff

Staff will be supported by the Designated Safeguarding Lead and Deputy Designated Safeguarding Lead with Responsibility for Child Protection, who will provide guidance and training where appropriate. They will be supported by the Academy Principal and through the Trust.

Advice and support is always available from the Local Authority's Social Work Team and further advice is available from the Police.

4.8 Information Sharing

The Trust acknowledge that information sharing is vital in identifying and tackling all forms of abuse and neglect.

The Trust is aware of the duties the Data Protection Act 2018 and the GDPR place on the organisation and individuals to process personal information fairly and lawfully and to keep the information safe and secure.

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

- Being confident of the processing conditions which allow them to store and share information for safeguarding purposes, including information, which is sensitive and personal, and should be treated as 'special category personal data'.
- Understanding that 'safeguarding of children and individuals at risk' is a processing condition that allows practitioners to share special category personal data. This

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includes allowing practitioners to share information without consent where there is a good reason to do so, and that the sharing of information will enhance the safeguarding of a child in a timely manner but it is not possible to gain consent, if it cannot be reasonably expected that a practitioner gains consent, or if to gain consent would place a child at risk.

Not providing pupils' personal data where the serious harm test under the legislation is met. For example, in a situation where a child is in a refuge or another form of emergency accommodation, and the serious harm test is met, they must withhold providing the data in compliance with the schools' obligations under the Data Protection Act 2018 and the GDPR. The exemption only applies to the extent that complying with the right of access would be likely to cause *serious harm* to the *physical* or *mental health* of any individual. This is known as the 'serious harm test' for education data. Where the Trust is in doubt, independent legal advice will be sought.

The Data Protection Act 2018 and GDPR do not prevent the sharing of information for the purposes of keeping children safe. Fears about sharing information must not be allowed to stand in the way of the need to safeguard and promote the welfare and protect the safety of children.

When a child leaves an Academy within the Trust the Designated Safeguarding lead will ensure that the child protection file is transferred to the new school or college, ensuring secure transit and confirmation of receipt will be obtained.

4.9 Opportunities to teach safeguarding

The Trust provides a broad and balanced curriculum in all its Academies and will ensure that children are taught about safeguarding, including online safety.

This will also include covering relevant issues through Relationships Sex Education and Health Education), tutorials (in colleges) and/or where delivered, through Personal, Social, and Health Education. The Government regulations which make the subjects of Relationships Education (for all primary pupils) and Relationships and Sex Education (for all secondary pupils) and Health Education (for all pupils in state-funded schools) are mandatory from September 2020.

4.10 Procedures for supporting students in an emergency (transport from school)

Only during exceptional circumstances will staff give students a lift home. Staff are first expected to have agreement from a named member of SLT first and must have business insurance on their vehicle to allow this to happen. Parents/carers must be informed via telephone. Two members of staff should accompany the child in the car. The child **MUST** travel in the rear seats of the car.

Should a taxi be used to transport a student home then the Academy will ensure the driver is DBS checked.

4.11 Extra-Curricular activities

If students are involved in extra-curricular activities that take place outside of the Academy but with a staff presence, a record of students involved will be retained in

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the Academy. The Academy will ask parents/carers to complete an EV4 form annually in respect of such activities.

4.12 Student Information

To keep children safe and provide appropriate care for them each Academy will maintain accurate and up to date information regarding:

- Names (including any previous names), address and date of birth of child.
- Names and contact details of persons with whom the child normally lives.
- Names and contact details of all persons with parental responsibility (if different from above).
- Whether the child is Looked After.
- Emergency contact details (2, wherever possible).
- Details of any persons authorised to collect the child from the Academy.
- Any relevant court orders in place including those which affect any person's access to the child (e.g. Residence Order, Contact Order, Interim or Full Care Order, Injunctions etc).
- If the child is or has a Child Protection Plan (formerly known as being on the Child Protection Register).
- Name and contact details of any key persons from other agencies, including GP.
- Any other factors which may impact on the safety and welfare of the child.

5. Roles and Responsibilities

5.1 Trustees

The Trustees will ensure:

- The Trust has a Child Safeguarding policy and procedures in place that are in accordance with the Local Safeguarding Partner guidance and locally agreed interagency procedures, and the policy is available to parents/carers upon request.
- The Trust operates safe recruitment procedures and makes sure that all appropriate checks are carried out on staff and volunteers who work with children.
- All members, trustees and Governors are subject a Section 128 check.
- The Trust has procedures for dealing with allegations of abuse against staff and volunteers that comply with guidance from the Local Authority and locally agreed inter-agency procedures.
- A senior member of the Academy's Leadership Team is designated to take lead responsibility for Child Protection (and a deputy).
- Staff undertake appropriate child protection training, including annual updates via Edu Care.
- They remedy, without delay, any deficiencies, or weaknesses regarding child protection arrangements.
- Where services or activities are provided on an Academy's premises by another body, the body concerned has appropriate policies and procedures in place regarding safeguarding children and child protection and liaises with the

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Academy on these matters where appropriate.

- The Safeguarding Policy is updated and reviewed annually.
- They review their policies and procedures annually and provide information to the LA about them and about how the above duties have been discharged.
- Appropriate online filtering and monitoring is in place and is kept up to date, whilst not preventing access to online learning opportunities.
- Should an allegation arise outside of the Academy's term time and the Designated Safeguarding Lead, Deputy Designated Safeguarding Lead and Executive Head and Head of School/Headteacher are unavailable, the Trust has appointed the CEO to be responsible for managing the referral process in their absence.

5.2 Local Academy Council

The Local Academy Council will:

- Appoint a Link Governor for Safeguarding who will meet with the DSL at least once a term to monitor the effectiveness of this policy.

5.3 Head of School/Headteacher

The Head of School/Headteacher will ensure that:

- The policies and procedures adopted by the Trust are fully implemented and followed by all staff.
- Sufficient resources and time are allocated to enable the designated person and other staff to discharge their responsibilities; and
- All staff and volunteers feel able to raise concerns about poor or unsafe practice in regarding to children, and such concerns are addressed sensitively and effectively in a timely manner in accordance with the Trust's Whistleblowing Policy.
- Where appropriate, cases are referred to the Director of HR where a person is dismissed or left due to risk/harm to a child to ensure referrals are made to the appropriate bodies as required.

5.4 Designated Safeguarding Lead

5.41 Referrals

- Refer cases of suspected or alleged abuse to the relevant investigating agencies.
- Act as a source of support, advice, and expertise within the educational establishment.
- Refer cases to the Channel programme where there is a radicalisation concern as required.
- Support staff who make referrals to the Channel programme.
- Liaise with the Head of School/Headteacher to inform him/her of any issues and ongoing investigations and ensure there is always cover for this role.
- Where appropriate, refer cases to the Head of School/Headteacher where a person is dismissed or left due to risk/harm to a child to ensure referrals are

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made to the appropriate bodies as required.

5.4.2 Work with others

- Act as a point of contact with the three safeguarding partners.
- Liaise with the Head of School/Headteacher to ensure they are informed of issues- especially ongoing enquiries under section 47 of the Children Act 1989 and police investigations.
- Liaise with the 'case manager' and the designated officer(s) of the local authority for child protection concerns in cases which concern a staff member.
- Liaise with staff (especially pastoral support staff, school nurses, IT Technicians and SENCO on matters of safety and safeguarding (including online and digital safety) and when deciding whether to make a referral by liaising with relevant agencies.
- Act as a source of support, advice and expertise for all staff.

5.4.3 Training

The DSL (and any Deputies) will undergo training to provide them with the knowledge and skills required to carry out the role. The training will be updated every 2 years. The DSL will undertake Prevent awareness training. The training will provide the DSL with a good understanding of their role, and the processes, procedures and responsibilities of other agencies, particularly children's social care, so they:

- Understand the assessment process for providing early help and statutory intervention, including criteria for action and local authority children's social care arrangements.
- Have a working knowledge of how the child protection cases operate, the conduct of a child protection case conference and be able to attend and contribute to these.
- Ensure that all staff have access to and understand the Trust's Child Safeguarding Policy and Procedures, including new and part time staff.
- Are alert to the specific needs of children in need, those with special educational needs and young carers.
- Understand relevant data protection legislation and regulations, especially the Data Protection Act 2018 and the General Data Protection Regulation.
- Understand the importance of information sharing, both within the Academy, and the three safeguarding partners, other agencies, organisations and practitioners.
- Are able to keep detailed, accurate, secure records of concerns and referrals.
- Understand and support the Academy with regards to the requirements of the Prevent duty and can provide advice and support to staff on protecting children from the risk of radicalisation.
- Are able to understand the unique risks associated with online safety and be confident that they have the relevant knowledge and up to date capability required to keep children safe whilst online at the Academy.
- Can recognise the additional risks that children with SEN and disabilities (SEND) face online, for example, from online bullying, grooming and

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radicalisation and are confident they have the capability to support SEND children to stay safe online.

