

Child Protection and Safeguarding Policy and Procedures



Approved by:	The Academy Committee	Date:
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1. Aims

The school aims to ensure that:

- We have a whole school approach to safeguarding; all systems, processes and policies operate with the best interests of the child at their heart and ensures that the child's wishes and feelings are taken into account
- Appropriate action, including sharing information, is taken as early as possible to safeguard and promote children's welfare
- All staff are aware of their statutory responsibilities with respect to safeguarding
- All staff are properly trained in recognising and reporting safeguarding issues

2. Legislation and statutory guidance

This policy is based on the Department for Education's statutory guidance, [Keeping Children Safe in Education \(KCSiE\)](#) and [Working Together to Safeguard Children](#), the [Governance Handbook](#) and the departmental advice [What to do if you are Worried a Child is being Abused – advice for Practitioners](#) and [Sexual Violence and Sexual Harassment Between Children in Schools and Colleges](#). We comply with this guidance and the procedures set out by Hampshire Safeguarding Children Board.

This policy is also based on the following legislation:

- Part 3 of the schedule to the [Education \(Independent School Standards\) Regulations 2014](#), which places a duty on academies and independent schools to safeguard and promote the welfare of students 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
- Voyeurism Offences Act 2019 <http://www.legislation.gov.uk/ukpga/2019/2/enacted> (Section 67 of the Sexual Offences Act 2003)

This policy also complies with our funding agreement and articles of association.

3. Definitions

Safeguarding and promoting the welfare of children means:

- Protecting children from maltreatment
- Preventing the impairment of children's mental and physical health or development

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- Ensuring that children grow up in circumstances consistent with the provision of safe and effective care
- Taking action to enable all children to have the best outcomes

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

Abuse is a form of maltreatment of a child and may involve inflicting harm or failing to act to prevent harm. Appendix 1 explains the different types of abuse and Appendix 2 is our policy and procedures to deal with peer on peer abuse

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

Children includes everyone under the age of 18.

4. 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:

- are disabled or has certain health conditions and has specific additional needs;
- have specific educational needs (whether or not they have a statutory Education, Health and Care Plan);
- have a mental health need; (in this case, immediate action is taken if this is also a safeguarding concern)
- are young carers;
- may experience discrimination due to their race, ethnicity, religion, gender identification or sexuality;
- are showing signs of being drawn into anti-social or criminal behaviours, including gang involvement and association with organised crime groups and county lines;
- are known to be living in difficult situations – for example, temporary accommodation or where there are issues such as substance abuse, adult mental health issues, domestic violence or crime;
- are at risk of 'honour-based' abuse (HBA) such as Female Genital Mutilation (FGM) or Forced Marriage, sexual exploitation, forced marriage, or radicalisation;
- are privately fostered;
- are asylum seekers;
- are frequently missing/going missing from care or from home; and
- are persistently absent from education, including persistent absences for part of the day.

5. Roles and responsibilities

Safeguarding and child protection is **everyone's** responsibility. This policy applies to all staff (including supply staff), volunteers and The Academy Committee in the school and is consistent with the procedures of Hampshire's Safeguarding Children's Partnership (HSCP). Our policy and procedures also apply to extended school and off-site activities.

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5.1 All staff

All staff will read at least Part 1 of the Department for Education's statutory safeguarding guidance, [Keeping Children Safe in Education](#), (KCSiE) and review this guidance at least annually. Staff who do not work directly with children can read either Part 1 or Annex A.

