

**FIVE RIVERS**  
Multi Academy Trust



## **Child Protection & Safeguarding Policy**

**Abbeyfield Primary Academy**  
**Tinsley Meadows Primary Academy**

Written May 2017  
Updated October 2018  
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Next review due: September 2020

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## Key Contacts

### Designated Safeguarding Leads:

Academy	First named person	Second	Additional CPLOs
Five Rivers Multi Academy Trust	Rebecca Webb		
Tinsley Meadows	Deborah Sanderson	Lindsey Wills	Tania Macpherson, Jenna Jina, Claire Peats, Esther Bloomer, Julie Mason, Craig Swift
Abbeyfield	Helen Best	Kate Abell Sabrina Girard	Sam Hobson

**Chair of Trust Board:** Andy Wynne

**Safeguarding Link Trustee:** David Sandilands

**Sheffield Designated Officer (formerly known as LADO):** Stephen Hill  
Tel 0114 273 4850, email [lado@sheffield.qcsx.gov.uk](mailto:lado@sheffield.qcsx.gov.uk)

### **Sheffield Social Care assessment team:**

EAST 203 7463 NORTH 203 9591 WEST 273 4491

### **Sheffield MAST teams:**

EAST 205 3635 NORTH 203 9591 WEST 250 6865

24 hour children's social care line: 0114 273 4855

Safeguarding Adults team: 0114 273 6870

Practitioners only: Safeguarding Children Advisory Service: 0114 205 3535

Jessop Wing Social Work team: 0114 226 8355

Children's Hospital Social Work: 0114 271 7310

Children with Disabilities Team: 0114 273 5368

DBS barring helpline: telephone 01325 953795

### **Police:**

- 999 - Prevent and Domestic Abuse.
- 101 - to report a crime that is no longer happening or general enquiries.
- 18001 101 (text phone) - If you are deaf, hard of hearing or speech impaired.
- 07786 220 022 (SMS) - If you are deaf, hard of hearing or speech impaired.
- 0800 555 111 - to give information to Crimestoppers anonymously.

Forced Marriage Unit: 020 7008 0151 or [fmf@fco.gov.uk](mailto:fmf@fco.gov.uk)

DfE dedicated telephone helpline for school staff/trustees to raise concerns about extremism: 020 7340 7264 (or email [counter.extremism@education.gov.uk](mailto:counter.extremism@education.gov.uk))

NB this is not for use in emergency situations. In an emergency, call 999 or the confidential anti-terrorist hotline on 0800 789 321.

## 1. Our Policy

At the Five Rivers Multi Academy Trust we recognise that everyone who comes into contact with children and their families has an important role to play in safeguarding children. Our staff aim to work effectively with social care, the police, health services and other services to promote the welfare of children and protect them from harm. At all times, we should consider what is in the **best interests** of the child and act accordingly. We recognise the additional barriers that exist when recognising abuse and neglect of children who have special educational needs and / or disabilities.

We will put into place clear policies, systems and strategies to ensure the safeguarding and welfare of pupils especially those relating to child protection, behaviour, bullying, safe recruitment of staff, health and safety, harassment and discrimination. All those who work within the Trust, including Trust Directors and Trustees, will put the safeguarding of pupils as their highest priority to ensure that all children are free to learn without worry or fear or harm.

The Trust follows the procedure as laid down by the Local Safeguarding Board as relevant to each academy, respects issues of confidentiality and gives priority to working together with other agencies to protect children in our care. This policy applies to all members of the Trust and academy community: full time and part time staff, Trustees, governors, students and volunteers.

This policy is based on the Department for Education's statutory guidance **Keeping Children Safe in Education 2019**, Working together to safeguard children 2018 and the Governance Handbook.

It 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) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018 (referred to in this policy as the "2018 Childcare Disqualification Regulations") and Childcare Act 2006, which set out who is disqualified from working with children; and locally through the Sheffield Local Safeguarding Children Board Child Protection Procedures (SSCB) (or the relevant local Safeguarding Children Board procedures if the academy is in a different local authority).
- This policy also meets requirements relating to safeguarding and welfare in the statutory framework for the Early Years Foundation Stage.

## **Monitoring arrangements**

This policy will be reviewed and approved annually by the trust board.

## **Links with other policies**

This policy links to the following policies and procedures:

- Behaviour Policy
- Staff code of conduct
- Complaints Policy
- Health and safety Policy
- Attendance Policy
- E-safety Policy
- Equality statement
- Curriculum Policy
- Privacy notices
- Information Governance Policy
- Recruitment and selection policy
- Safer recruitment policy

## **Definitions**

Here at the Five Rivers Multi Academy Trust we define safeguarding as:

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

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

**Abuse** is a form of maltreatment of a child, and may involve inflicting harm or failing to act to prevent harm. Section 3 explains the different types of abuse.

**Neglect** is a form of abuse and is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Section 3.4 defines neglect in more detail.

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

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

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

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

## **Equality statement**

Some children have an increased risk of abuse, and additional barriers can exist for some children with respect to recognising or disclosing it. We are committed to anti-

discriminatory practice and recognise children's diverse circumstances. We ensure that all children have the same protection, regardless of any barriers they may face. We give special consideration to children who:

- Have special educational needs (SEN) or disabilities (see section 11);
- Are young carers;
- May experience discrimination due to their race, ethnicity, religion, gender identification or sexuality;
- Have English as an additional language;
- Are known to be living in difficult situations – for example, temporary accommodation or where there are issues such as substance abuse or domestic violence;
- Are at risk of FGM, sexual exploitation, forced marriage, or radicalisation;
- Are asylum seekers;
- Are at risk due to either their own or a family member's mental health needs;
- Are looked after or previously looked after. A child who has been in the care of their local authority for more than 24 hours is known as a looked after child. Looked after children are also often referred to as children in care.

It is not just about protecting children from deliberate harm or neglect. We recognise that it also relates to broader aspects of care:

- children's health and safety and well-being, including their mental health;
- meeting the needs of children with SEND and disabilities;
- the use of reasonable force. 'Reasonable' means 'using no more force than is needed'. This may involve passive physical contact or active physical contact. When considering the use of reasonable force towards children with SEND or medical conditions, the risks should be carefully considered. Individual behaviour plans and other forms of proactive behaviour support can reduce the need for reasonable force.
- meeting the needs of children with medical conditions;
- providing first aid;
- ensuring that educational visits are safe;
- intimate care;
- children's emotional wellbeing;
- online safety;
- school security.

All staff within the Five Rivers Multi Academy Trust have a responsibility to provide a safe environment in which children can learn. They also have a responsibility to identify children who may be in need of extra help or who are suffering, or are likely to suffer, significant harm and to take appropriate action, working with other services as needed. **All** staff should be prepared to identify children who may benefit from early help, discussing this with the Designated Safeguarding Lead and then supporting other agencies and professionals in an early help assessment.

## **2. Responsibilities**

### **2.1 Trust Leadership Team**

The Trust Leadership must fully support the role and responsibilities of the Designated Safeguarding Lead (see 2.3). Principals are responsible for the implementation of this policy, including:

- Ensuring that staff (including temporary staff) and volunteers are informed of our systems which support safeguarding, including this policy, as part of their induction. All staff should also read at least part 1 of 'Keeping children safe in education' 2018 (provided at induction). The behaviour policy, the

safeguarding response to children who go missing from education, and the identity of the DSL and any should be explained to all staff as part of their induction;

- Ensuring that wherever possible more than one emergency contact number for each pupil should be held on file;
- Communicating this policy to parents when their child joins the school and via the school website;
- Ensuring that the DSL has appropriate time, funding, training and resources, and that there is always adequate cover if the DSL is absent;
- Ensuring that all staff undertake appropriate safeguarding and child protection training and update this regularly;
- Acting as the 'case manager' in the event of an allegation of abuse made against another member of staff or volunteer, where appropriate;
- Ensuring the relevant staffing ratios are met, where applicable;
- Making sure each child in the Early Years Foundation Stage (if applicable) is assigned a key person;
- Ensuring that statutory responsibilities are met in relation to checking the backgrounds of staff who work with children and learners;
- Ensuring that volunteers are risk assessed and appropriately supervised;
- Ensuring that inter-agency procedures are known and followed in line with statutory guidance 'Working Together to Safeguard Children 2015';
- Ensuring that time, training and resources are available for the designated teacher to carry out their role and responsibilities;
- Ensuring that staff have the skills, knowledge and understanding necessary to keep all children, including looked after children, safe.

Regular reports to the Trust Leadership Team from the Designated Safeguarding Lead will be provided which will detail training, and also support the Leadership Team to meet their obligations including reviewing policy and procedures.