- Obtain access to resources and attend any relevant or refresher training courses at least every two years.
- Encourage a culture of listening to children, and taking account of their wishes and feelings, among all staff, in any measures the Academy may put in place to protect them.

5.4.4 Raising Awareness

The DSL should:

- Ensure the Trust's safeguarding policy is known, understood and used appropriately.
- Ensure that the Trust's safeguarding policy is available publicly and parents/carers are made aware that referrals about suspected abuse or neglect may be made and the role of the Academy in this.
- Link with the safeguarding partner arrangements to make sure staff are aware that referrals about suspected abuse or neglect may be made and the role of the academy in this.
- Help promote educational outcomes by sharing 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 senior leaders. The DSL will support teaching staff to focus on additional academic support and adjustments that could be made to support these children.
- Where a child leaves an Academy (including for in-year transfers), ensure the Child Protection file is transferred to the new establishment as soon as possible. This should be transferred to the new school separately from the main student file, ensuring secure transit, and confirmation of receipt should be obtained. Where appropriate, the DSL will also consider sharing information with the new establishment in advance of a student leaving.

5.5 Staff and volunteers

All staff and volunteers will:

- Fully comply with the Trust's policies and procedures.
- Attend appropriate training.
- Inform the Designated Person of any concerns.
- Record any potential safeguarding incidents appropriately.

6. Identifying children and young people who may be suffering significant harm

6.1 Overview of safeguarding

Teachers and other adults in each Academy are well placed to observe any physical, emotional, or behavioural signs which indicate that a child may be suffering significant harm. The relationships between staff, students, parents, and the public which foster respect, confidence and trust can lead to disclosures of abuse, and/or Trust staff being alerted to concerns.

Safeguarding children is defined as:

The actions we take to promote the welfare of children and protect them from harm are everyone's responsibility. Everyone who comes into contact with children and

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families has a role to play.

Safeguarding and promoting the welfare of children is defined as:

- Protecting children from maltreatment.
- Preventing impairment of children’s mental health 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 ensure all children have the best outcomes.

Safeguarding is not just about protecting children from deliberate harm. It also relates to aspects of school life including:

- Pupils’ health and safety.
- The use of reasonable force.
- Meeting the needs of children with medical conditions.
- Providing first aid.
- Educational visits.
- Intimate care.
- Internet or e-safety.
- Appropriate arrangements to ensure school security, considering the local context.

Safeguarding can involve a range of potential issues such as:

- Bullying, including cyber bullying (by text message, on social networking sites, etc) and prejudice-based bullying.
- Racist homophobic or transphobic abuse.
- Extremist behaviour i.e. radicalisation.
- Child sexual exploitation/child criminal exploitation.
- Sexual violence and sexual harassment between children.
- Sexting.
- Substance misuse.
- Issues which may be specific to a local area or population, for example gang activity and youth violence.
- Issues affecting children including domestic violence, female genital mutilations, honour-based violence and forced marriage.

6.2 Abuse and Neglect

Knowing what to look for is vital to the early identification of abuse and neglect. All staff should be aware of indicators of abuse and neglect so that they are able to identify cases of children who may need of help or protection. If staff are unsure, they should always speak to the Designated Safeguarding Lead (or deputy).

All school staff should be aware that abuse, neglect, and safeguarding issues are rarely stand-alone events that can be covered by one definition or label. In most

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cases, multiple issues will overlap with another.

All staff should be aware that safeguarding incidents and/or behaviours can be associated with factors outside of school and/or can occur between children outside of these environments. All staff, but especially the DSL (and deputies) should consider whether children are at risk of abuse or exploitation in situations outside their families.

6.2.1 Indicators of Abuse and Neglect

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

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

Emotional Abuse: the persistent emotional maltreatment of a child such as to cause severe and adverse effects in 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 development capability as well as overprotection and limitation of exploration and learning or preventing the child from 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 (Section 6.9).

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.

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

6.3 Child Criminal Exploitation (CCE)

CCE is where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child into criminal activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial or other advantage of the perpetrator or facilitator and/or (c) through violence or the threat of violence. The victim may have been criminally exploited even if the activity appears consensual. CCE does not always involve physical contact; it can also occur using technology.

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

Some of the following can be indicators of CCE:

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

6.4 Child Sexual Exploitation (CSE)

CSE occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child into sexual activity (a) in exchange for something the victim wants or needs, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. CSE does not always involve physical contact; it can also occur through technology. CSE can affect any child or young person (male or female) under the age of 18 years, including 16- and 17-year olds who can legally consent to have sex. It can include both contact (penetrative and non-penetrative acts) and non-contact sexual activity and may occur without the immediate knowledge of the child or young person (e.g. through others copying videos

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or images they have created on social media).

The indicators for CCE can also be indicators for CSE, as can:

- Children who have older boyfriends or girlfriends; and
- Children who suffer from sexually transmitted infections or become pregnant.

6.5 County Lines

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

Exploitation is an integral part of the county lines offending model with children and vulnerable adults exploited to move (and store) drugs and money. Offenders will often use coercion, intimidation, violence (including sexual violence) and weapons to ensure compliance of victims. Children can be targeted and recruited into county lines in several locations including schools, further and higher educational institutions, pupil referral units, special educational needs schools, children's homes and care homes. Children are often recruited to move drugs and money between locations and are known to be exposed to techniques such as 'plugging', where drugs are concealed internally to avoid detection. Children can easily become trapped by this type of exploitation as county lines gangs create drug debts and can threaten serious violence and kidnap towards victims (and their families) if they attempt to leave the county lines network.

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

6.6 Domestic Abuse

The cross-government definition of domestic violence and abuse is any incident or pattern of incidents of controlling coercive, threatening behaviour, violence or abuse between those aged 16 or over, who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can encompass, but it is not limited to psychological; physical; sexual; financial; and emotional.

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

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the abuse or may have had to leave the family home as a result.

6.7 Homelessness

Being homeless or being at risk of becoming homelessness presents a real risk to child's welfare. The DSL (and any Deputies) should be aware of contact details and referrals routes into the Local Housing Authority (LHA) so they can raise/progress concerns at the earliest opportunity. Indicators that a family may be at risk of homelessness include household debt, rent areas, domestic abuse, and anti-social behaviour, as well as the family being asked to leave a property. Whilst referrals and/or discussion with the LHA should be progressed as appropriate, and in accordance with local procedures, 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 in some cases 16- and 17-year olds could be living independently from their parents/carers, 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) should ensure appropriate referrals are made based on the child's circumstances. The department and the Ministry of Housing, Communities and Local Government have published joint statutory guidance on the provision of accommodation for 16- and 17-year olds who may be homeless and/or require accommodation. <https://www.gov.uk/government/publications/provision-of-accommodation-for-16-and-17-year-olds-who-may-be-homeless-and-or-require-accommodation>

6.8 So-called 'honour-based' abuse (including Female Genital Mutilation (FGM) and Forced Marriage)

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

6.8.1 Actions

Staff concerned about a child that might be at risk of HBA or who has suffered from HBA, should speak to the DSL or (deputy). As appropriate, the DSL will activate local safeguarding procedures, using existing national and local safeguarding procedures, using existing national and local protocols for multi-agency liaison with police and children's social care. Where FGM has taken place, since 31 October 2015 there has

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been a mandatory reporting duty placed on teachers that requires a different approach.

6.8.2 FGM

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

6.8.3 FGM Mandatory reporting duty for teachers

Section 5B of the Female Genital Mutilation Act 2003 places a statutory duty upon teachers along with regulated health and social care professionals in England and Wales, to report to the police where they discover (either through disclosure by the victim or visual evidence) that FGM appears to have been carried out on a girl under 18. Those failing to report such cases may face disciplinary sanctions. It will be rare for teachers to see visual evidence, and they should not be examining pupils or students, but the same definition of what is meant by ‘to discover that an act of FGM appears to have been carried out’ is used for all professionals to whom this mandatory reporting duty applies. Information on when and how to make a report can be found at <https://www.gov.uk/government/publications/mandatory-reporting-of-female-genital-mutilation-procedural-information>

Teachers must personally report to the police cases where they discover that an act of FGM appears to have been carried out. Unless the teacher has good reason not to, they should still consider and discuss any such case with the school’s or college’s DSL (or deputy) and involve children’s social care as appropriate. The duty does not apply in relation to at risk or suspected cases (i.e. where the teacher does not discover that an act of FGM appears to have been carried out, either through disclosure by the victim or visual evidence) or in cases where the woman is 18 or over. In these cases, teachers should follow local safeguarding procedures.