All staff will be aware:

- Of our systems which support safeguarding, including the HISP staff code of conduct, the role of the designated safeguarding lead (DSL) as outlined in Annex C of KCSiE 2021, the behaviour policy, and the safeguarding response to children who go missing from education.
- That safeguarding incident and/or behaviours can be associated with factors outside the school and/or can occur between children outside these environments (contextual safeguarding). This is especially important if we must provide information to Children's Services as part of their assessments.
- Of the early help process and their role in it, including identifying emerging problems, liaising with the DSL verbally or in writing (using the safeguarding conversation form if appropriate) and sharing information (when appropriate) with other professionals to support early identification and assessment
- Of the process for making referrals to local authority children's social care and for statutory assessments that may follow a referral, including the role they might be expected to play
- About what to do if they identify a safeguarding issue or a child tells them they are being abused or neglected, how to maintain an appropriate level of confidentiality while liaising with relevant professionals and to be able to reassure victims that they are being taken seriously and that they will be supported and kept safe.
- Of the signs of different types of abuse and neglect, as well as specific safeguarding issues, such as peer on peer abuse (including bullying, sexual violence, sexual harassment, sexting and upskirting, now a criminal offence), serious violence, HBA and radicalisation.
- That mental health problems can, in some cases, be an indicator that a child has suffered or is at risk of suffering abuse, neglect or exploitation. Where children have suffered abuse and neglect, or other potentially traumatic adverse childhood experiences, this can have a lasting impact throughout childhood, adolescence and into adulthood. These experiences can impact mental health, behaviour and education.

Section 12 and appendix 4 of this policy outline in more detail how staff are supported to do this.

5.2 The designated safeguarding lead (DSL)

Our DSL is **Judith Evans**. The DSL takes lead responsibility for child protection and wider safeguarding as outlined in Annex C of KCSiE.

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

Her contact details are 023 80246548 or j.evans@thornden.hants.sch.uk

When the DSL is absent, the deputies – Steve Hicks, Rob Collar, Phil Balmond & Lou Peaston – will act as cover. Their contact details are via the school phone line (023 80269722) or info@thornden.hants.sch.uk

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

- Take lead responsibility for promoting educational outcomes by knowing the welfare, safeguarding and child protection (including online safety) issues of students
- Provide advice and support to other staff on child welfare and child protection matters
- Take part in strategy discussions and inter-agency meetings and/or support other staff to do so

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- Contribute to the assessment of children
- Refer suspected cases, as appropriate, to the relevant body (local authority children's social care, Channel programme, Disclosure and Barring Service, and/or police), and support staff who make such referrals directly
- Liaise with the Mental Health Support Team, where safeguarding concerns are linked to mental health
- Encourage a culture of listening to children, taking account of their wishes and feelings, and recognising the importance of building trusted relationships

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

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

5.3 The governing board

The governing board will approve this policy annually and hold the Head of School to account for its implementation.

The governing board will appoint a governor to monitor the effectiveness of this policy in conjunction with the full governing board. This is always a different person from the DSL. Currently this is Graham Yates.

The chair of The Academy Committee will act as the 'case manager' if an allegation of abuse is made against the Head of School, where appropriate (see Appendix 3).

5.4 The Head of School

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

- Ensuring that staff (including temporary staff) and volunteers are informed of this policy as part of their induction
- Communicating this policy to parents/carers 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 (see Appendix 3)

6. Confidentiality

To ensure confidentiality and data protection, our school adheres to the General Data Protection Regulation and Data Protection Act 2018 as follows:

- Our internal safeguarding programme, CPOMS, has limited basis access with dual login
- Timely information sharing is essential to effective safeguarding
- Information must only be shared on a 'need-to-know' basis, but we do not need consent to share information if a child is suffering, or at risk of, serious harm
- Staff should never promise a child that they will not tell anyone about an allegation, as this may not be in the child's best interests
- Confidentiality is also addressed in this policy with respect to record-keeping in section 11, and allegations of abuse against staff in Appendix 3

7. Recognising abuse and taking action

Staff, volunteers and The Academy Committee must follow the procedures set out below in the event of a safeguarding issue.

7.1 If a child is in immediate danger

Make a referral to children's social care and/or the police **immediately** if a child is in immediate danger or at risk of harm. **Anyone can make a referral**, but this is best carried out with the support of the DSL (see section 5.2); in any case tell the DSL as soon as possible if you absolutely have to make a referral directly.