## 2.2 Board of Trustees

The Board of Trustees has responsibility for child protection and safeguarding. They should:

- establish a culture of listening to children and taking account of their wishes and feelings, both in individual decisions and the development of services;
- appoint a senior board level (or equivalent) lead, or link governor, to monitor the effectiveness of this policy in conjunction with the full trust board and take leadership responsibility for the organisation's safeguarding arrangements. This is always a different person from the DSL;
- appoint a designated professional lead for safeguarding across the Trust;
- ensure that the safeguarding policy is updated annually and approve it at each review, ensure it complies with the law and hold the Principal to account for its implementation;
- put into place an effective child protection policy together with a staff **code of conduct**. In the Five Rivers Multi Academy Trust the safeguarding policy includes the child protection policy;
- ensure there are procedures in place to handle allegations against other children;
- make sure that at least one person on any appointment panel has undertaken safer recruitment training;
- ensure a member of the Board is nominated to liaise with the designated officer from the local authority and partner agencies in the event of allegations of abuse made against a Principal;



- implement clear whistleblowing procedures, which are suitably referenced in staff training and codes of conduct, and a culture that enables issues about safeguarding and promoting the welfare of children to be addressed;
- employ safe recruitment practices for individuals whom the organisation will permit to work regularly with children, including policies on when to obtain a criminal record check (DBS);
- provide appropriate supervision and support for staff, including undertaking safeguarding training;
- make certain that staff are competent to carry out their responsibilities for safeguarding and promoting the welfare of children;
- decide who should appoint the DSL. In Five Rivers MAT this should be the CEO, and the Principals should decide on the deputies;
- create an environment where staff feel able to raise concerns and feel supported in their safeguarding role;
- make certain that all staff receive a mandatory induction, which includes familiarisation with child protection responsibilities and procedures to be followed if anyone has any concerns about a child's safety or welfare;
- implement clear policies in line with those from the LSCB for dealing with allegations against people who work with children. Such policies should make a clear distinction between an allegation, a concern about the quality of care or practice or a complaint.  
(An allegation may relate to a person who works with children who 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 they may pose a risk of harm to children);
- The chair of trust board will act as the 'case manager' in the event that an allegation of abuse is made against the CEO, where appropriate;
- check that members of the senior teams are not barred from taking part in the management of the school as a result of a section 128 direction.

An annual report will be provided to Trustees which details training and supports Trustees to meet their obligations including reviewing policy and procedures. Exception reports will be provided when appropriate.

### 2.3 The Designated Safeguarding Lead

Each academy has a Designated Safeguarding Lead who will provide support to staff members to carry out their safeguarding duties and who will liaise closely with other services such as children's social care.

These are:

Academy	First named person	Second	Additional CPLOs
Five Rivers Multi Academy Trust	Rebecca Webb	Emma Farmer	
Tinsley Meadows	Deborah Sanderson	Lindsey Wills	Esther Bloomer, Julie Mason, Craig Swift
Abbeyfield	Helen Best	Kate Abell	Sabrina Girard Sam Hobson

Deputy DSLs should be trained to the same standards as the DSL and the role should be explicit in their job description.

Training should allow the DSL to “recognise the additional risks that children with SEN and disabilities (SEND) face online, for example, from online bullying, grooming and radicalisation and are confident they have the capability to support SEND children to stay safe online”.

### **2.3.1 The role of the Designated Safeguarding Lead**

Each school within the Five Rivers Multi Academy Trust has a Designated Safeguarding Lead. This person has the appropriate authority and is given the time, funding, training, resources and support to provide advice and support to other staff on child welfare and child protection matters; to take part in strategy discussions and inter-agency meetings and/or to support other staff to do so; and contribute to the assessment of children. The Principal within each academy should ensure that there is always cover for this important role. The full responsibilities of the DSL and [deputy/deputies] are set out in their job description.

Whilst the activities of the Designated Safeguarding Lead can be delegated to appropriately trained deputies, the ultimate **lead responsibility** for child protection, as set out above, remains with the Designated Safeguarding Lead; this responsibility should not be delegated.

#### **Each designated lead should**

##### **Manage Referrals:**

- refer cases of suspected abuse to the LA children’s social care as required and support other staff involved in this;
- refer cases to the Channel programme where there is a radicalisation concern;
- refer cases to the DBS where a person is dismissed or left due to risk / harm to a child;
- refer cases where a crime may have been committed to the police.

##### **Work with others:**

- co-ordinate action in case of child protection issues both within school and with outside agencies;
- liaise with the local authority and work with other agencies in line with ‘Working Together to Safeguard Children 2015’;
- provide advice and support to other staff on child protection matters;
- ensure that appropriate staff, including Mentors, within the academy have sufficient knowledge about the child at risk to support and protect him/her within school;
- be proactive at an early stage and engage the child’s parents and services in early help assessments.
- The DSL should have the details of the LA personal advisor and liaise with them as necessary to ensure that needs of care leavers are met.

##### **Undertake and support staff training:**

- attend Designated Safeguarding Lead training. This must be updated at least **every three years**;
- attend Prevent awareness training;
- keep up to date with latest developments through meeting other safeguarding leads or reading relevant bulletins (at least annually);
- ensure that all staff coming into contact with children know what signs to look for that might indicate abuse and know what action they should take to report any concerns;
- make certain that staff know how they should react and the steps they should take if a child discloses information to them;

- make sure that staff also know how to report any concerns they might have about other staff.

#### **Keep records:**

- keep records regarding children on Child Protection Plans up to date, confidential and secure;
- pass on information when the child changes schools as soon as possible. Child protection files should be passed on separately to the main file, ensuring secure transit. Confirmation of receipt should be obtained;
- The DSL should consider whether it is appropriate to share any information with the new school or college in advance of a pupil leaving, in addition to the child protection file. The DfE gives the example of information that would allow the new school or college to continue supporting a victim of abuse and have the appropriate support in place for the pupil's arrival.

#### **Raise awareness:**

- ensure that safeguarding policies and procedures are known, understood and used appropriately;
- ensure the safeguarding policy is available on the academy website;
- link with the LSCB to make sure staff are aware of training opportunities and the latest local policies on safeguarding.

#### **Availability:**

- during term time, the safeguarding lead (or a deputy) should always be available during school hours for staff to discuss safeguarding concerns. Generally this should be in person but there may be exceptional circumstances where availability via telephone is acceptable.

## **2.4 Multi-agency working**

Schools and colleges have a pivotal role to play in multi-agency safeguarding arrangements. The Trust Board should ensure that the academies contribute to multi-agency working in line with statutory guidance Working Together to Safeguard Children.

**New Local Arrangements (KCSIE 2019):** locally, the three safeguarding partners (the local authority; a clinical commissioning group for an area within the local authority; and the chief officer of police for a police area in the local authority area) must work together with appropriate relevant agencies to safeguard and promote the welfare of local children, including identifying and responding to their needs. Trustees and senior leadership teams, especially their designated safeguarding leads, must make themselves aware of and follow their new local arrangements.

The three safeguarding partners have a shared and equal duty to work together to safeguard and promote the welfare of children. To fulfil this role they must set out how they will work together and with any relevant agencies. Relevant agencies are those organisations and agencies whose involvement that the three safeguarding partners consider may be required to safeguard and promote the welfare of children with regard to local need. The three safeguarding partners must set out in their published arrangements which organisations and agencies they will be working with and the expectations placed on any agencies and organisations by the new arrangements.

The three safeguarding partners should make arrangements to allow all schools (including multi-academy trusts) and colleges in the local area to be fully engaged, involved and included in the new safeguarding arrangements. It is expected that, locally, the three safeguarding partners will name schools and colleges as relevant

agencies and will reach their own conclusions on how best to achieve the active engagement of individual institutions in a meaningful way.

The department published Working Together Transitional Statutory Guidance to support Local Safeguarding Children Boards (LSCBs), the new safeguarding and child death review partners, and the new Child Safeguarding Practice Review Panel in the transition from LSCBs and serious case reviews (SCRs) to a new system of multi-agency arrangements and local and national child safeguarding practice reviews. Locally, the three safeguarding partners (the local authority; a clinical commissioning group for an area within the local authority; and the chief officer of police for a police area in the local authority area) must make arrangements to work together to safeguard and promote the welfare of local children, including identifying and responding to their needs. Governing bodies, proprietors, management committees and their senior leadership teams, especially their designated safeguarding leads, should be aware of their local arrangements.

A list of relevant agencies is available at: [legislation.gov.uk](http://legislation.gov.uk). Schools and colleges are included.

If named as a relevant agency, schools and colleges, in the same way as other relevant agencies, are under a statutory duty to co-operate with the published arrangements.

Governing bodies and proprietors should understand the local criteria for action and the local protocol for assessment and ensure they are reflected in their own policies and procedures. They should also be prepared to supply information as requested by the three safeguarding partners.

Schools and colleges should work with social care, the police, health services and other services to promote the welfare of children and protect them from harm. This includes providing a coordinated 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. All schools and colleges should allow access for children's social care from the host local authority and, where appropriate, from a placing local authority, for that authority to conduct, or to consider whether to conduct, a section 17 or a section 47 assessment.