<https://www.gov.uk/government/publications/fact-sheet-on-mandatory-reporting-of-female-genital-mutilation> is a useful summary of the FGM mandatory reporting duty.

6.8.4 Forced marriage

Forcing a person into a marriage is a crime in England and Wales. A forced marriage is one entered without the full and free consent of one or both parties and where violence, threats or any other form of coercion is used to cause a person to enter a marriage

This is where a marriage is forced upon a female (sometimes male) where they have not consented but are coerced into it. Coercion might include physical, emotional, financial, psychological, and sexual pressure. It may also include physical and 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 to accept the arrangement remains with the prospective spouses.

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Children may be married at a very young age and well below the age of consent in England. Academy staff receive training to be aware of students who raise suspicions or who show concern to 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 the Anti-Social Behaviour, Crime and Policing Act 2014.

6.9 Peer on Peer abuse/child on child abuse

Children can abuse other children. This is generally referred to as peer on peer abuse and can take many forms. This can include (but is not limited to):

- bullying (including cyberbullying).
- sexual violence such as rape, assault by penetration and sexual assault.
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm.
- sexual harassment such as sexual comments, remarks, jokes, online sexual harassment, which may be stand-alone or part of a broader pattern of abuse.
- upskirting is where someone takes a picture under a person's clothing (not necessarily a skirt) without their permission and/or knowledge, with the intention of viewing their genitals or buttocks (with or without underwear) to obtain sexual gratification, or cause the victim humiliation, distress or alarm. It is a criminal offence. Anyone of any gender, can be a victim. (The Voyeurism (Offences) Act, which is commonly known as the Upskirting Act 2019).
- sexting.
- initiation/hazing type violence and rituals.

Such behaviour will be dealt with in line the Academy's Behaviour Policies and the Trust's suite of policies which support safeguarding.

6.10 Sexual violence and sexual harassment between children in schools and colleges

Sexual violence and sexual harassment can occur between two children of any age and sex. It can also occur through a group of children sexually assaulting or sexually harassing a single child or group of children. Children who are victims of sexual violence and sexual harassment will likely find the experience stressful and distressing. This will, likely, adversely affect their educational attainment.

Sexual violence and sexual harassment exist on a continuum and may overlap, they can occur online and offline (both physical and verbal) and are never acceptable. It is important that all victims are taken seriously and offered appropriate support.

Staff are aware that some groups are potentially more at risk. Evidence shows girls, children with SEND and LGBT children are at greater risk. Staff are also aware of the importance of:

- making clear that sexual violence and sexual harassment is not acceptable, will never

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be tolerated and is not an inevitable part of growing up.

- not tolerating or dismissing sexual violence or sexual harassment as “banter”, “part of growing up”, “just having a laugh” or “boys being boys”; and
- challenging behaviours (potentially criminal in nature), such as grabbing bottoms, breasts, and genitalia, flicking bras, and lifting skirts. Dismissing or tolerating such behaviours risks normalising them.

Reports of sexual violence and sexual harassment are likely to be complex and require difficult professional decisions to be made. Any decisions made will be on a case-by-case basis with the designated safeguarding lead (or a deputy) taking a leading role, using their professional judgement, supported by other agencies such as children’s social care and the police as required. Sexting is specifically addressed in Appendix 3 below.

See Paragraph 43 and Annex A in the [Sexual violence and sexual harassment between children in schools and colleges](#) for further advice information and resources.

6.11 Serious violence

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

Staff are aware of the associated risks and understand the measures in place to manage these.

6.12 Preventing radicalisation

Children are vulnerable to extremist ideology and radicalisation. Similar to protecting children from other forms of harms and abuse, protecting children from this should be part of a schools’ or colleges’ safeguarding approach.

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

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

Terrorism is an action that endangers or causes serious violence to a person/people; causes serious damage to property; or seriously interferes or disrupts an electronic

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system. The use or threat must be designed to influence the government or to intimidate the public and is made for the purpose of advancing a political, religious or ideological cause.

There is no single way of identifying whether a child is likely to be susceptible to an extreme ideology. Background factors combined with specific influences such as family and friends may contribute to a child's vulnerability. Similarly, radicalisation can occur through many different methods (such as social media or the internet) and settings (such as in the home).

Academy staff are trained in identifying the risks associated with extremism and opportunities are provided within the Academy's curriculum to allow students to discuss issues of ethnicity, culture and religion in line with [Promoting fundamental British values as part of SMSC in schools](#)

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

The Academy DSL (and Deputies) are aware of local procedures for making a Prevent referral.

6.12.1 The Prevent Duty

As part of the Counter Terrorism and Security Act 2015, section 26, academies have a duty in the exercise of their functions, to have 'due regard to the need to 'prevent people being drawn into terrorism'. This is known as the 'Prevent Duty'.

The Prevent Duty is seen as part of the Trust and Academies wider safeguarding obligations. DSL's and senior leaders are familiar with the <https://www.gov.uk/government/publications/prevent-duty-guidance/revised-prevent-duty-guidance-for-england-and-wales>, particularly paragraphs 57-76, which are specially related to schools.

Where staff are concerned that children and young people are developing extremist views or show signs of becoming radicalised, they should discuss this with the Designated Safeguarding Lead.

The Designated Safeguarding Lead has received training about the Prevent Duty and tackling extremism and is able to support staff with any concerns they may have.

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We use the curriculum to ensure that children and young people understand how people with extreme views share these with others, especially using the internet.

We are committed to ensuring that our pupils are offered a broad and balanced curriculum that aims to prepare them for life in modern Britain. Teaching the Academy's core values alongside the fundamental British Values supports quality teaching and learning, whilst making a positive contribution to the development of a fair, just, and civil society.

6.12.2 Channel

Channel is a voluntary, confidential support programme which focuses on providing support at an early stage to people who are identified as being vulnerable to being drawn into terrorism. Prevent referrals may be passed to a multi-agency Channel panel, which will discuss the individual referred to determine whether they are vulnerable to being drawn into terrorism and consider appropriate support required. A representative from the Academy will attend the Channel panel if requested. An individual's engagement with the programme is entirely voluntary at all stages.

Guidance on Channel is available at

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/425189/Channel_Duty_Guidance_April_2015.pdf

6.13 Private fostering

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 disabled) 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.

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

Parents and private foster carers both have a legal duty to inform the relevant local authority at least six weeks before the arrangement is due to start; not to do so is a criminal offence.

Whilst most privately fostered children are appropriately supported and looked after, 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, or be involved in trafficking, child sexual exploitation or modern-day slavery.

Academies have a mandatory duty to report to the local authority where they are aware or suspect that a child is subject to a private fostering arrangement. Although academies have a duty to inform the local authority, there is no duty for anyone, including the private foster carer or social workers to inform the Academy. However, it should be clear to the Academy who has parental responsibility.

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Academy staff should notify the designated safeguarding lead when they become aware of 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 Academy itself has a duty to inform the local authority of the private fostering arrangements.

On admission to the Academy, we will take steps to verify the relationship of the adults to the child who is being registered.

6.14 Child Missing in Education

All staff should be aware that children going missing, repeatedly, can act as a warning sign of a range of safeguarding possibilities. This may include abuse and neglect, sexual abuse or exploitation and child criminal exploitation, mental health problems, risk of substance abuse, risk of travelling to conflict zones, risk of female genital mutilation or risk of forced marriage. Early intervention is necessary to identify the existence of any underlying safeguarding risks and prevent further risk. Staff must be aware of both unauthorised absence procedures and the children missing in education procedures that operate within each Academy.

6.15 Children at potentially greater risk of harm

Children may need a social worker due to safeguarding or welfare needs. Children may need this help due to abuse, neglect and complex family circumstances. A child's experiences of adversity and trauma can leave them vulnerable to further harm, as well as educationally disadvantaged in facing barriers to attendance, learning, behaviour, and mental health.

Local authorities should share the fact that a child has a social worker, and the DSL should hold and use this information so that decisions can be made in the best interests of the child's safety, welfare, and educational outcomes. This should be considered as a matter of routine. There are clear powers to share this information under existing duties on both local authorities and schools and colleges to safeguard and promote the welfare of children.

Where children need a social worker, this should inform decisions about safeguarding (for example, responding to unauthorised absence or missing education where there are known safeguarding risks and about promoting welfare (for example, considering the provision of pastoral and/or academic support, alongside action by statutory services).

Findings from the Children in Need review,

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/762826/Children_in_Need_of_help_and_protection-Interim_findings.pdf

contains further information, the conclusion of the review, Help, protection, education sets out action Government is taking to support this.

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https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/809236/190614_CHILDREN_IN_NEED_PUBLICATION_FINAL.pdf

6.16 Children requiring mental health support

Schools and colleges have an important role to play in supporting the mental health and wellbeing of their pupils.