All immediate safeguarding concerns should be made initially via an Inter-Agency Referral Form (IARF) <https://www.hants.gov.uk/socialcareandhealth/childrenandfamilies/contacts>. This may then be followed up with a telephone to the Children's Services Professionals line 01329 225379 or by email to csprofessional@hants.gov.uk. The out of hours' team can be contacted on 0300 5551373.

The following is a link to the GOV.UK webpage for reporting child abuse to your local council:

<https://www.gov.uk/report-child-abuse-to-local-council>

7.2 If a child makes a disclosure to you

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

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

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

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

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

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

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

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

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

Any member of staff who suspects a student is *at risk* of FGM, must speak to the DSL and follow our local safeguarding procedures.

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For local information and guidance please refer to:

<http://www.hampshiresafeguardingchildrenboard.org.uk/professionals/female-genital-mutilation/resources/fgm-information/>

7.4 If you have concerns about a child (as opposed to a child being in immediate danger)

Figure 1 illustrates the procedure to follow if you have concerns about a child's welfare and the child is not in immediate danger.

Please speak to the DSL or if not available, a deputy DSL. If none of these are available, please contact the reception staff (Leigh Ash and Ali Benham) as they will be able to contact one of the allocated staff who will speak to you on the telephone and direct the course of action. The DSL may direct you to contact Children's Services (see 'Referral' below).

You can also contact the charity NSPCC if you need advice on the appropriate action. You can call **0808 028 0285** (line is available from 8:00 AM to 8:00 PM Monday to Friday) or email:

help@nspcc.org.uk

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.

Referral

If it is appropriate to refer the case to Children's services or the police, the DSL will make the referral or support you to do so (see Section 7.1).

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

If the child's situation does not seem to be improving after the referral, the DSL or person who made the referral must contact the local authority and make sure the case is reconsidered to ensure the concerns have been addressed and the child's situation improves.

7.5 If you have concerns about extremism

If a child is not at immediate risk of harm, where possible, speak to the DSL first to agree a course of action. Alternatively, make a referral to Children's Services directly if appropriate (see 'Referral' above).