## **2.5 Each academy will:**

- ensure admission and attendance registers are accurate and procedures are followed regarding Children missing in education (see section 4.3);
- provide termly information to the Trust including data covering incidents reported to external agencies, accidents, behaviour and attendance so that this can be effectively monitored;
- report any issues and / or concerns that require immediate attention to the Chief Executive as soon as is possible;
- make sure all relevant designated staff meet their responsibilities and ensure they are adequately trained;
- monitor and evaluate all relevant policies at least annually to ensure they are up to date and meet the statutory requirements for Safeguarding;
- use and apply the policy for safer recruitment for the Five Rivers Multi Academy Trust for all adults working with pupils in school;
- regularly revisit safeguarding procedures with all staff and provide necessary training as and when required;
- ensure that all children are aware of who they can talk to if they are worried or have concerns about their safety;

- take reasonable action to make sure the school site is safe and secure including by checking and monitoring visitors and anyone else using the school grounds:
  - All visitors will be required to verify their identity to the satisfaction of staff and to leave their belongings, including their mobile phone(s), in a safe place during their visit.
  - If the visitor is unknown to the setting, we will check their credentials and reason for visiting before allowing them to enter the setting. Visitors should be ready to produce identification.
  - Visitors are expected to sign the visitors' book and wear a visitor's badge.
  - Visitors to the school who are visiting for a professional purpose, such as educational psychologists and school improvement officers, will be asked to show photo ID and:
    - Will be asked to show their DBS certificate, which will be checked alongside their photo ID; or
    - The organisation sending the professional, such as the LA or educational psychology service, will provide prior written confirmation that an enhanced DBS check with barred list information has been carried out.
  - All other visitors, including visiting speakers, will be accompanied by a member of staff at all times. We will not invite into the school any speaker who is known to disseminate extremist views, and will carry out appropriate checks to ensure that any individual or organisation using school facilities is not seeking to disseminate extremist views or radicalise pupils or staff.
- liaise with all relevant professionals including the local authority, social care and police;
- keep clear and accurate records of any safeguarding concerns and share them with the relevant agencies;
- through assemblies, PHSE and circle time teach children how to keep themselves safe and show them how to deal sensibly with risk including when using modern technology.

## **2.6 All staff will:**

- ensure they are aware of systems which support safeguarding, including the child protection procedures, the staff code of conduct and the role of the Designated Safeguarding Lead; the behaviour policy, and the safeguarding response to children who go missing from education;
- know who the Designated Safeguarding Lead is within the academy where they currently work;
- know and follow the Trust's safeguarding procedures;
- attend meetings as requested by the Designated Safeguarding Lead;
- monitor any vulnerable child who is in their care and implement any child protection plan for a child who is on the risk register or who is defined as a child in need;
- ensure that they do not treat any child they know to have been abused differently from other pupils;
- have an awareness of the possible indicators of abuse;
- keep any sensitive information which has been shared with them confidential;
- uphold the staff code of conduct - see Appendix 1.

### **2.6.1 Staff training**

All staff members should be aware of systems within the Trust which support safeguarding and these should be explained as part of staff induction.

This includes:

- the safeguarding and/or child protection policy;
- the staff code of conduct;
- the role of the Designated Safeguarding Lead in the academy and across the Trust;
- the policy regarding restraint;
- whistle-blowing procedures;

All staff members should also receive appropriate child protection training which is regularly updated. This includes training on the government's anti-radicalisation strategy, Prevent, to enable them to identify children at risk of being drawn into terrorism and to challenge extremist ideas.

Whole School training on safeguarding issues will be organised on a 3 yearly basis. All newly recruited staff (teaching and non-teaching) will be apprised of the Safeguarding policy and are encouraged to attend the Child Protection session of the relevant induction programmes or complete online training.

All staff members should be aware of the signs of abuse and neglect so that they are able to identify cases of children who may be in need of help or protection.

Staff members working with children are advised to maintain an attitude of 'it could happen here' where safeguarding is concerned.

### **Specific training:**

- **The DSL and [deputy/deputies]**

The DSL and [deputy/deputies] will undertake child protection and safeguarding training annually.

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

They will also undertake Prevent awareness training.

- **Trustees**

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

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

- **Recruitment – interview panels**

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

- **Staff who have contact with pupils and families**

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

## **2.7 Notifying parents**

Where appropriate, we will discuss any concerns about a child with the child's parents. The DSL will normally do this in the event of a suspicion or disclosure. Other staff will only talk to parents about any such concerns following consultation with the DSL. If we believe that notifying the parents would increase the risk to the child, we will discuss this with the local authority children's social care team before doing so. In the case of allegations of abuse made against other children, we will normally notify the parents of all the children involved.

## **2.8 Confidentiality**

The Trust is committed to confidentiality and adherence to the GDPR, however we are also committed to sharing information with agencies and partners to ensure our children are protected.

The principles for sharing information within our school are outlined here:

- Timely information sharing is essential to effective safeguarding.
- Fears about sharing information must not be allowed to stand in the way of the need to promote the welfare, and protect the safety, of children.
- The Data Protection Act (DPA) 2018 and GDPR do not prevent, or limit, the sharing of information for the purposes of keeping children safe.
- If staff need to share 'special category personal data', the DPA 2018 contains 'safeguarding of children and individuals at risk' as a processing condition that allows practitioners to share information without consent, if it is not possible to gain consent, it cannot be reasonably expected that a practitioner gains consent, or if to gain consent would place a child at risk.
- Staff should never promise a child that they will not tell anyone about a report of abuse, as this may not be in the child's best interests.
- The government's information sharing advice for safeguarding practitioners includes 7 'golden rules' for sharing information, and will support staff who have to make decisions about sharing information.
- If staff are in any doubt about sharing information, they should speak to the designated safeguarding lead (or deputy).
- Confidentiality is also addressed in this policy with respect to record-keeping in section 12, and allegations of abuse against staff.

## **2.9 Complaints and concerns about school safeguarding policies**

### **Complaints against staff**

Complaints against staff that are likely to require a child protection investigation will be handled in accordance with our procedures for dealing with allegations of abuse made against staff (see Appendix 2).

### **Other complaints**

For other concerns regarding the way the school safeguards pupils – including poor or unsafe practice, or potential failures - please refer to the Complaints Policy and the Whistleblowing Policy.

## **2.10 Record-keeping**

- We will hold records in line with our records retention schedule. These include paper-based child protection files and electronic incident record (CPOMS). The MAT's policy on records retention (in the Information Governance toolkit) covers where records are held, how they are kept secure, how long they are retained and how the Trust ensures that they are kept confidential when appropriate.

- The Information Governance Policy explains how the school shares information with other agencies and when this is appropriate.
- All safeguarding concerns, discussions, decisions made and the reasons for those decisions, must be recorded in writing. If you are in any doubt about whether to record something, discuss it with the DSL.
- Non-confidential records will be easily accessible and available. Confidential information and records will be held securely and only available to those who have a right or professional need to see them.
- Safeguarding records relating to individual children will be retained for a reasonable period of time after they have left the school.
- If a child for whom the school has, or has had, safeguarding concerns moves to another school, the DSL will ensure that their child protection file is forwarded promptly and securely, and separately from the main pupil file. In addition, if the concerns are significant or complex, and/or social services are involved, the DSL will speak to the DSL of the receiving school and provide information to enable them to have time to make any necessary preparations to ensure the safety of the child.

### 3. Child Protection – early identification

**All staff should be aware that abuse, neglect and safeguarding issues are rarely standalone events that can be covered by one definition or label. In most cases, multiple issues will overlap with one another.**

Abuse or neglect may occur by somebody 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. The Five Rivers Multi Academy Trust recognises that Peer on Peer abuse can occur and this must be dealt with as a safeguarding matter.

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:

- is disabled and has specific additional needs;
- has special educational needs (whether or not they have a statutory Education, Health and Care Plan);
- is a young carer;
- is showing signs of being drawn 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 at risk of modern slavery, trafficking or exploitation;
- is at risk of being radicalised or exploited;
- is in a family circumstance presenting challenges for the child, such as drug and alcohol misuse, adult mental health issues and domestic abuse;
- is misusing drugs or alcohol themselves;
- has returned home to their family from care; and
- is a privately fostered child.

#### **Types of abuse**

The types of abuse are:

##### **3.1 Physical abuse**

Physical abuse is deliberately physically hurting a child. It might take a variety of different forms, including hitting, pinching, shaking, throwing, poisoning, burning or scalding, drowning or suffocating a child.



Physical abuse can happen in any family but children may be more at risk if their parents have problems with drugs, alcohol and mental health or if they live in a home where domestic abuse happens.

Babies and disabled children also have a higher risk of suffering physical abuse. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.

Physical abuse can also occur outside of the family environment.

Some of the following signs may be indicators of physical abuse:

- Children with frequent injuries;
- Children with unexplained or unusual fractures or broken bones;
- Children with unexplained bruises or cuts, burns or scalds, or bite marks.

### **3.2 Emotional abuse**

Emotional abuse is the persistent emotional maltreatment of a child. It is sometimes called psychological abuse. It can have severe and persistent adverse effects on a child's emotional development.

Emotional abuse may involve deliberately telling a child that they are worthless, unloved or inadequate. It may include not giving a child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate.