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

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

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

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

The department has published advice and guidance on [Preventing and tackling bullying](#) and [Mental health and behaviour in schools](#). In addition, Public Health England has produced a range of resources to support secondary school teachers to promote positive health, wellbeing and resilience among young people including its guidance <https://www.gov.uk/government/publications/promoting-children-and-young-peoples-emotional-health-and-wellbeing>. Resources include social media, forming positive, smoking and alcohol.

6.17 Looked after children and previously looked after children

The most common reason for children becoming looked after is because of abuse and/or neglect. The Trust will ensure that staff have the skills, knowledge and understanding to keep looked after children safe.

Appropriate staff will have the information they need in relation to a child's looked after legal status (whether they are looked after under voluntary arrangements with consent of parents, or on an interim or full care order) and the child's contact arrangements with birth parents or those with parental responsibility. They will also have information about the childcare arrangements and the levels of authority delegated to the carer by the responsible authority. The DSL will have details of the child's social worker and the name of the virtual head in the authority that looks after the child. DSL's are also able to seek advice and share information the Trust's Virtual Head.

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A previously looked after child potentially remains vulnerable and all staff will have the skills, knowledge and understanding to keep previously looked after children safe. When dealing with looked after children and previously looked after children, the Trust recognises the importance of all agencies working together and taking prompt action when necessary to safeguard these children, who are a particularly vulnerable group.

6.18 Online Safety

The use of technology has become a significant component of many safeguarding issues. CSE, radicalisation, sexual predation: technology often provides the platform that facilitates harm. An effective approach to online safety empowers a school or college to protect and educate the whole school or college community in their use of technology and establishes mechanisms to identify, intervene in, and escalate any incident where appropriate.

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

- Content: being exposed to illegal, inappropriate, or harmful material, for example, pornography, fake news, racist or radical and extremist views.
- Contact: being subjected to harmful online interaction with other users; for example, commercial advertising as well as adults posing as children or young adults; and
- Conduct: personal online behaviour that increases the likelihood of, or causes, harm, for example making, sending, and receiving explicit images, or online bullying.

The Trust will do all it reasonably can to limit children's exposure to the above risks from the Academies IT systems.

The Trust has appropriate filters and monitoring systems in place in all Academies.

The filters and monitoring systems are age appropriate and are informed in part by the risk assessment required by the Prevent Duty.

The Trust acknowledges that whilst filtering and monitoring is an important part of the online safety picture, it is only one part. The Trust has a 'whole school approach' and all Academies have in place a clear policy on the use of mobile technology in school. The filters and monitoring systems implemented will not 'over block' to ensure that this does not lead to unreasonable restrictions as to what children can be taught about online teaching and safeguarding. The use of Smooth wall software in all Academies across the Trust ensures that the DSL receives swift alerts when any misuse occurs.

Where children are asked to learn online at home the Trust will follow department advice.

6.19 Other relevant information

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6.19.1 Work experience

The Academy has detailed procedures to safeguard pupils undertaking work experience, including arrangements for checking people who provide placements and supervise pupils on work experience which are in accordance with the guidance in *Keeping Children Safe in Education (2019)*.

6.19.2 Children staying with host families

The Academy may plan for pupils to stay with a host family during a foreign exchange trip or sports tour. In such circumstances the Academy follows the guidance in *Keeping Children Safe in Education (2019)*, to ensure that hosting arrangements are as safe as possible.

Some overseas pupils may reside with host families during Academy terms and we will work with the local authority to check that such arrangements are safe and suitable.

The Academy maintains a single central record of recruitment checks undertaken.

6.19.3 Extended Academy and off-site arrangements

All extended and off-site activities are subject to a risk assessment to satisfy health and safety and safeguarding requirements. Where extended Academy activities are provided by and managed by the Academy, our own child protection policy and procedures apply. If other organisations provide services or activities on our site, we will check that they have appropriate procedures in place, including safer recruitment procedures.

When our pupils attend off-site activities, including day and residential visits and work-related activities, the Academy will check that effective child protection arrangements are in place.

6.19.4 Photography and images

The majority of people who take or view photographs or videos of children do so for entirely innocent and legitimate reasons. Sadly, some people abuse children through taking or distributing images, so we must ensure that we have some safeguards in place.

To protect pupils, we will:

- seek parental consent for photographs to be taken or published (for example, on our website or in newspapers or publications)
- use only the pupil's first name with an image
- ensure pupils are appropriately dressed
- encourage pupils to tell us if they are worried about any photographs that are taken of them
- all visitors will be given a trust safeguarding information on arrival which makes clear they must not take any photographs of students whilst on site or discuss the nature of their visit on social media without prior consent given from the Academy.

6.19.5 Racist Incidents

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Racist incidents must always be reported via CPOMS, are dealt with in accordance with our behaviour policies. Depending on the circumstances of the case, they may also be managed under the safeguarding policy as with other forms of harassment and abuse.

6.19.6 Health & Safety

Our Health & Safety policy, set out in a separate document, is reviewed every two years by the Trust. It reflects the consideration the Trust and its Academies give to the protection of our children both within the Academy environment and when away from the Academy when undertaking trips and visits.

6.19.7 Behaviour

Expectations of behaviour in each Academy are clearly set out in local policies. Careful monitoring is essential in order to identify any difficulties a pupil may be experiencing which may in turn, indicate safeguarding concerns.

6.20 Definitions

As in the Children's Acts 1989 and 2004, a child is defined as anyone who has not yet reached his/her 18th birthday.

6.20.1 Harm means ill treatment or impairment of health and development, including, for example, impairment suffered from seeing or hearing the ill-treatment of another; **development** means physical, intellectual, emotional, social or behavioural development; **health** includes physical and mental health; **ill-treatment** includes sexual abuse and other forms of ill-treatment which are not physical.

6.20.2 Abuse is a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others (e.g. via the internet). They may be abused by an adult or adults or another child or children.

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

6.20.4 Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, including prostitution, whether the child is aware of what is happening. The activities may involve physical contact, including penetrative (e.g. rape, buggery or oral sex) or non-penetrative acts. They may include non-contact activities, such as involving children in looking at or in the production of, pornographic material or watching sexual activities or encouraging children to behave in sexually inappropriate ways.

6.20.5 Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate,

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or valued only insofar as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the 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, 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, though it may occur alone.

6.20.6 Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development.

Neglect may occur during pregnancy because of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to:

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

It may also include neglect of or unresponsiveness to a child's basic emotional needs. Whilst the above are the legal definitions, staff must also be aware of other forms of harm including forced marriage, radicalisation, honour-based violence, and female genital mutilation.

6.21 Early Help means providing support as soon as a problem emerges at any point in a child's life, from the foundation years through to the teenage years. In the first instance staff should discuss early help requirements with the designated safeguarding lead. Staff may be required to support other agencies and professionals in an early help assessment.

6.22 Statutory assessments

Where a child is suffering, or is likely to suffer from harm, it is important that a referral to children's social care (and if appropriate the police) is made immediately. Referrals should follow the local authority's referral process.

6.23 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.

6.24 Children suffering or likely to suffer significant harm

Local authorities, with the help of other organisations as appropriate, have a duty to

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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. 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.

7. Taking action to ensure that children are safe at their Academy and at home

It is not the responsibility of Trust staff to investigate welfare concerns or determine the truth of any disclosure or allegation. All staff, however, have a duty to recognise concerns and maintain an open mind. Accordingly, all concerns regarding the welfare of students will be recorded and discussed with the Designated Safeguarding Lead with responsibility for child protection (or another senior member of staff in the absence of the designated person) prior to any discussion with parents/carers.

7.1 Staff will immediately report

- Any suspicion that a child is injured, marked, or bruised in a way which is not readily attributable to the normal knocks or scrapes received in play.
- Any explanation given which appears inconsistent or suspicious.
- Any behaviours which give rise to suspicions that a child may have suffered harm (e.g. worrying drawings, writing or acts).
- Any concerns that a child may be suffering from inadequate care, ill treatment, or emotional maltreatment.
- Any concerns that a child is presenting signs or symptoms of abuse or neglect.
- Any significant changes in a child's presentation, including non-attendance.
- Any hint or disclosure of abuse from any person.
- Any concerns regarding person(s) who may pose a risk to children (e.g. living in a household with children present).
- Staff should be aware that children with SEND may face additional safeguarding challenges and should ensure that any potential barriers to them reporting concerns are removed.
- If a teacher, during their work in the profession, discovers that an act of Female Genital Mutilation appears to have been carried out on a girl under the age of 18 the teacher must report this to the designated safeguarding lead, who will inform the Police;
- Any children who they believe may benefit from early help, this includes identifying emerging problems, liaising with the designated safeguarding lead, sharing information with other professionals to support early identification and assessment and, in some cases, acting as the lead professional in undertaking an early help assessment.