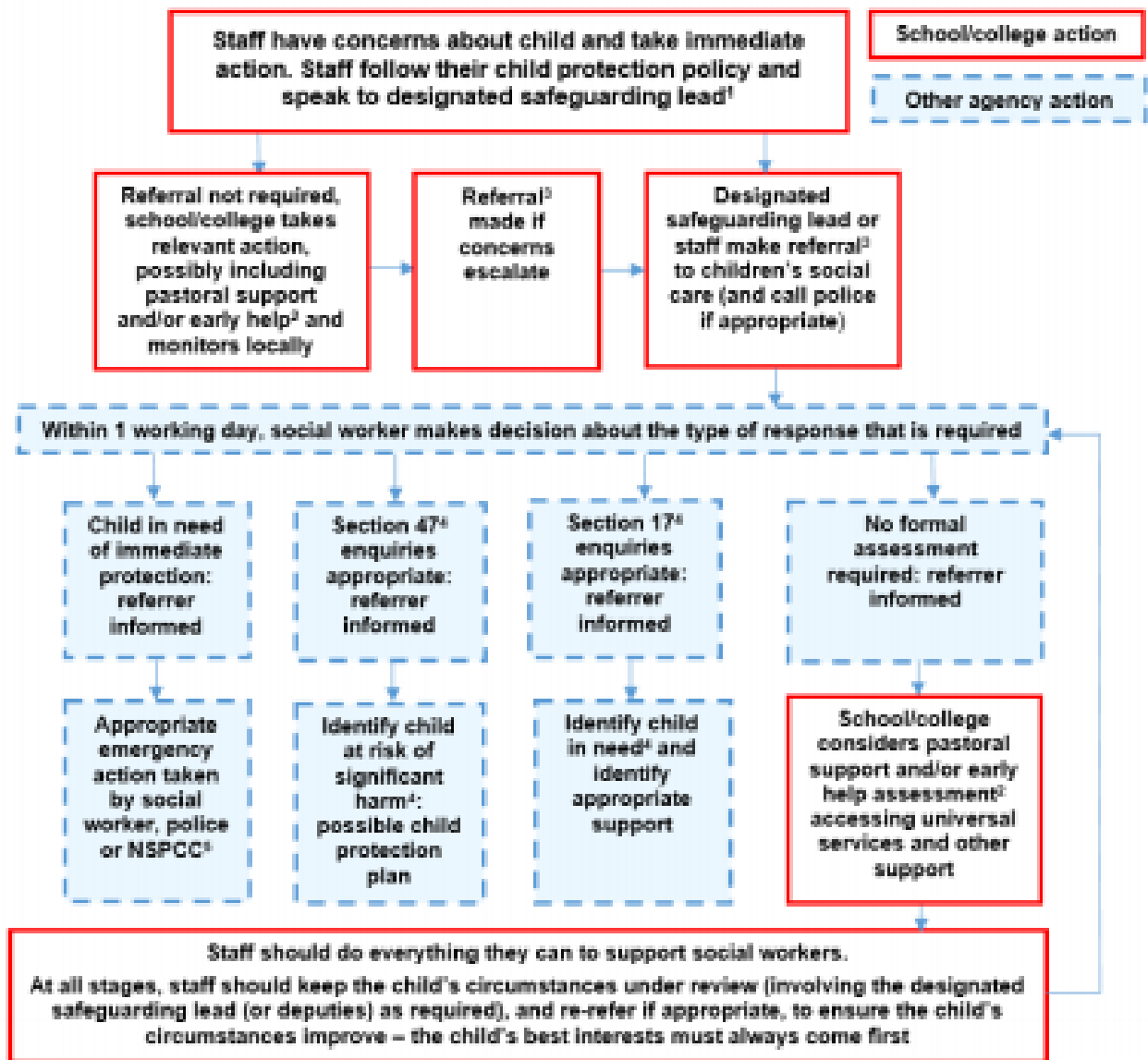
Where there is a concern, the DSL will consider the level of risk and decide which agency to make a referral to. This could include [Channel](#), the government's programme for identifying Children's Services.

The Department for Education also has a dedicated telephone helpline, 020 7340 7264, that school staff and The Academy Committee can call to raise concerns about extremism with respect to a student. You can also email 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

Figure 1: Actions where there are concerns about a child



7.6 Safeguarding concerns about a staff member

There are two types of allegation; allegations that meet the harms threshold and allegation/concerns that do not meet the harms threshold - referred to for the purposes of this policy as 'low-level concerns'.

If you have either a 'low-level concern' or wish to make an allegation about a member of staff (in a paid or unpaid capacity, including supply staff, volunteers and contractors), speak to the Head of School. If you have concerns about the Head of School, speak to the chair of the Academy Committee.

The Head of School/chair of the Academy Committee/DSL will then follow the procedures set out in Appendix 4, if appropriate.

7.7 Allegations of abuse made against other students (peer on peer abuse; See Appendix 2)

We recognise that children are capable of abusing their peers (including online). We will take a zero-tolerance approach to abuse; abuse will never be tolerated or passed off as "banter" or "part of growing up".

Most cases of students hurting other students 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 students in the school at risk
- Is violent
- Involves students being forced to use drugs or alcohol
- Involves sexual violence (such as rape and sexual assault); sexual harassment (such as sexual comments); 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 humiliation, distress or alarm) or consensual and non-consensual sharing of nudes and semi-nude images and/or videos.