Emotional abuse may involve serious bullying – including online bullying through social networks, online games or mobile phones – by a child's peers.

Some of the following signs may be indicators of emotional abuse:

- Children who are excessively withdrawn, fearful, or anxious about doing something wrong;
- Parents or carers who withdraw their attention from their child, giving the child the 'cold shoulder';
- Parents or carers blaming their problems on their child;
- Parents or carers who humiliate their child, for example, by name-calling or making negative comparisons;
- Seeing or hearing the ill treatment of another.

### **3.3 Sexual abuse**

Sexual abuse is any sexual activity with a child. You should be aware that many children and young people who are victims of sexual abuse do not recognise themselves as victims. A child may not understand what is happening and may not even understand that it is wrong.

Sexual abuse can have a long-term impact on mental health.

Sexual abuse 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 clothing.

It may include non-contact activities, such as involving children in the production of sexual images, forcing children to look at sexual images or watch sexual activities, encouraging children to behave in sexually inappropriate ways or grooming a child in preparation for abuse (including via the internet).

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

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

- children who display knowledge or interest in sexual acts inappropriate to their age;
- children who use sexual language or have sexual knowledge that you wouldn't expect them to have;
- children who ask others to behave sexually or play sexual games;
- children with physical sexual health problems, including soreness in the genital and anal areas, sexually transmitted infections or underage pregnancy.

### **3.4 Neglect**

Neglect is a pattern of failing to provide for a child's basic needs, whether it be adequate food, clothing, hygiene, supervision or shelter. It is likely to result in the serious impairment of a child's health or development.

Children who are neglected often also suffer from other types of abuse.

It is important that staff remain alert and do not miss opportunities to take timely action. However, while you may be concerned about a child, neglect is not always straightforward to identify.

Neglect may occur if a parent becomes physically or mentally unable to care for a child. A parent may have an addiction to alcohol or drugs, which could impair their ability to keep a child safe or result in them prioritising buying drugs or alcohol over food, clothing or warmth for the child. Neglect may occur during pregnancy as a result of maternal drug or alcohol abuse.

Some of the following signs may be indicators of neglect:

- children who are living in a home that is dirty or unsafe;
- children who are left hungry or dirty;
- children who are left without adequate clothing, e.g. not having a winter coat;
- children who are living in dangerous conditions, e.g. around drugs, alcohol or violence;
- children who are often angry, aggressive or self-harm;
- children who fail to receive basic health care;
- parents who fail to seek medical treatment when their children are ill or are injured.

Knowing what to look for is vital to the early identification of abuse and neglect.

### **3.5 Some of the following signs *might* also be indicators of abuse or neglect:**

- children whose behaviour changes - they may become aggressive, challenging, disruptive, withdrawn or clingy, or they might have difficulty sleeping or start wetting the bed;
- children with clothes which are ill-fitting and/or dirty;
- children with consistently poor hygiene;
- children who make strong efforts to avoid specific family members or friends, without an obvious reason;
- children who don't want to change clothes in front of others or participate in physical activities;
- children who are having problems at school, e.g. a sudden lack of concentration and learning or they appear to be tired and hungry;

- children who talk about being left home alone, or with inappropriate carers or with strangers;
- children who reach developmental milestones, such as learning to speak or walk, late, with no medical reason;
- children who are regularly missing from school or education;
- children who are reluctant to go home after school;
- children with poor school attendance and punctuality or who are consistently late being picked up;
- parents who are dismissive and non-responsive to staff concerns;
- parents who collect their children from school when drunk, or under the influence of drugs;
- children who drink alcohol regularly from an early age;
- children who are concerned for younger siblings without explaining why;
- children who talk about running away;
- children who shy away from being touched or flinch at sudden movements.

#### **4. Specific Safeguarding Issues**

The Five Rivers Multi Academy Trust recognises there are a number of specific safeguarding issues which staff must be aware of and act upon if they have concerns.

Some specific areas are highlighted below. This is not exhaustive and staff must raise any concerns they have with the Designated Safeguarding Lead.

These issues may manifest themselves via peer on peer abuse (see 4.1 below).

##### **4.1 Peer on Peer Abuse**

Children can abuse other children (often referred to as peer on peer abuse). This is most likely to include, but may not be limited to:

- bullying (including cyberbullying);
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm;
- sexual violence, such as rape, assault by penetration and sexual assault;
- sexual harassment, such as sexual comments, remarks, jokes and online sexual harassment, which may be standalone or part of a broader pattern of abuse;
- upskirting, which typically involves taking a picture under a person's clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm. It is now a criminal offence;
- sexting (also known as youth produced sexual imagery – see 4.16); and
- initiation/hazing type violence and rituals.

##### **4.2 Serious violence**

Some indicators 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 friendship 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.

Advice for schools and colleges is provided in the Home Office's Preventing youth violence and gang involvement and its Criminal exploitation of children and vulnerable adults: county lines guidance.

### **4.3 Child sexual exploitation and trafficking**

Child sexual exploitation is a form of sexual abuse where children are sexually exploited for money, power or status. It can involve violent, humiliating and degrading sexual assaults. In some cases, young people are persuaded or forced into exchanging sexual activity for money, drugs, gifts, affection or status. Consent cannot be given, even where a child may believe they are voluntarily engaging in sexual activity with the person who is exploiting them.

Child sexual exploitation doesn't always involve physical contact and can happen online. A significant number of children who are victims of sexual exploitation go missing from home, care and education at some point.

Some of the following signs may be indicators of sexual exploitation. A child may:

- appear with unexplained gifts or new possessions;
- associate with other young people involved in exploitation;
- display inappropriate sexualised behaviour;
- have older boyfriends or girlfriends;
- suffer from sexually transmitted infections or become pregnant;
- suffer from changes in emotional well-being;
- misuse drugs and alcohol;
- go missing for periods of time or regularly come home late;
- regularly miss school or education or not take part in education.

### **4.4 Homelessness**

Being homeless or being at risk of becoming homeless presents a real risk to a child's welfare. The DSL and [deputy/deputies] will be aware of contact details and referral routes in to the local housing authority so they can raise/progress concerns at the earliest opportunity (where appropriate and in accordance with local procedures). Where a child has been harmed or is at risk of harm, the DSL will also make a referral to children's social care.

### **4.5 Children missing from education**

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

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

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

We will follow our procedures for unauthorised absence and for dealing with children who go missing from education, particularly on repeat occasions, to help identify the

risk of abuse and neglect, including sexual exploitation, and to help prevent the risks of going missing in future. This includes informing the local authority if a child leaves the school without a new school being named, and adhering to requirements with respect to sharing information with the local authority, when applicable, when removing a child's name from the admission register at non-standard transition points. Staff will be trained in signs to look out for and the individual triggers to be aware of when considering the risks of potential safeguarding concerns which may be related to being missing, such as travelling to conflict zones, FGM and forced marriage. If a staff member suspects that a child is suffering from harm or neglect, we will follow local child protection procedures, including with respect to making reasonable enquiries. We will make an immediate referral to the local authority children's social care team, and the police, if the child is suffering or likely to suffer from harm, or is in immediate danger.

All academies in the Five Rivers Multi Academy Trust must inform their local authority of any pupil who is going to be deleted from the admission register where they:

- have been taken out of school by their parents and are being educated outside the school system e.g. home education;
- have ceased to attend school and no longer live within reasonable distance of the school at which they are registered;
- have been certified by the school medical officer as unlikely to be in a fit state of health to attend school before ceasing to be of compulsory school age, and neither he/she nor his/her parent has indicated the intention to continue to attend the school after ceasing to be of compulsory school age;
- are in custody for a period of more than four months due to a final court order, and the proprietor of the school does not reasonably believe they will be returning to the school at the end of that period;
- have been permanently excluded.

This should be done as soon as the grounds for deletion are met, but no later than deleting the pupil's name from the register.

All academies within the Trust must inform the local authority of any pupil who fails to attend school regularly or has been absent without the school's permission for a continuous period of 10 school days or more, at such intervals as are agreed between the school and the local authority.

#### **4.6 "Honour-based" violence, including Female Genital Mutilation (FGM)**

So-called "honour-based" violence (HBV) encompasses crimes which have been committed to protect or defend the honour of the family and/or the community and includes Female Genital Mutilation, forced marriage and practices such as breast ironing. If there are any concerns staff should speak to the Designated Safeguarding Lead.

#### **4.7 Female Genital Mutilation**

This 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.

From October 2015, a statutory duty has been placed on teachers to report to the police where they discover that FGM appears to have been carried out on a girl under 18. This must be done by the teacher personally and the Designated Safeguarding Lead should also be informed. Because this is a statutory duty, teachers will face disciplinary sanctions for failing to meet it. Unless they have good reason not to, they

should also discuss the case with the DSL and involve children's social care as appropriate.

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

The duty for teachers mentioned above does not apply in cases where a pupil is at risk of FGM, or where FGM is suspected but is not known to have been carried out. Any member of staff who suspects a pupil is at risk of FGM or suspects that FGM has been carried out must speak to the DSL and follow our local safeguarding procedures.