7.2 Responding to Disclosure

Disclosures or information may be received from students, parents/carers, or other members of the public. The Academy recognises that those who disclose such information may do so with difficulty, having chosen carefully to whom they will speak.

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Accordingly, staff will handle disclosures with sensitivity. Such information cannot remain confidential and staff will immediately communicate what they have been told to the designated person and make a contemporaneous record.

7.2.1 Principles

Staff will not investigate but will, wherever possible, elicit enough information to pass on to the designated person in order that s/he can make an informed decision of what to do next.

7.2.2 Staff

Staff will:

- Listen to and take seriously any disclosure or information that a child may be at risk of harm.
- Try to ensure that the person disclosing does not have to speak to another member of the Academy's staff.
- Try to keep questions to a minimum and of an 'open' nature e.g. 'can you tell me what happened?' rather than 'did X hit you?'
- Try not to show signs of shock, horror, or surprise.
- Not express feelings or judgements regarding any person alleged to have harmed the child.
- Explain sensitively to the child that they have a responsibility to refer the information to the Designated Safeguarding Lead.
- Reassure and support the child as far as possible.
- Explain that only those who 'need to know' will be told.
- Explain what will happen next and that the child will be involved as appropriate.

7.3 Action by the Designated Safeguarding Lead (or other senior person in their absence)

Following any information raising concern, the Designated Safeguarding Lead will consider:

- Any urgent medical needs of the child.
- Making an enquiry to the Child Protection Register.
- Discussing the matter with other agencies involved with the family.
- Liaising with the three safeguarding partners and working with other agencies in line with [Working together to safeguard children](#) [WHEN TO CALL THE POLICE](#) should help designated safeguarding leads understand when they should consider calling the police and what to expect when they do.
- The child's wishes.
- Any suspicion of female genital mutilation of a girl under 18 years of age will be reported to the Police and Children's Social Care.

Then decide:

- Wherever possible, to talk to parents/carers, unless to do so may place a child at risk of significant harm, impede any Police investigation and/or place the member

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of staff or others at risk.

- Whether to make a child protection referral to Children’s Social Care or the Police because a child is suffering or is likely to suffer significant harm and if this needs to be undertaken immediately.

OR

- Not to make a referral at this stage.
- If further monitoring is necessary.
- If early help is appropriate the designated safeguarding lead should support the through liaising with other agencies and setting up an inter-agency assessment as appropriate and then ensure the case is kept under constant review and consideration given to a referral to children’s social care if the child’s situation doesn’t appear to be improving.
- If it would be appropriate to make a referral for other services.

Referrals should ideally be made by a designated safeguarding lead, however in their absence, anyone can make a referral. Where referrals are not made by the designated safeguarding lead the designated safeguarding lead should be informed, as soon as possible, that a referral has been made.

All information and actions taken, including the reasons for any decisions made, will be fully documented. All referrals to Social Care will be accompanied by a standard Referral Form.

7.4 Action following a child protection referral

The Designated Safeguarding Lead or other appropriate member of staff will:

- Make regular contact with Children’s Social Services.
- Contribute to the Strategy Discussion and Initial Assessment.
- Provide a report for, attend, and contribute to any subsequent Child Protection Conference.
- If the child or children have a Child Protection Plan, contribute to the Child Protection Plan, and attend Core Group Meetings and Review Child Protection Conferences.
- Share all reports with parents prior to the meetings.
- Where in disagreement with a decision made e.g. not to apply Child Protection Procedures or not to convene a Child Protection Conference, discuss this with the LADO.
- Where a child is having a Child Protection Plan moves from an Academy or goes missing, immediately inform the key worker in Social Services.

7.5 Recording and Monitoring

Each Academy will record:

- Information about the child: name, address, D.O.B, those with parental responsibility, primary carers, emergency contacts, names of persons authorised to collect from the Academy, any court orders, if a child has been subject to a Child

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- Key contacts in other agencies including GP details
- Any disclosures/accounts from child or others, including parents/carers (and keep original notes)
- All concerns, discussions, decisions, actions taken (dated, timed, and signed) and arrangements for monitoring/reviewing

All records should be objective and include:

- Statements, facts, and observable things (what was seen/heard)
- Diagram indicating position, size, colour of any injuries
- Words child uses (not translated into 'proper' words)
- Non-verbal behaviours

All child protection documents will be retained in a 'Child Protection' file, separate from the child's main file. This will be locked away and only accessible to the Head of School/Headteacher and Designated Safeguarding Lead. These records will be copied and transferred to any school or setting the child moves to, clearly marked 'Child Protection, Confidential, for the attention of the Designated Safeguarding'.

If the child goes missing from education or is removed from roll to be educated at home than any Child Protection file should be copied, and the copy sent to the appropriate officer at the Local Authority. The Academy will retain all original copies of child protection files until the child's 25th birthday.

Each Academy will monitor:

- Injuries/marks
- Attendance
- Changes e.g. mood/academic functioning
- Relationships
- Language
- Behaviour
- Demeanour and appearance
- Statements and comments
- Medicals
- Stories, 'news', drawings
- Response to PE/sport
- Family circumstances
- Parental behaviours/care of child

7.6 Contextual safeguarding

Safeguarding incidents and/or behaviours can be associated with factors outside the school or college from within peer groups, or more widely from within the wider community and/or online. These threats can take a variety of different forms and

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children can be vulnerable to multiple threats, including exploitation by criminal gangs and organised crime groups such as county lines; trafficking; online abuse; sexual exploitation and the influences of extremism leading to radicalisation. All staff, but especially the designated safeguarding lead (or deputy) should be considering the context within which such incidents and/or behaviours occur. This is known as contextual safeguarding, which simply means assessments of children should consider whether wider environmental factors are present in a child's life that are a threat to their safety and/or welfare. Children's social care assessments should consider such factors, so **it is important that schools provide as much information as possible as part of the referral process.** This will allow any assessment to consider all the available evidence and the full context of any abuse.

7.7 Supporting the child and partnership with parents/carers

The Trust recognises that the child's welfare is paramount, however, good child protection practice and outcomes rely on a positive, open, and honest working partnership with parents/carers.

Whilst we may, on occasion, need to make referrals without consultation with parents/carers, we will make every effort to maintain a positive working relationship with them whilst fulfilling our duties to protect any child.

We will provide secure, caring, supportive and protective relationships for the child

Children will be given a proper explanation (appropriate to age and understanding) of what action is being taken on their behalf and why.

We will endeavour always to preserve the privacy, dignity and right to confidentiality of the child and parents/carers. The Designated Safeguarding Lead will determine which members of staff 'need to know' personal information and what they 'need to know' for supporting and protecting the child.

7.7.1 Looked after children and previously looked after children

Training and induction undertaken by staff ensures that they have the skills, knowledge and understanding to keep looked after children safe.

Appropriate staff have the information they need in relation to a child's looked after legal status (whether they are looked after under voluntary arrangements with consent of parents or on an interim or full care order) and contact arrangements with birth parents or those with parental responsibility. Information is also held about the child's care arrangements and the levels of authority delegated to the carer by the authority looking after him/her.

The designated safeguarding lead has details of the child's social worker and the name of the virtual school head in the authority that looks after the child.

Staff within the Trust's academies are committed to working together with all agencies and ensuring prompt action is taken when necessary to safeguard these children, who

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are a particularly vulnerable group.

7.7.2 Children with Special Education Needs and Disabilities

Staff are aware that additional barriers can exist when recognising abuse and neglect in this group of children. They are also made aware training and induction to:

- Guard against assumptions that possible indicators of abuse such as behaviour, mood and injury relate to the child's disability
- Recognise that this group of students may be more prone to peer group isolation than other children and refer this to the relevant member of the pastoral
- Recognise the potential for children with SEND being disproportionately impacted by behaviours such as bullying without showing any signs
- Recognise that students with SEND may face difficulties in communicating concerns.
- To address the additional challenges, academies within the Trust might assign a key worker or seek to provide other additional pastoral support for children with SEND.

7.8 Allegations regarding Person(s) working in or on behalf of the Trust (including supply staff and volunteers) who may pose a risk of harm to children

Where an allegation is made against any person working in or on behalf of the Trust (including supply staff and volunteers), that he or she has:

- behaved in a way that has harmed a child and/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 indicated s/he is unsuitable to work with children; or
- behaved or may have behaved in a way that indicates they may not be suitable to work with children.

The Trust will follow the Local Safeguarding Partners' Procedure for Dealing with Allegations against a Person who works with Children and act in accordance with Part 4 of Keeping Children Safe in Education 2020 (Appendix 4).

Detailed records will be made to include decisions, action taken and the reasons for these. All records will be retained securely as mentioned above.