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

- The DSL will be informed and record the allegation but does not investigate it
- The DSL will contact Children's Services and follow their 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 – both the victim(s) and the child(ren) against whom the allegation has been made – with a named person they can talk to if needed
- The DSL will contact 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
- Being vigilant to issues that particularly affect different genders – for example, sexting, upskirting, sexualised or aggressive touching or grabbing towards female students, and initiation or 'hazing-type' violence with respect to boys
- Ensuring our curriculum helps to educate students about appropriate behaviour and consent
- Ensuring students know they can talk to staff confidentially by reminding them of the school email address: talk2me@thornden.hants.sch.uk

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- Ensuring staff are trained to understand that a student harming a peer could be a sign that the child is being abused themselves, and that this would fall under the scope of this policy

8. Notifying parents/carers

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

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

If we believe that notifying the parents/carers 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/carers of all the children involved.

9. Mobile phones and cameras

Staff are allowed to bring their personal phones to school for their own use but will limit such use to non-contact time when students are not present.

Staff will not take pictures or recordings of students on their personal phones or cameras. For school trips and things like Enterprise and Activities Day, we will take pictures or videos of students using the school cameras or school phone.

We will follow the General Data Protection Regulation and Data Protection Act 2018 when taking and storing photos and recordings for use in the school.

10. Complaints and concerns about school safeguarding practices

10.1 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 3).

10.2 Other complaints

Any concerns should be raised with the DSL who will respond to complaints as a matter of urgency.

10.3 Whistleblowing

Please refer to the separate whistle-blowing policy that covers concerns regarding the way the school safeguards students – including poor or unsafe practice, or potential failures.

11. Record-keeping

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

All safeguarding concerns, discussions, decisions made and the reasons for those decisions, must be recorded in writing. Information should be kept confidential and stored securely. Records should include a clear and comprehensive summary of the concern, details of how the concern was followed up and resolved and a note of any action taken, decisions reached and the outcome. If in doubt about recording requirements staff should discuss with a designated safeguard lead or deputy

Non-confidential records will be easily accessible and available.

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

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Our safeguarding record-keeping arrangements are as follows:

- Historical records are paper based but moving forwards, these will be stored electronically via CPOMS
- The paper records are held in the DSL's office in locked filing cabinets (the keys are stored securely).
- The records will be retained in accordance with GDPR recommendations.

The school shares information with other agencies and when this is appropriate, in line with our local safeguarding procedures.

In addition:

- Appendix 3 sets out our policy on record-keeping specifically with respect to recruitment and pre-employment checks
- Appendix 5 sets out our policy on record-keeping with respect to allegations of abuse made against staff

12. Training

12.1 All staff (including supply staff)

All staff members will undertake safeguarding and child protection training (including online safety) at induction, including on whistle-blowing procedures, to ensure they understand the school's safeguarding systems and their responsibilities, and can identify signs of possible abuse or neglect. This training will be regularly updated and will be in line with advice from HSCP.

All staff will complete the e-learning 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. This will be renewed every two years.

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

Volunteers will receive appropriate training, if applicable.

12.2 The DSL and deputies

The DSL and deputies will undertake child protection and safeguarding training at least every 2 years (see the current Safeguarding Report to governors).

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.

12.3 The Academy Committee

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

12.4 Recruitment – interview/appointment panels

At least one person on any interview/appointment panel for a post at the school will have undertaken safer recruitment training (to be updated every three years). This will cover, as a minimum, the contents of the Department for Education's statutory guidance, Keeping Children Safe in Education, and be in line with local safeguarding procedures.

13. Monitoring arrangements

This policy will be reviewed **annually** by the Linked governor, Graham Yates. At every review, it will be approved by the Curriculum governors on behalf of the full governing board.