It will be rare for teachers to see visual evidence, and they should not be examining pupils, but the same definition of what is meant by "to discover that an act of FGM appears to have been carried out" is used for all professionals to whom this mandatory reporting duty applies.

Indicators that FGM has already occurred include:

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

Potential signs that a pupil may be at risk of FGM include:

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

- Being unexpectedly absent from school;
- Having sections missing from her 'red book' (child health record) and/or attending a travel clinic or equivalent for vaccinations/anti-malarial medication.

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

#### **4.8 Forced Marriage**

Forcing a person into marriage is a crime. A forced marriage is one entered into without the full and free consent of both parties and where violence, threats or any other form of coercion is used to cause a person to enter into marriage. A lack of consent can be where a person does not consent or cannot consent (if they have learning difficulties for example).

If staff are concerned that a forced marriage is to occur, they must speak to the designated lead and should contact the Forced Marriage Unit for advice and information on 020 7008 0151 or [fm@fco.gov.uk](mailto:fm@fco.gov.uk).

#### **4.9 Preventing Radicalisation**

We, at the Five Rivers Multi Academy Trust, recognise that protecting children from the risk of radicalisation is part of our academy's wider safeguarding duties, and is similar in nature to protecting children from other forms of harm and abuse. We recognise the need to prevent people from being drawn into terrorism and take our 'Prevent' duty seriously. This includes ensuring that a senior member of staff in each academy has accessed 'Prevent' training.

Radicalisation refers to the process by which a person is persuaded to support terrorism and forms of extremism. There is no single way of identifying an individual who is likely to be susceptible to an extremist ideology. It can happen in many different ways and settings. As with managing other safeguarding risks, staff should be alert to changes in children's behaviour which could indicate that they may be in need of help or protection. Staff should use their professional judgement in identifying children who might be at risk of radicalisation and act proportionately.

Reasonable checks, for example for links with extremism, should be carried out on all visitors who are intending to work with children, and/or to address assemblies.

Prevent awareness training is important to equip staff to identify children at risk of being drawn into terrorism and to challenge extremist ideas.

The Channel Programme is available for children to be referred to where there is a concern that they are vulnerable to radicalisation.

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

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

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

#### **4.10 Bullying, including Cyber Bullying**

Under the Children Act 1989, a bullying incident (including cyber bullying) should be addressed as a child protection concern when there is 'reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm'. Where this is the case, the school staff should report their concerns to their Local Authority children's social care. Even where safeguarding is not considered to be an issue, schools may need to draw on a range of external services to support the pupil who is experiencing bullying, or to tackle any underlying issue which has contributed to a child engaging in bullying. Staff should refer to the Trust's policy on tackling bullying and the e-safety policy.

#### **4.11 Domestic Violence**

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

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

Domestic violence has a profound, negative impact on a child's well-being. If there are any concerns that a child is living in a household where domestic violence occurs, the Designated Safeguarding Lead must be informed.

#### **4.12 Fabricated or Induced Illness**

There are three main ways of the carer fabricating or inducing illness in a child. These are not mutually exclusive and can include:

- fabrication of signs and symptoms. This may include fabrication of past medical history;
- fabrication of signs and symptoms and falsification of hospital charts and records, and specimens of bodily fluids. This may also include falsification of letters and documents;
- induction of illness by a variety of means.

If staff are concerned about fabrication or induced illness they must report this to the designated lead who will make the relevant referrals.

#### **4.13 Faith abuse**

Faith abuse is child abuse linked to faith or belief. This includes:

- belief in concepts of witchcraft and spirit possession;
- belief in demons or the devil acting through children or leading them astray (traditionally seen in some Christian beliefs);
- belief in the evil eye or djinns (traditionally known in some Islamic faith contexts) and dakini (in the Hindu context);
- ritual or muti murders where the killing of children is believed to bring supernatural benefits or the use of their body parts is believed to produce potent magical remedies;
- belief in magic or witchcraft to create fear in children to make them more compliant when they are being trafficked for domestic slavery or sexual exploitation.

This is not an exhaustive list.



If staff are concerned about faith abuse they must report this to the designated lead who will make the relevant referrals.

#### **4.14 Gangs and Youth violence**

The Five Rivers Multi Academy Trust, working with local partners, can play an important role in understanding and spotting the warning signs amongst younger children who are vulnerable to involvement in gangs and youth violence.

Where appropriate, engagement with local Early Help / Early Intervention Teams can be undertaken in order to discuss concerns about pupils and plan appropriate interventions. Their role is to work with safeguarding teams to identify early signs of problems and work with children and families to prevent problems from escalating. Providing the right support when a child is still in primary school can protect those vulnerable to exploitation by older gang members and those who are at risk of being drawn further into violent or negative behaviour over time.

It is good practice for schools to work together to take preventative measures to support the younger siblings of gang members. It is also advisable for primary schools in areas affected by gang and youth violence issues to work with younger children to strengthen social and emotional skills, build resilience to negative influences, and develop an ability to understand risk and risky situations.

If staff feel a child is at risk of gang violence they must report it to the Designated Safeguarding Lead.

#### **4.15 Private fostering**

Privately fostered children are a diverse and potentially vulnerable group.

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 (under 18, if disabled) by someone other than a parent or close relative with the intention that it should last for 28 days or more. Private foster carers may be from the extended family, such as a cousin or great aunt. However, a person who is a relative under the Children Act 1989 i.e. a grandparent, brother, sister, uncle or aunt (whether of the full or half blood or by marriage) or step-parent will not be a private foster carer. A private foster carer may be a friend of the family, the parent of a friend of the child, or someone previously unknown to the child's family who is willing to privately foster a child.

The private foster carer becomes responsible for providing the day to day care of the child in a way which will promote and safeguard his welfare. Overarching responsibility for safeguarding and promoting the welfare of the privately fostered child remains with the parent or other person with parental responsibility. Local authorities do not formally approve or register private foster carers. However, it is the duty of local authorities to satisfy themselves that the welfare of children who are, or will be, privately fostered within their area is being, or will be, satisfactorily safeguarded and promoted.

If staff or volunteers suspect that a child is being privately fostered, or become aware of, or are concerned about a private fostering arrangement, they must report it to the Designated Safeguarding Lead who will refer to social care to allow the LA to check the arrangements are safe.

#### **4.16 Sexting**

The definition of sexting is not clear but generally refers to children under the age of 18 sending or posting sexually suggestive images, including nude or semi-nude

photographs, via mobiles or over the Internet. It may also include writing and sharing explicit messages with people they know and sending flirtatious or sexual text messages rather than images. Creating and sharing sexual photos and videos of under-18s is illegal. Children who create and send these images are committing a criminal offence, even if the photo is of themselves. However, it is generally seen as a safeguarding rather than a criminal issue.

When an incident involving youth produced sexual imagery comes to a school or college's attention, you must NOT:

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

You should:

Consider the initial evidence and aim to determine:

- Whether there is an immediate risk to pupil(s);
- If a referral needs to be made to the police and/or children's social care;
- If it is necessary to view the imagery in order to safeguard the young person (in most cases, imagery should not be viewed);
- What further information is required to decide on the best response;
- Whether the imagery has been shared widely and via what services and/or platforms (this may be unknown);
- Whether immediate action should be taken to delete or remove images from devices or online services;
- Any relevant facts about the pupils involved which would influence risk assessment;
- If there is a need to contact another school, college, setting or individual;
- Whether to contact parents or carers of the pupils involved (in most cases parents should be involved).

The DSL will make an immediate referral to police and/or children's social care if:

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

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

### **Further review by the DSL**

If at the initial review stage a decision has been made not to refer to police and/or children's social care, the DSL will conduct a further review. They will hold interviews with the pupils involved (if appropriate) to establish the facts and assess the risks.

If at any point in the process there is a concern that a pupil has been harmed or is at risk of harm, a referral will be made to children's social care and/or the police immediately.

### **Informing parents**

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

### **Referring to the police**

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

### **Recording incidents**

All sexting incidents and the decisions made in responding to them will be recorded. The record-keeping arrangements set out in section 2.9 of this policy also apply to recording incidents of sexting.

### **Curriculum coverage**

Pupils are taught about the issues surrounding sexting as part of our PSHE education and computing programmes. See also Section 8 of this policy.

## **4.17 Non-collection of children**

If a child is not collected at the end of the session/day:

- We will ensure the child is kept safe in school under the care of a specific person;
- We will check for any information about changes to the normal collection routines;
- We will then attempt to contact the parent or carer on the telephone number they have given us;
- If there is no answer we will attempt to call their emergency contact;
- We will keep a record of all that we have done (CPOMS);
- If the pupil is not collected within 45-60 mins of the normal time and no contact has been made we will refer to the police and/or social care.