Whilst we acknowledge that such allegations (as all others) may be false, malicious, or misplaced, we also acknowledge that they may be founded. It is, therefore, essential that all allegations are investigated properly and in line with agreed procedures.

7.8.1 Initial Action

- The person who has received the allegation or witnesses an event will immediately inform the Head of School/Headteacher (or Executive Head if the allegation is against the Head of School/Headteacher) and make a record
- The Head of School/Headteacher will take steps, where necessary, to secure the immediate safety of children and any urgent medical needs
- The member of staff will not be approached at this stage unless it is necessary to

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address the **immediate** safety of children

- The Head of School/Headteacher may need to clarify any information regarding the allegation, however, no person will be interviewed at this stage
- The Head of School/Headteacher will consult with the Local Authority Designated Officer (LADO) to determine if it is appropriate for the allegation to be dealt with by the Academy or if there needs to be a referral to Social services and/or Police for investigation
- Consideration will be given throughout to the support and information needs of students, parents, and staff
- The Head of School/Headteacher will inform the CEO of any allegation.

Where a staff member feels unable to raise an issue with the Head of School/Headteacher, designated safeguarding lead or other senior colleague, or feels that their genuine concerns are not being addressed, they should refer to the Trust's Confidential Reporting Code.

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Local Safeguarding Partner Arrangements

Academy	Safeguarding Partner	Website	Local Area Designated Officer (LADO)	Contact details
Ashington & Bedlington	Northumberland	www.northumberland.gov.uk/Children/Safeguarding/Info.aspx?nccredirect=1	Adam Hall	Telephone No: 01670 623979 Email: LADO@northumberland.gov.uk Adam.hallo1@northumberland.gov.uk
Browney, Easington, Sacriston, Teesdale, Shotton Hall	Durham	www.durham-scp.org.uk/professionals	Sharon Lewis	Telephone No: 03000 268835 Email: CYP SLADO Secure@durham.gov.uk
Diamond Hall	Sunderland	www.safeguardingchildrensunderland.com	Danielle Rose	Telephone No: 0191 561 7198 or 0191 561 3901 Email: lado@sunderland.gov.uk

Appendix 2

Safeguarding Leads and Safeguarding Governors

Academy	Designated Safeguarding Lead	Deputy Designated Safeguarding Lead	Safeguarding Governor
Trustees	N/A	N/A	Mrs M Saxton
Ashington	Mr S Walton	Ms S Hindmarch	Mrs H Smy
Bedlington	Mrs L Richardson	Mrs S Pritchard	Miss L Roberts
Browney	Mrs C Harris	Ms J Martindale	Mrs V Bell
Diamond Hall	Miss S Baronet	Mrs F Hoare, Mrs S Wilson, Mrs S Bendelow	Mr M Haggarty
Easington	Mr M O'Carroll	Mr J Thorez	Mrs L Wood
Hermitage	Mrs S L Howe	Mr S Wainwright, Mrs R Gibbons	Mrs M Farrow
Sacriston	Mrs A Bartlett	Mrs L Parks	Mrs T Pizl
Teesdale	Mr A French	Miss R Rodenby	TBC
Shotton Hall	Mrs S Heseltine	Ms A Walshaw, Mrs R Bridgewater	Mrs F Talbot

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Sexting and Searching

Definition of 'sexting'

There are a number of definitions of sexting but for the purposes here, sexting is simply defined as images or videos generated: by children under the age of 18, or of children under the age of 18, that are of a sexual nature or are indecent.

These images are shared between young people and/or adults via a mobile phone, handheld device, or website with people they may not even know. There are many different types of sexting and it is likely that no two cases will be the same. It is necessary to carefully consider each case on its own merit. It is important to apply a consistent approach when dealing with an incident to help protect yourself, the school, and the child. The range of contributory factors in each case also needs to be considered in order to determine an appropriate and proportionate response. All staff should be familiar with this policy.

Dealing with Incidents of Sexting

STEP 1: Disclosure by a child.

Sexting disclosures should follow normal safeguarding practices. A child is likely to be very distressed, especially if the image has been circulated widely and if they do not know who has shared it, seen it or where it has ended up. They will need support during the disclosure and after the event. They may even need immediate protection or a referral to Social Care.

The following questions will help decide upon the best course of action:

- Is the child disclosing about themselves receiving an image, sending an image, or sharing an image?
- What sort of image is it?
- Is it potentially illegal or is it inappropriate?
- Are the Safeguarding Policy and practices being followed?
- How widely has the image been shared and is the device in their possession?
- Is it a school device or a personal device?
- Does the child need immediate support and/or protection?
- Are there other children and/or young people involved?
- Do they know where the image has ended up?

The situation will need to be handled very sensitively to ensure the school Safeguarding and On-line Safety policies and practices are adhered to.

STEP 2: Searching a device

In an Academy-based context, it is highly likely that the image will have been created

and potentially shared through mobile devices. It may be that the image is not on one single device: it may be on a website or on a multitude of devices; it may be on either a school-owned or personal device. It is important to establish the location of the image but be aware that this may be distressing for the young person involved, so be conscious of the support they may need.

The revised Education Act 2011 brought to bear significant new powers and freedoms for teachers and schools. Essentially, the Act gives schools and/or teachers the power to seize and search an electronic device if they think there is good reason for doing so. A device can be examined, confiscated, and securely stored if there is reason to believe it contains indecent images or extreme pornography.

However, the decision to view imagery should be based on the professional judgement of the designated safeguarding lead and should always comply with the child protection policy and procedures of the school.

Imagery should never be viewed if the act of viewing will cause significant distress or harm to the pupil.

If a decision is made to view imagery the designated safeguarding lead would need to be satisfied that viewing:

- is the only way to decide 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 pupil has presented an image directly to a staff member or the imagery has been found on a school device or network.

In line with Searching, Screening and Confiscation advice:

<https://www.gov.uk/government/publications/searching-screening-and-confiscation>, if it is necessary to view the imagery then the DSL should:

- Never copy, print, or share the imagery; this is illegal.
- Discuss the decision with the Headteacher.
- Ensure viewing is undertaken by the DSL or another member of the safeguarding team with delegated authority from the Headteacher.
- Ensure viewing takes place with another member of staff present in the room, ideally the Headteacher or a member of the senior leadership team. This staff member does not need to view the images.
- Wherever possible ensure viewing takes place on school or college premises, ideally in the Headteacher or a member of the senior leadership team'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 school's safeguarding records including who was present, why the image was viewed and any subsequent

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actions

- Ensure this is signed and dated

If any illegal images of a child are found, you should consider whether to inform the police. Any conduct involving, or possibly involving, the knowledge or participation of adults should always be referred to the police. In such cases the device will be retained and handed to police.

Do not search the device if this will cause additional stress to the child/person whose image has been distributed.

Never:

- Search a mobile device even in response to an allegation or disclosure if this is likely to cause additional stress to the child UNLESS there is clear evidence to suggest that there is an immediate problem
- Print out any material for evidence
- Move any material from one storage device to another
- View the image unless there is a clear reason to do so (see above)
- Send, share, copy or save the image anywhere
- Allow children to do any of the above

Always:

- Inform the Designated Safeguarding Lead
- Record the incident
- Act in accordance with the Safeguarding Policy and procedures
- Inform relevant colleagues/senior management team about the alleged incident before searching a device
 - Confiscate and secure the device if there is an indecent image of a child on a website or a social networking site, then you should report the image to the site hosting it.

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Part four: Allegations of abuse made against teachers and other staff

Duties as an employer and an employee

This part of the guidance is about managing cases of allegations that might indicate a person would 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 should be used in respect of all cases in which it is alleged that a teacher or member of staff (including volunteers) in a school or college that provides education for children under 18 years of age has:

- behaved in a way that has harmed a child or may have harmed a child.
- possibly committed a criminal offence against or related to a child; or
- behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children.

This part of the guidance relates to members of staff, supply staff and volunteers who are currently working in any school or college regardless of whether the school or college is where the alleged abuse took place. Allegations against a teacher who is no longer teaching should be referred to the police. Historical allegations of abuse should also be referred to the police.

Employers have a duty of care to their employees. They should ensure they provide effective support for anyone facing an allegation and provide the employee with a named contact if they are suspended. Where the school or college are not the employer of an individual, they still have responsibility to ensure allegations are dealt with appropriately and that they liaise with relevant parties (this includes supply teachers and volunteers). It is essential that any allegation of abuse made against a teacher or other member of staff or volunteer in a school or college 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.

Supply teachers

In some circumstances schools and colleges will have to consider an allegation against an individual not directly employed by them, where its disciplinary procedures do not fully apply, for example, supply teachers provided by an employment agency or business.