14. Links with other policies

This policy links to the following policies and procedures:

- Behaviour
- HISP Staff Code of Conduct
- Complaints
- Health and safety
- Attendance
- Online safety
- Relationship and Sex Education
- First aid
- Whistleblowing

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

Appendix 1: types of abuse

Abuse, neglect, and safeguarding issues are rarely stand-alone events that can be covered by one definition or label. In most cases, multiple issues will overlap. Abuse can take place wholly online, or technology may be used to facilitate offline abuse. Information sharing is vital in identifying and tackling all forms of abuse and neglect and as a school we will use our power to share, hold and use information for this purpose.

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

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

Emotional abuse may involve:

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

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

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

Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children. The sexual abuse of children by other children is a specific safeguarding issue in education.

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

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

- Provide adequate food, clothing and shelter (including exclusion from home or abandonment); Protect a child from physical and emotional harm or danger; Ensure adequate supervision (including the use of inadequate care-givers); Ensure access to appropriate medical care or treatment
- It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

Appendix 2: peer on peer abuse policy

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This policy is in line with the statutory guidance contained within Keeping Children Safe in Education 2021 and Working Together to Safeguard Children 2018.

Introduction

We are committed to a whole school approach to ensure the prevention, early identification, and appropriate management of peer-on-peer abuse within our school and beyond.

In cases where peer on peer abuse is identified we will follow our child protection procedures, taking a contextual approach to support all young people who have been affected by the situation.

We will ensure that all victims are reassured that they are being taken seriously and that they will be supported and kept safe. A victim should never be given the impression that they are creating a problem by reporting abuse, sexual violence or sexual harassment.

We recognise that peer on peer abuse can manifest itself in many ways such as:

- Abuse in intimate relationships
- Bullying (including cyberbullying, prejudice-based and discriminatory bullying)
- Causing someone to engage in sexual activity without consent
- Child Sexual Exploitation
- Children displaying sexually harmful behaviour
- Consensual or non-consensual sharing of nudes and semi nudes images and videos (also known as sexting or youth produced sexual imagery)
- Gang association and serious violence (County Lines)
- Physical abuse
- Radicalisation
- Sexual violence, such as rape, assault by penetration and sexual assault
- Sexual harassment, such as sexual comments, remarks, jokes and online harassment
- Upskirting
- Via technology

Some of these behaviours will need to be handled with reference to other policies in school such as the behaviour policy, anti- bullying policy, child protection policy and online safety policy.

This policy concentrates on peer-on-peer abuse in the context of sexual harassment and sexual violence. It is compliant with the statutory guidance on peer-on-peer abuse as set out in Keeping Children Safe in Education.

Policy Development

The policy has been developed in consultation with Senior leaders, governors, staff, parents/carers and students.

Aims

The policy will: -

- Set out our strategies for preventing, identifying, and managing peer on peer abuse
- Take a contextual approach to safeguarding all children and young people involved. Acknowledging that children who have allegedly abused their peers or displayed harmful sexual behaviour are themselves vulnerable and may have been abused by peer, parents/carers or adults in the community.

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Understanding Peer on Peer abuse

Sexual violence and sexual harassment can occur between two children of any age and sex or a group of children sexually assaulting or sexually harassing a single child or group of children. The impact of this behaviour on children can be very distressing and have an impact on academic achievement and emotional health and wellbeing. Sexual harassment and sexual violence may occur inside or outside of the school premises, online or offline.

The Context

All behaviour takes place on a spectrum. Understanding where a child's behaviour falls on a spectrum is essential to being able to respond appropriately to it. Staff need to be aware that children might not tell staff about their abuse and that it may be that staff overhear a conversation or the child's behaviour changes.

In this policy we recognise the importance of distinguishing between problematic and abusive sexual behaviour (Harmful Sexual Behaviour HSB). We are adopting the NSPCC definition of HSB as:

"Sexual behaviours expressed by children...that are developmentally inappropriate, may be harmful towards self or others, or be abusive towards another child...or adult."