## **4.18 Missing pupils**

Our procedures are designed to ensure that a missing child is found and returned to effective supervision as soon as possible. If a child goes missing during the school day the following actions should be taken:

- Office and a member of Core SLT to be informed immediately.
- One member of admin staff to stay in office and check CCTV. Other to organise TAs from classrooms to search the building/s.
- Premises staff / and an admin member of staff to check gates and grounds as well as local roads and keep checking until the child has been found, return to school for update.
- If child has been detected leaving the grounds, admin staff to call home to alert parent and the police. All non-teaching staff to check adjacent streets and child's route home.
- If the child has not left the grounds, all staff to search buildings.
- Office to be informed immediately when the child is found,

- Office to inform the Principal, Deputy Headteacher, police, parent, other staff.
- De-briefing of staff/review of CCTV to identify issues to be addressed to prevent a repeat of the incident.

**4.19 This is not an exhaustive list of safeguarding issues. Other areas of specific concern may include:**

- substance misuse;
- gender-based violence;
- hate crimes;
- mental health concerns;
- relationship abuse;
- racism; disability, homophobic or transphobic abuse.

If staff have any concerns about children, it is important to speak to the Designated Safeguarding Lead.

#### **4 Sharing concerns**

See Appendices 3-6 for further information.

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

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

Staff should only involve those who need to be involved when a child tells them he/she is being abused or neglected.

**The written report** will include the following:

- the child's name, age and date of birth;
- whether or not the person making the report is expressing their own concerns or those of someone else;
- the nature of the allegation, including dates, times and special factors and other relevant information;
- make a clear distinction between what is fact, opinion or hearsay;
- a description of any visible bruising or other injuries;
- also any indirect signs, such as any behavioural changes;
- details of witnesses to the incidents;
- the child's account, if it can be given, of what has happened.

Any disclosures or concerns, including concerns raised by other children or a third party should be reported via the school's Designated Safeguarding Lead. The

safeguarding lead will usually decide whether to make a referral to children's social care.

Our aim is to create an open culture where staff and parents feel confident to raise concerns or to challenge senior leaders if they feel their concerns have not been robustly followed up.

In exceptional circumstances, such as in emergency or a genuine concern that appropriate action has not been taken, staff members or parents can speak directly to children's social care.

Sheffield Social Care assessment team:

EAST 203 7463

NORTH 203 9591

WEST 273 4491

Sheffield MAST teams:

EAST 205 3635

NORTH 203 9591

WEST 250 6865

24 hour children's social care line: 0114 273 4855

Safeguarding Adults team: 0114 273 6870

Practitioners only- Safeguarding Children Advisory Service 9-5pm, Mon-Fri: 0114 205 3535

Jessop Wing Social Work team: 0114 226 8355

Children's Hospital Social Work: 0114 271 7310

Children with Disabilities Team: 0114 273 5368.

Police:

- 999 - Prevent and Domestic Abuse.
- 101 - to report a crime that is no longer happening or general enquiries.
- 18001 101 (text phone) - If you are deaf, hard of hearing or speech impaired.
- 07786 220 022 (SMS) - If you are deaf, hard of hearing or speech impaired.
- 0800 555 111 - to give information to Crimestoppers anonymously.

Useful advice about making a referral can be found via the Sheffield Children's Safeguarding Board website.

If, after a referral has been made, there are still concerns that appropriate action has not been taken, further referrals must be made.

### **Concerns about children's behaviours towards others**

Where there is concern about a child's behaviour towards other children, Trust academies will follow the procedures established by the local Children's Safeguarding Board. In Sheffield this is the Pathway for children who display sexually harmful behaviour.

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

Where possible, speak to the DSL first to agree a course of action. If in exceptional circumstances the DSL is not available, speak to a member of the senior leadership team and/or take advice from local authority children's social care.

You can also seek advice at any time from the NSPCC helpline on 0808 800 5000. Make a referral to local authority children's social care directly, if appropriate (see 'Referral' below). Share any action taken with the DSL as soon as possible.

### **Early help**

If early help is appropriate, the DSL will support you in liaising with other agencies and setting up an inter-agency assessment as appropriate.

The DSL will keep the case under constant review and the school will consider a referral to local authority children's social care if the situation does not seem to be improving. Timelines of interventions will be monitored and reviewed.

### **When making referrals - contextual safeguarding**

Assessments of children should consider the wider environmental factors affecting the child's life that may pose a threat to their safety and/or welfare. Schools are encouraged to provide as much contextual information as possible as part of the referral process.

## **5 Allegations of abuse made against teachers and other staff.**

If staff members or parents have concerns about another staff member or a volunteer, then this should be referred to the Principal. Staff should not take their own action to investigate concerns reported to them as this could hinder any subsequent investigation.

If the Principal is the subject of an allegation, this should be referred to the CEO who will immediately discuss the allegation with the local authority designated officer (LADO).

The Sheffield LADO is Stephen Hill, tel 0114 273 4850, email [lado@sheffield.gcsx.gov.uk](mailto:lado@sheffield.gcsx.gov.uk)

The Trust follows the guidance detailed in the Document 'Keeping children safe in Education' 2018.

The procedures for dealing with allegations will be applied with common sense and judgement. For full details of the Trust's procedures, see Appendix 2.

## **7. Allegations of abuse made against other pupils**

We recognise that children are capable of abusing their peers. Abuse will never be tolerated or passed off as "banter", "just having a laugh" or "part of growing up". We also recognise the gendered nature of peer-on-peer abuse (i.e. that it is more likely that girls will be victims and boys perpetrators). However, all peer-on-peer abuse is unacceptable and will be taken seriously.

Most cases of pupils hurting other pupils will be dealt with under our school's behaviour policy, but this child protection and safeguarding policy will apply to any

allegations that raise safeguarding concerns. This might include where the alleged behaviour:

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

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

- You must record the allegation and tell the DSL, but do not investigate it;
- The DSL will contact the local authority children's social care team and follow its advice, as well as the police if the allegation involves a potential criminal offence;
- The DSL will put a risk assessment and support plan into place for all children involved (including the victim(s), the child(ren) against whom the allegation has been made and any others affected) with a named person they can talk to if needed;
- The DSL will contact the children and adolescent mental health services (CAMHS), if appropriate.

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

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

Further guidance: *Sexual Violence and Sexual Harassment between Children in Schools and Colleges, May 2018*

## **8 Opportunities to teach safeguarding within the curriculum**

All pupils within the Five Rivers Multi Academy Trust are taught about how to keep themselves safe as part of the curriculum. This includes personal, social health and economic education (PSHCE), Philosophy for Children sessions, class assemblies and age appropriate sex and relationship education (SRE). Subjects covered include e-safety, and from time to time programmes are delivered by external groups such as the NSPCC.

The following subjects will be mandatory from September 2020:

- Relationships education (for all primary schools)
- Relationships and sex education (for all secondary schools)
- Health education (for all pupils in state-funded schools)

## **9 Alternative provision**

Where a school places a pupil with an alternative provision provider, they remain responsible for the safeguarding of that pupil and should be satisfied that the provider meets the needs of the pupil. The provider should provide written confirmation that appropriate safeguarding checks have been carried out on those working at the establishment.

## **10 Looked after children**

Each academy has a designated teacher (member of the Senior Leadership Team) to promote the educational achievement of children who are looked after. The Trust will ensure that this person has appropriate training.

The named person should 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.

<b>Academy</b>	<b>Designated teacher</b>
Tinsley Meadows	Laura Chambers
Abbeyfield	Helen Best

They should also have information 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, through the designated teacher for looked after children, should have details of the child's social worker and the name of the virtual school head in the authority that looks after the child.

Staff should have the skills, knowledge and understanding to keep previously LAC safe. When dealing with LAC and previously LAC, all agencies should work together to take prompt action to safeguard this vulnerable group.

<b>Academy</b>	<b>Inclusion lead</b>	<b>Second person</b>
Tinsley Meadows	Deborah Sanderson	Tania MacPherson/Claire Peats
Abbeyfield	Helen Best	Kate Abell / Sam Hobson

## **11 Pupils with special educational needs and disabilities**

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

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

## **12 Safer recruitment**

When recruiting staff, the Five Rivers Multi Academy Trust safer recruitment policy will be followed.



- Before employing a teacher, schools are required to take all reasonable steps to establish whether the individual is subject to a teacher prohibition order and, if so, prevent their employment.
- Statutory checks will be made on the backgrounds of all who work within the Trust.
- At least one person on each panel will have safer recruitment training.

Please make further reference to the Recruitment and Selection Policy and the following link:

<http://www.saferrecruitmentconsortium.org/GSWP%20Oct%202015.pdf>

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

### **12.1 New staff**

When appointing new staff, we will:

- Verify their identity;
- Obtain (via the applicant) an enhanced Disclosure and Barring Service (DBS) certificate, including barred list information for those who will be engaging in regulated activity (see definition below). We will not keep a copy of this for longer than 6 months;
- Obtain a separate barred list check if they will start work in regulated activity before the DBS certificate is available;
- Verify their mental and physical fitness to carry out their work responsibilities;
- Verify their right to work in the UK. We will keep a copy of this verification for the duration of the member of staff's employment and for 2 years afterwards;
- Verify their professional qualifications, as appropriate;
- Ensure they are not subject to a prohibition order if they are employed to be a teacher. Checks for all prohibitions, directions, sanctions and restrictions can be carried out for free by logging into the secure access portal on the Teacher Services' webpage;
- Carry out further additional checks, as appropriate, on candidates who have lived or worked outside of the UK, including (where relevant) any teacher sanctions or restrictions imposed by a European Economic Area professional regulating authority, and criminal records checks or their equivalent;
- Check that candidates taking up a management position are not subject to a prohibition from management (section 128) direction made by the secretary of state.