Whilst schools and colleges are not the employer of supply teachers, they should ensure allegations are dealt with properly. In no circumstance should a school or college decide to cease to use a supply teacher due to safeguarding concerns, without finding out the facts and liaising with the local authority designated officer (LADO) to determine a suitable outcome. Governing Bodies and proprietors should 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.

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Agencies should be fully involved and co-operate in any enquiries from the LADO, police and/or children's social services. The school or college will usually take the lead because 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 or college, are under the supervision, direction and control of the Governing Body or proprietor when working in the school or college. 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 considered by the school during the investigation.

When using an agency, schools and colleges 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.

Initial considerations

The procedures for dealing with allegations need to be applied with common sense and judgement. Many cases may well either not meet the criteria set out above or may do so without warranting consideration of either a police investigation or enquiries by local authority children's social care services. In these cases, local arrangements should be followed to resolve cases without delay.

Some rare allegations will be so serious they require immediate intervention by children's social care services and/or police. The designated officer(s) should be informed of all allegations that come to a school's or college's attention and appear to meet the criteria so they can consult police and children's social care services as appropriate.

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

- **Substantiated:** there is sufficient evidence to prove the allegation.
- **Malicious:** there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive.
- **False:** there is sufficient evidence to disprove the allegation.
- **Unsubstantiated:** there is insufficient evidence to either 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.

The headteacher or principal or (where the headteacher or principal is the subject of an allegation) the chair of governors, or the chair of the management committee or proprietor of an independent school (the 'case manager'), should discuss the

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allegation immediately with the designated officer(s). The purpose of an initial discussion is for the designated officer(s) and the case manager to consider the nature, content and context of the allegation and agree a course of action. The designated officer(s) 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 initial sharing of information and evaluation may lead to a decision that no further action is to be taken in regard to the individual facing the allegation or concern, in which case this decision and a justification for it should be recorded by both the case manager and the designated officer(s), and agreement reached on what information should be put in writing to the individual concerned and by whom. The case manager should then consider with the designated officer(s) what action should follow both in respect of the individual and those who made the initial allegation.

The case manager should inform the accused person about the allegation as soon as possible after consulting the designated officer(s). It is extremely important that the case manager provides them with as much information as possible at that time. However, where a strategy discussion is needed, or police or children's social care services need to be involved, the case manager should not do that until those agencies have been consulted and have agreed what information can be disclosed to the accused. Employers must consider carefully whether the circumstances of a case warrant a person being suspended from contact with children at the school or college or whether alternative arrangements can be put in place until the allegation or concern is resolved. All options to avoid suspension should be considered prior to taking that step (see paragraphs 230-236 for information about suspension).

If there is cause, to suspect a child is suffering or is likely to suffer significant harm, a strategy discussion should be convened in accordance with the statutory guidance Working Together to Safeguard Children. 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 and college staff are entitled to use reasonable force to control or restrain children in certain circumstances, including dealing with disruptive behaviour.

Where it is clear that an investigation by the police or children's social care services is unnecessary, or the strategy discussion or initial evaluation decides that is the case, the designated officer(s) should discuss the next steps with the case manager. In those circumstances, the options open to the school or college depend on the nature and circumstances of the allegation and the evidence and information available. This will range from taking no further action to dismissal or a decision not to use the person's services in future. Suspension should not be the default position: an individual should be suspended only if there is no reasonable alternative.

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In some cases, further enquiries will be needed to enable a decision about how to proceed. If so, the designated officer(s) should discuss with the case manager how and by whom the investigation will be undertaken. In straightforward cases, the investigation should normally be undertaken by a senior member of the school's or college's staff.

However, in other circumstances, such as lack of appropriate resource within the school or college, or the nature or complexity of the allegation, the allegation will require an independent investigator. Many local authorities already provide for an independent investigation of allegations, often as part of the personnel services that maintained schools and colleges can buy in from the authority. It is important that local authorities ensure that schools and colleges have access to an affordable facility for independent investigation where that is appropriate.

Supporting those involved

Employers have a duty of care to their employees. They should act to manage and minimise the stress inherent in the allegations process. Support for the individual is vital to fulfilling this duty. Individuals should be informed of concerns or allegations as soon as possible and explained the likely course of action unless there is an objection by the children's social care services or the police. The individual should be advised to contact their trade union representative, if they have one, or a colleague for support. They should also be given access to welfare counselling or medical advice where this is provided by the employer.

The case manager should appoint a named representative to keep the person who is the subject of the allegation informed of the progress of the case and consider what other support is appropriate for the individual. That may include support via the Trust's occupational health and/or employee welfare arrangements. Care needs to be taken when employees are suspended to ensure that they are kept informed of both the progress of their case and current work-related issues. Social contact with colleagues and friends should not be prevented unless there is evidence to suggest that such contact is likely to be prejudicial to the gathering and presentation of evidence.

Parents or carers of the child or children involved should be told about the allegation as soon as possible if they do not already know of it. However, where a strategy discussion is required, or police or children's social care services need to be involved, the case manager should not do so until those agencies have been consulted and have agreed what information can be disclosed to the parents or carers. Parents or carers should also be kept informed about the progress of the case and told the outcome where there is not a criminal prosecution, including the outcome of any disciplinary process. The deliberations of a disciplinary hearing, and the information considered in reaching a decision, cannot normally be disclosed but the parents or carers of the child should be told the outcome in confidence.

Parents and carers should also be made aware of the requirement to maintain confidentiality about any allegations made against teachers whilst investigations are ongoing as set out in section 141F of the Education Act 2002 (see paragraphs 213-214). If parents or carers wish to apply to the court to have reporting restrictions removed, they should be told to seek legal advice.

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In cases where a child may have suffered significant harm, or there may be a criminal prosecution, children’s social care services, or the police as appropriate, should consider what support the child or children involved may need.

Confidentiality

It is extremely important that when an allegation is made, the school or college make every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered. The Education Act 2002 introduced reporting restrictions preventing the publication of any material that may lead to the identification of a teacher in a school who has been accused by, or on behalf of, a pupil from the same school (where that identification would identify the teacher as the subject of the allegation). The reporting restrictions apply until the point that the accused person is charged with an offence, or until the Secretary of State or the General Teaching Council for Wales publishes information about an investigation or decision in a disciplinary case arising from the allegation. The reporting restrictions are disapplied 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 lifts 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/carer 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 published by the College of Policing in May 2017, 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 should take advice from the designated officer(s), police, and children’s social care services to agree the following:

- who needs to know and, importantly, exactly what information?
- who needs to know and, importantly, exactly 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; and
- how to manage press interest if, and when, it should arise.
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Managing the situation and exit arrangements

Resignations and ‘settlement agreements’

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If the accused person resigns, or ceases to provide their services, this should 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.** Schools and sixth form colleges must also consider whether a referral to the Secretary of State is appropriate. If the accused person resigns or their services cease to be used and the criteria are met, it will not be appropriate to reach a settlement/compromise agreement. Any settlement/compromise 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 or college would not be complying with its legal duty to make the referral.

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. But the process of recording the allegation and any supporting evidence and reaching a judgement about whether it can be substantiated based on 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' (sometimes 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. Such an agreement will not prevent a thorough police investigation where that is appropriate.

Record keeping

Details of allegations that are found to have been malicious should be removed from personnel records. However, for all other allegations, it is important that 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 kept on the confidential personnel file of the accused, and a copy provided 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.

Schools and colleges have an obligation to preserve records which contain information about allegations of sexual abuse for the Independent Inquiry into Child Sexual Abuse (IICSA), for the term of the inquiry (further information can be found on the IICSA website). All other records should be retained at least until the accused has reached

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normal pension age or for a period of 10 years from the date of the allegation if that is longer.

The Information Commissioner has published guidance on employment records in its Employment Practices Code and supplementary guidance, which provides some practical advice on record retention.

References

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

Timescales

It is in everyone's interest to resolve cases as quickly as possible and is 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 employer should discuss them with the designated officer(s). In such cases, if the nature of the allegation does not require formal disciplinary action, the employer 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.

Oversight and monitoring

The designated officer(s) has overall responsibility for oversight of the procedures for dealing with allegations, for resolving any inter-agency issues, and for liaison with the three safeguarding partners. The designated officer(s) 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. Reviews should be conducted at fortnightly or monthly intervals, depending on the complexity of the case.

Police forces should also identify officers who will be responsible for:

- liaising with the designated officer(s).
- 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.

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If the strategy discussion or initial assessment decides that a police investigation is required, the police should also set 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, that review should take place no later than four weeks after the initial evaluation. Dates for subsequent reviews, ideally at fortnightly intervals, should be set at the meeting if the investigation continues.

Suspension

The possible risk of harm to children posed by an accused person should 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 should not be an automatic response when an allegation is reported: all options to avoid suspension should be considered prior to taking that step. If the case manager is concerned about the welfare of other children in designated officer(s), children's social care or the police as required. But suspension is highly unlikely to be justified based on such concerns alone.