We will also use Simon Hackett's continuum model to demonstrate the range of sexual behaviours. (Appendix 1)

Vulnerable groups

We recognise that all children can be at risk however we acknowledge that some groups are more vulnerable. This can include experience of abuse within their family; living with domestic violence; young people in care; children who go missing; children with additional needs (SEN and/or disabilities); children who identify or are perceived as LGBT and/or have other protected characteristics under the Equalities Act 2010.

Whilst research tells us girls are more frequently identified as being abused by their peers and, girls are more likely to experience unwanted sexual touching in schools this is not confined to girls.

Boys are less likely to report intimate relationship abuse and may display other behaviour such as antisocial behaviour. Boys report high levels of victimisation in areas where they are affected by gangs. We recognise that both boys and girls experience peer on peer abuse, but they do so in gendered ways. Finally, whilst any report of sexual violence or sexual harassment should be taken seriously, staff should be aware that it is more likely that girls will be the victims of sexual violence and harassment and more likely it will be perpetrated by boys.

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

Responding to alleged incidents or reports of sexual violence and sexual harassment

All reports of peer-on-peer abuse will be made on a case-by-case basis with the designated safeguarding lead or their deputy taking a leading role using their professional judgement and supported by other agencies such as social care or the police as required.

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The immediate response to a report

- We will take all reports seriously and will reassure the student making the report (Child A) that they will be supported and kept safe; all staff will be trained to manage a report.
- Staff will not promise confidentiality as the concern will need to be shared further (for example, with the designated safeguarding lead or children's services); staff will, however, only share the report with those people who are necessary to progress it (see Appendix 4).
- A written report will be made as soon after the interview as possible recording the facts as presented by the child. These may be used as part of a statutory assessment if the case is escalated later.
- Where the report includes an online element, we will follow advice on searching, screening, and confiscation. The staff will not view or forward images unless unavoidable and only if another member of staff (preferably the Designated Safeguarding Lead (DSL)) is present.
- The DSL will be informed as soon as possible.

Risk Assessment

When there has been a report of sexual violence, the designated safeguarding lead (or a deputy) will make an immediate risk and needs' assessment (see Appendix 2). Where there has been a report of sexual harassment, the need for a risk assessment should be considered on a case-by-case basis. The risk and needs' assessment should consider all children involved (Child A (making the report); Child B (against whom the report is being made) and the other students).

Risk assessments will be recorded and be kept under review. The designated safeguarding lead (or a deputy) will ensure they are engaging with Children's Services.

Action following a report of sexual violence and/or sexual harassment

Following an incident, we will consider:

- The wishes of Child A in terms of how they want to proceed. This is especially important in the context of sexual violence and sexual harassment.
- The nature of the alleged incident(s), including whether a crime may have been committed and consideration of harmful sexual behaviour.
- The ages of the children involved.
- The developmental stages of the children involved.
- Any power imbalance between the children. For example, is Child B significantly older, more mature, or more confident? Does Child A have a disability or learning difficulty?
- If the alleged incident is a one-off or a sustained pattern of abuse.
- Are there ongoing risks to Child A, other children, school staff, and other related issues and wider context?

Follow up Actions

Children sharing a classroom:

Whilst we establish the facts of the case and start the process of liaising with children's services and the police:

- Child B will be removed from any classes they share with Child A.
- We will consider how best to keep Child A and Child B a reasonable distance apart on school premises and on transport to and from the school.

These actions are in the best interests of both children and should not be perceived to be a judgment on the guilt of the alleged perpetrator.

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Options to manage the report

❖ Manage internally

1. In some cases of sexual harassment, for example, one-off incidents, we may decide that the children concerned are not in need of early help or statutory intervention and that it would be appropriate to handle the incident internally, perhaps through providing pastoral support.

This decision will be made based on the principle that sexual violence and sexual harassment is never acceptable and will not be tolerated. All decisions, and discussions around making these decisions will be recorded and stored securely in the DSLs office.