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

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

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

Where possible, schools should obtain references prior to interviews to allow any concerns to be explored with the referee and discussed with the candidate. References should be from a senior person and not just a colleague. Open testimonials should not be relied upon, nor should information provided by the candidate without verifying the information. Electronic references should be vetted to ensure they originate from a credible source.

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

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

### **12.2 Existing staff**

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

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

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

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

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

### **12.4 Contractors**

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

- An enhanced DBS check with barred list information for contractors engaging in regulated activity;
  - An enhanced DBS check, not including barred list information, for all other contractors who are not in regulated activity but whose work provides them with an opportunity for regular contact with children.
- 
- We will obtain the DBS check for self-employed contractors.
  - We will not keep copies of such checks for longer than 6 months after the end of their contract.
  - Contractors who have not had any checks will not be allowed to work unsupervised or engage in regulated activity under any circumstances.
  - We will check the identity of all contractors and their staff on arrival at the school.
  - For self-employed contractors such as music teachers or sports coaches, we will ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare

Act 2006. Where we decide that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment. This will include our evaluation of any risks and control measures put in place, and any advice sought.

### **12.5 Trainee/student teachers**

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

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

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

### **12.6 Volunteers**

Currently, all volunteers are subjected to a DBS check. This is because they are deemed to have opportunities for regular, unsupervised access to children. Whilst volunteers are always placed with teachers and TAs and do not generally work alone with children, they do regularly chaperone children around the school without the supervision of another teacher / TA. If the school decides that an enhanced DBS certificate is not required (e.g. where the volunteer will never be left unsupervised) a risk assessment should be carried out and the details of the risk assessment stored according to the school's information retention schedule.

### **12.7 Trustees**

All trustees, local governors and members will have an enhanced DBS check without barred list information, and will also have a section 128 check (to check prohibition on participation in management under section 128 of the Education and Skills Act 2008). They will have an enhanced DBS check with barred list information if working in regulated activity.

The chair of the board will have their DBS check countersigned by the secretary of state.

All proprietors, trustees, local governors and members will also have the following checks:

- Identity;
- Right to work in the UK;
- Other checks deemed necessary if they have lived or worked outside the UK.

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

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

## Appendix 1

### Staff code of conduct: general principles

General principles of staff conduct:

- Staff should provide a good example and a positive role model to pupils.
- Staff should behave in a mature, respectful, safe, fair and considered manner.
- Staff must not discriminate favourably or unfavourably towards any pupil.
- Staff should not give or receive (other than token) gifts.
- Staff must ensure that relationships with pupils and their families always remain on a professional footing.
- Staff must not behave in a way that could lead a reasonable observer to question conduct, intentions or suitability to care for other people's children.
- Staff must not make arrangements to contact, communicate or meet with pupils outside work including by mobile phone or other forms of modern technology.
- Staff must not develop 'personal' relationships with pupils and their families.
- Personal social media accounts, such as Facebook, should not be used to communicate with parents or pupils. Staff should act prudently with regard to privacy settings.
- Personal mobile phones should not be in the classroom and mobile phones with cameras should not be in areas where children are vulnerable to any invasion of their privacy.
- Staff will not take pictures or recordings of pupils on their personal phones or cameras.
- We will follow the General Data Protection Regulation 2018 when taking and storing photos and recordings for use in the school.

## Appendix 2

### **Allegations of abuse made against teachers and other staff.**

**The Trust follows the guidance detailed in the Document ‘Keeping children safe in Education’. Please refer to this document in all allegations of abuse made against teachers and other staff.**

This guidance should be used in respect of all cases in which it is alleged that a teacher or member of staff (including volunteers) in a Trust academy has behaved in a way that has harmed a child, or may have harmed a child or behaved towards a child or children in a way that indicates he or she would pose a risk of harm to children. This part of the guidance relates to members of staff who are currently working in any academy regardless of whether the academy 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.

The Trust recognises that they have a duty of care to their employees. They will provide the employee with effective support and a named contact if they are suspended. The Trust recognises that it is essential that any allegation of abuse made against a teacher or other member of staff or volunteer in school 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.

Where the Principal is the subject of an allegation, the CEO should immediately discuss the allegation with the local authority designated officer (LADO).

Where the CEO is the subject of an allegation, the Five Rivers Chair of Trustees should immediately discuss the allegation with the local authority designated officer (LADO).

### **The following procedures for dealing with allegations will be applied with common sense and judgement:**

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.
- A “Case manager” will be appointed. This will usually be the Principal, or in the case of allegation against the Principal, the CEO; or in the case of the CEO, the Chair of the Trust Board.
- The Case Manager sets up an initial discussion with the designated officer (LADO). 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 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.

- Some rare allegations will be so serious they require immediate intervention by children's social care services and/or the police. The designated officers should be informed of all allegations that come to a school's attention and appear to meet the criteria so they can consult police and social care.
- 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 informs individuals about concerns or allegations as soon as possible and given an explanation of the likely course of action. 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 to be suspended or whether an alternative arrangement can be made. The individual should be advised to contact their trade union representative, if they have one, or a colleague for support.
- If there is cause to suspect a child is suffering or likely to suffer significant harm, a strategy discussion should be convened in accordance with '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 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 academy 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.
- 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 staff.

- However, in other circumstances, such as lack of appropriate resource within the academy or the nature or complexity of the allegation, an independent investigator will be required. 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.

### **Supporting those involved**

- 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. For staff in schools, that may include support via the local authority occupational health or employee welfare arrangements. Particular care will 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 will 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 a 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 taken into account in reaching a decision, will 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 paragraph 164). If parents or carers wish to apply to the court to have reporting restrictions removed, they should be told to seek legal advice.

### **Confidentiality**

It is extremely important that when an allegation is made, every effort is made 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 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). There will be no reporting to the press.

The case manager should take advice from the LADO, police and children's social care to agree the following:

- 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 given to the wider community;
- how to manage press interest if and when it should arise.

## Managing the situation and exit arrangements

- If a person resigns or ceases to provide their services, this should not prevent an allegation from being followed up. **A referral to the DBS must be made if the criteria are met.** In these circumstances it would not be appropriate to come to a settlement or compromise agreement which prevents the school from making a DBS referral. This would result in a criminal offence being committed as the school 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. The process of recording the allegation and any supporting evidence, and reaching a judgement about whether it can be substantiated on the basis of all the information available, should continue even if that cannot be done or the accused does not co-operate.
- Settlement 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 case of refusal to co-operate or resignation before the person's notice period expires. Such an agreement would not prevent a thorough police investigation where appropriate.

## Record Keeping

- Details of allegations that are found to have been malicious should be removed from personnel records.
- However for all other allegations, a clear and comprehensive summary of the allegation, details of how the allegation was followed up and resolved, and a note of any action taken and decisions reached, will be 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 an allegation resurfaces after a period of time. The record will be retained at least until the accused has reached normal pension age or for a period of 10 years from the date of the allegation if that is longer.
- Cases in which an allegation was proven to be false, unsubstantiated or malicious will not be included in employer references. A history of repeated concerns or allegations which have all been found to be false, unsubstantiated or malicious will also not be included in any reference.

## Timescales

- It is in everyone's interest to resolve cases as quickly as possible consistent with a fair and thorough investigation. All should be investigated as a priority. Target timescales are:
  - 80% of cases should be resolved within one month;
  - 90% within 3 months;
  - All but the most exceptional cases should be completed within 12 months.
- For cases where it is clear the allegation is unsubstantiated or malicious, they should be resolved in one week.
- Where the initial consideration decides that the allegation does not involve a possible criminal offence, it will be for the Trust to decide how to proceed. If there are child protection concerns, the LADO should be informed. If no formal disciplinary action is required, appropriate action should be instituted within three working days. If a disciplinary hearing is required, it should be held within 15 working days.

## Oversight and monitoring

- The LADO has overall responsibility for oversight of procedures for dealing with allegations, for resolving inter-agency issues and for liaison with the LSCB. The



LADO will provide advice and guidance to the case manager, in addition to liaising with police and other agencies. The LADO monitors to ensure cases are dealt with as quickly as possible consistent with a thorough and fair process. Reviews should be conducted regularly.

- Police will also identify officers responsible for liaising with the designated officer, taking part in strategy discussion, reviewing the progress of police investigation, sharing information on completion of the investigation and any prosecution.