Suspension should be considered only in a case where there is cause to suspect a child or other children at the school or college is/are at risk of harm or the case is so serious that it might be grounds for dismissal. However, a person should not be suspended automatically: the case manager must consider carefully whether the circumstances warrant suspension from contact with children at the school or college or until the allegation is resolved, and may wish to seek advice from their personnel adviser and the designated officer(s). In cases where the school or sixth form college is made aware that the Secretary of State has made an interim prohibition order in respect of an individual who works at the school or sixth form college, immediate action should be taken to ensure the individual does not carry out work in contravention of the order, i.e. pending the findings of the TRA investigation, the individual must not carry out teaching work.

The case manager should 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 designated officer(s), police, and children's social care services have no objections to the member of staff continuing to work during the investigation, the case manager should be as inventive as possible to avoid suspension. Based on assessment of risk, the following alternatives should be considered by the case manager before suspending a member of staff:

- redeployment within the school or college so that the individual does not have direct contact with the child or children concerned.
- providing an assistant to be present when the individual has contact with children.
- redeploying to alternative work in the school or college so the individual does not have unsupervised access to children.

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- 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; or
- temporarily redeploying the member of staff to another role in a different location, for example to an alternative school or college or work for the local authority or academy trust.

These alternatives allow time for an informed decision regarding the suspension and possibly reduce the initial impact of the allegation. This will, however, depend upon the nature of the allegation. The case manager should 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 should be agreed and recorded by both the case manager and the designated officer(s). This should also include what alternatives to suspension have been considered and why they were rejected.

Where it has been deemed appropriate to suspend the person, written confirmation should be dispatched within one working day, giving as much detail as appropriate for the reasons for the suspension. It is not acceptable for an employer to leave a person who has been suspended without any support. The person should be informed at the point of their suspension who their named contact is within the organisation and provided with their contact details.

Children’s social care services or the police cannot require the case manager to suspend a member of staff or a volunteer, although they should give appropriate weight to their advice. The power to suspend is vested in the proprietor of the school, or governing bodies of the school or college who are the employers of staff at the school or college. However, where a strategy discussion or initial evaluation concludes that there should be enquiries by the children’s social care services and/or an investigation by the police, the designated officer(s) should canvass police and children’s social care services for views about whether the accused member of staff needs to be suspended from contact with children in order to inform the school or college consideration of suspension. Police involvement does not make it mandatory to suspend a member of staff; this decision should be taken on a case-by-case basis having undertaken a risk assessment.

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.

Where the police are involved, wherever possible the employer should ask the police to obtain consent from the individuals involved to share their statements and evidence for use in the employer disciplinary process. This should be done as their investigation

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proceeds and will enable the police to share relevant information without delay at the conclusion of their investigation or any court case.

Children’s social care services should adopt a similar procedure when making enquiries to determine whether the child or children named in the allegation are in need of protection or services, so that any information obtained in the course of those enquiries which is relevant to a disciplinary case can be passed to the employer without delay.

In respect of malicious or unsubstantiated allegations

If an allegation is determined to be unsubstantiated or malicious, the designated officer(s) should refer the matter to the children’s social care services to determine whether the child concerned is in need of services or may have been abused by someone else. If an allegation is shown to be deliberately invented or malicious, the headteacher, principal or proprietor should consider whether any disciplinary action is appropriate against the pupil or student who made it; or whether the police should be asked to consider if action might be appropriate against the person responsible, even if he or she were not a pupil or student.

Learning lessons

At the conclusion of a case in which an allegation *is* substantiated, the designated officer(s) should review the circumstances of the case with the case manager to determine whether there are any improvements to be made to the school’s or college’s procedures or practice to help prevent similar events in the future. This should include issues arising from the decision to suspend the member of staff, the duration of the suspension and whether suspension was justified. Lessons should also be learnt from the use of suspension when the individual is subsequently reinstated. The designated officer(s) and case manager should consider how future investigations of a similar nature could be carried out without suspending the individual.

Further information

See the College of Policing: Engagement, Communication and Media relations

Appendix 5

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Additional Advice and Support

Abuse or Safeguarding Issue	Link to Guidance/Advice	Source
Abuse	What to do if you're worried a child is being abused: advice for practitioners	DFE Advice
	Domestic violence	Home Office
	National action plan to tackle child abuse linked to faith or belief	DFE advice
	Disrespect NoBody campaign	Home Office website
Bullying	Preventing and tackling bullying	DFE advice
Children and the courts	Going to court (5 to 11 year olds)	MoJ Advice
	Going to court and being a witness (12 to 17 year olds)	MoJ Advice
Children Missing from education, home or care	Children missing education	DFE Statutory Guidance
	Statutory guidance on children who run away or go missing from home or care	DFE Statutory Guidance
	Missing children and adults strategy	Home Office Strategy
Children with family members in prison	www.nicco.org.uk	Barnardo's in partnership with HMP&P Service advice
Child Exploitation	Criminal exploitation of children and vulnerable adults: county lines	Home Office Guidance
	Child sexual exploitation: definition and guide for practitioners	DFE
	Safeguarding children who may have been trafficked: practice guidance	DFE and HO Guidance
Covid-19	https://www.gov.uk/government/publications/covid-19-safeguarding-in-schools-colleges-and-other-providers	
Data Protection	https://www.gov.uk/government/publications/safeguarding-practitioners-information-sharing-advice	DFE Guidance
	https://www.gov.uk/government/publications/data-protection-toolkit-for-schools	ICO website
	https://ico.org.uk	
Domestic Abuse	https://safelives.org.uk/	
	https://www.nspcc.org.uk	
	https://www.refuge.org.uk/get-help-now/support-for-women/what-about-my-children/#collapse_96595_0	
Drugs	DfE and ACPO drug advice for schools	DFE and ACPO advice
	Drug strategy 2017	Home Office Strategy
	www.talktofrank.co.uk	Talk to Frank website
	http://mentor-adepis.org/	Website developed by Mentor UK
'Honour Based Violence' (so called)	Female genital mutilation: resource pack	Home Office
	Multi-agency statutory guidance on female genital mutilation	DFE, DH and HO Statutory Guidance

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	Multi-Agency Statutory Guidance for dealing with forced marriage	Foreign Commonwealth Office and Home Office
Health and Well-Being	Safeguarding children in whom illness is fabricated or induced	DFE, Department for Health and Home Office
	the Rise Above for Schools Guidance on learning in a safe environment	Public Health England resources
	Supporting pupils at school with medical conditions	DFE Statutory Guidance
	Mental health and behaviour in schools	DFE Advice
	https://www.gov.uk/government/publications/promoting-children-and-young-peoples-emotional-health-and-wellbeing	Public Health England
	riseabove.org.uk/	
Homelessness	Homelessness code of guidance https://www.gov.uk/government/publications/provision-of-accommodation-for-16-and-17-year-olds-who-may-be-homeless-and-or-require-accommodation	HCLG
Online	Sexting in schools and colleges educateagainsthate.com/ Teaching online safety in school Education for a Connected World framework https://www.pshe-association.org.uk/ https://beinternetlegends.withgoogle.com/en_uk https://www.gov.uk/government/organisations/uk-council-for-internet-safety https://www.thinkuknow.co.uk/ https://www.saferinternet.org.uk/ https://swgfl.org.uk/ https://www.internetmatters.org https://parentzone.org.uk/ https://www.childnet.com/resources/cyberbullying-guidance-for-schools How social media is used to encourage travel to Syria and Iraq: briefing note for schools https://learning.nspcc.org.uk/research-resources/schools/e-safety-for-schools/ Searching, screening and confiscation: advice for schools Online safety in schools and colleges: Questions from the Governing Board https://www.gov.uk/guidance/safeguarding-and-remote-education-during-coronavirus-covid-19 https://www.gov.uk/government/publications/covid-19-safeguarding-in-schools-colleges-and-other-providers https://swgfl.org.uk/resources/safe-remote-learning/ https://www.gov.uk/government/publications/education-for-a-connected-world	UK Council for Child Internet Safety
Private Fostering	Children Act 1989: private fostering	DFE Statutory Guidance
Radicalisation	Revised Prevent duty guidance: for England and Wales	Home Office Guidance

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	The prevent duty: for schools and childcare providers	DFE advice
	www.educateagainsthate.com	DFE and Home Office
Violence	Advice to schools and colleges on gangs and youth violence	Home Office advice
	Ending violence against women and girls strategy: 2016 to 2020	Home Office Strategy
	Violence against women and girls: national statement of expectations	Home Office Guidance
	Sexual violence and sexual harassment between children in schools and colleges	DFE advice
	Serious Violence Strategy	Home Office Strategy

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