### **Suspension**

- The possible risk of harm to children posed by an accused person should be evaluated and managed. In some rare cases this will require the case manager to consider suspending the accused until the case is resolved. Suspension should not be an automatic response; all options to avoid suspension should be considered prior to taking that step. If concerns arise about the welfare of other children in the community or the teacher's family, these should be reported to the LADO. Suspension is unlikely to be justified on the basis of this.
- Suspension is a last resort. Please see *Keeping Children Safe in Education* for more information.

### **Information sharing**

- This will be led by the LADO, police or social care as relevant. Trust staff should not share information unless directed by these people.

### **Conclusion of the case**

- If an allegation is substantiated and the person is dismissed or resigns, the designated officer should discuss whether referral to DBS is necessary for consideration of whether to include the staff member on the barred list.

**There is a legal requirement for employers to make a referral to DBS where they think that an individual has engaged in conduct that harmed (or is likely to harm) a child; if a person poses a risk of harm.**

DBS barring helpline: telephone 01325 953795

Employers must refer someone to DBS if they:

- sacked them because they harmed someone;
- sacked them or removed them from working in regulated activity because they might have harmed someone;
- were planning to sack them for either of these reasons, but they resigned first.

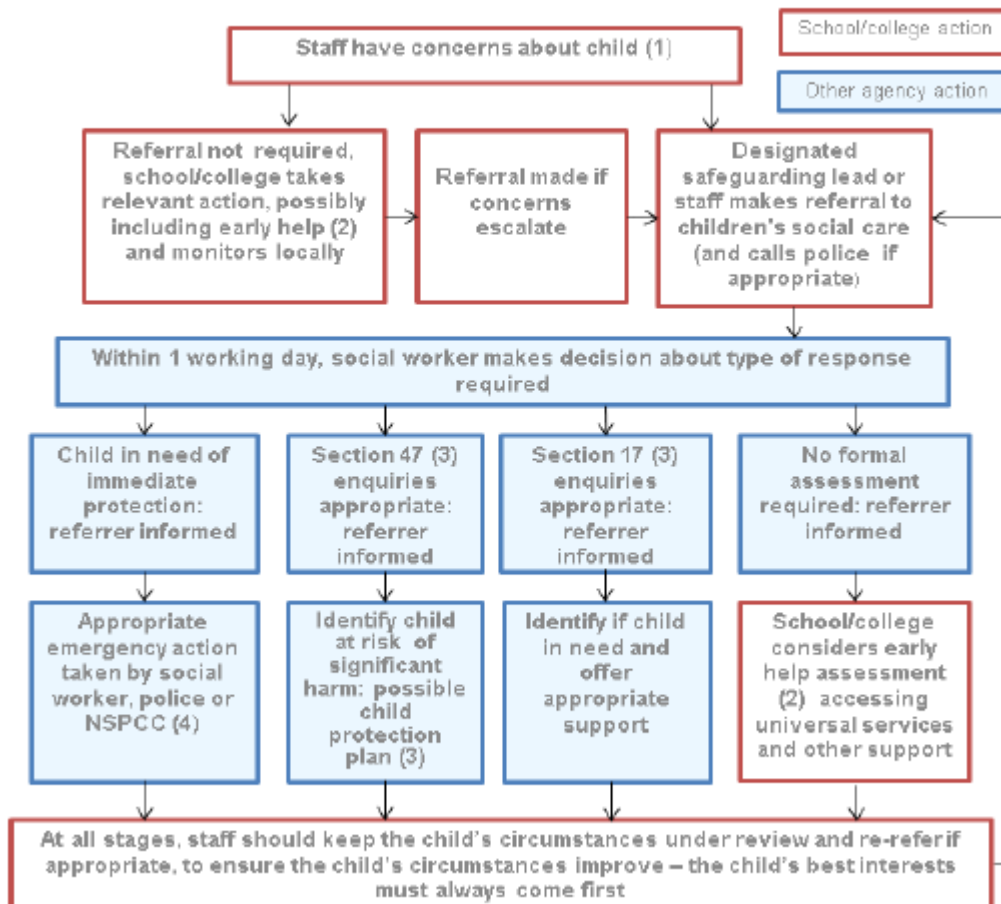
**This is a legal duty and failure to refer when the criteria are met is a criminal offence.**

Following the case where an allegation is substantiated, it is important to determine whether any improvements can be made to policies and practice.

## Appendix 3

This is taken from 'Keeping Children Safe in Education' - Sep 2016

### Actions where there are concerns about a child

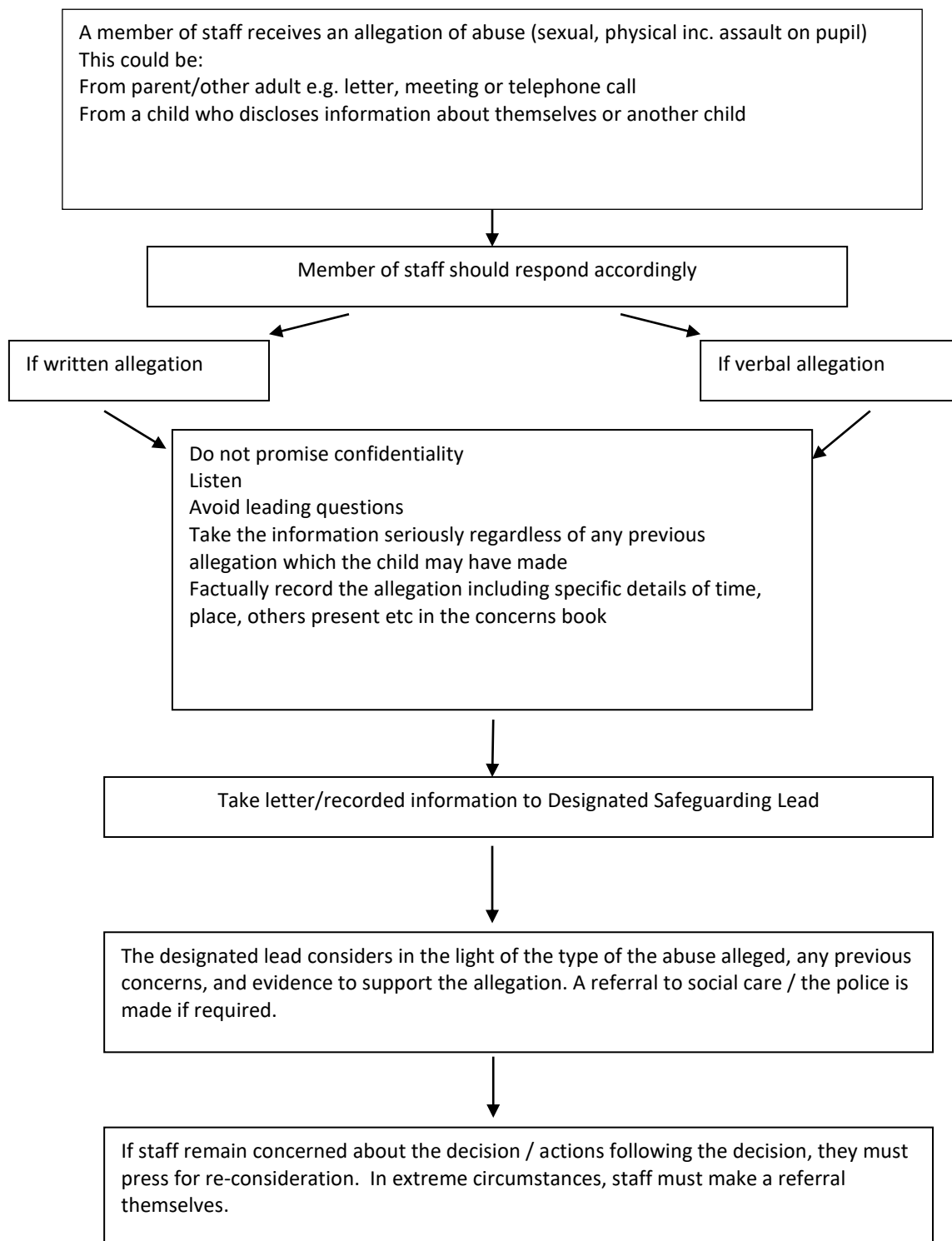


1. In cases which also involve an allegation of abuse against a staff member, see Part four of this guidance.
2. Early help means providing support as soon as a problem emerges at any point in a child's life. Where a child would benefit from co-ordinated early help, an early help inter-agency assessment should be arranged. Chapter one of [Working together to safeguard children](#) provides detailed guidance on the early help process.
3. Under the Children Act 1989, local authorities are required to provide services for children in need for the purposes of safeguarding and promoting their welfare. This can include s17 assessments of children in need and s47 assessments of children at risk of significant harm. Full details are in Chapter one of [Working together to safeguard children](#)
4. This could include applying for an Emergency Protection Order (EPO).

## Appendix 4 RECEIVING AN ALLEGATION/DISCLOSURE OF ABUSE

### Action to be taken by any staff on receiving an allegation/disclosure of abuse

Good practice means that the person to whom the child chooses to disclose should listen and record as below, and not expect the child to repeat the information to a series of people.



## Appendix 5

### If you have any concerns / have received a disclosure