2. In line with 1 above, we may decide that the children involved do not require statutory interventions but may benefit from early help. Providing early help is more effective in promoting the welfare of children than reacting later. Early help can be particularly useful to address non-violent harmful sexual behaviour and may prevent escalation of sexual violence.

3. Where a child has been harmed, is at risk of harm, or is in immediate danger, the DSL will make a referral to Children's Services using an Inter-Agency Referral Form.

Where statutory assessments are appropriate, the DSL or a deputy will be working alongside, and cooperating with, the relevant lead social worker. Collaborative working will help ensure the best possible package of coordinated support is implemented for Child A and, where appropriate, Child B and any other children that require support.

❖ Reporting to the Police

Any report to the police will generally be made through Children's services as above. The DSL (and their deputies) will follow local processes for referrals.

Where a report of rape, assault by penetration or sexual assault is made, the starting point is this will be passed on to the police. Whilst the age of criminal responsibility is ten, if Child B is under ten, the starting principle of reporting to the police remains. The police will take a welfare, rather than a criminal justice, approach.

Where a report has been made to the police, we will consult the police and agree what information can be disclosed to staff and others, the alleged perpetrator and their parents or carers. They will also discuss the best way to protect Child A and their anonymity.

Where there is a criminal investigation, we will work closely with the relevant agencies to support all children involved (especially potential witnesses). Where required, advice from the police will be sought to help us.

Whilst protecting children and/or taking any disciplinary measures against the alleged perpetrator, we will work closely with the police (and other agencies as required), to ensure any actions the school take do not jeopardise the police investigation.

❖ The end of the criminal process

If a child is convicted or receives a caution for a sexual offence, the school will update its risk assessment, ensure relevant protections are in place for all children. We will consider any suitable action following our behaviour policy. If the perpetrator remains in school, we will be very clear as to our expectations regarding the perpetrator now they have been convicted or cautioned. This could include expectations regarding their behaviour and any restrictions we think are reasonable and proportionate about the perpetrator's timetable.

Any conviction (even with legal anonymity reporting restrictions) is potentially going to generate interest among other students in the school.

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We will ensure all children involved are protected, especially from any bullying or harassment (including online).

Where cases are classified as “no further action” (NFA’d) by the police or Crown Prosecution Service, or where there is a not guilty verdict, we will continue to offer support to the victim and the alleged perpetrator for as long as is necessary. A not guilty verdict or a decision not to progress with their case will likely be traumatic for the victim. The fact that an allegation cannot be substantiated does not necessarily mean that it was unfounded. We will continue to support all parties in this instance.

If a report is determined to be unsubstantiated, unfounded, false or malicious the designated safeguarding lead to consider whether the child and/or the person who has made the allegation needs help or may have been abused by someone else and this is a cry for help. In such circumstances a referral to children's services may be appropriate.

Support for Children Affected by Sexual-Assault

Support for victims of sexual assault is available from a variety of agencies. We will support the victim of sexual assault to remain in school but if they are unable to do so we will enable them to continue their education elsewhere. This decision will be made only at the request of the child and their family.

If they are moved, we will ensure the new school is aware of the ongoing support they may need. The DSL will support this move.

Where there is a criminal investigation, the alleged perpetrator will be removed from any shared classes with the victim, and we will also consider how best to keep them a reasonable distance apart on the school premises or on school transport. This is in the best interest of the children concerned and should not be perceived to be a judgement of guilt before any legal proceedings. We will work closely with the police.

Where a criminal investigation into a rape or assault by penetration leads to a conviction or caution, we may take suitable action, if we have not already done so. In all but the most exceptional of circumstances, the rape or assault is likely to constitute a serious breach of discipline and lead to the view that allowing the perpetrator to remain in the same school would seriously harm the education or welfare of the victim (and potentially other students).

Where a criminal investigation into sexual assault leads to a conviction or caution, we may, if we have not already done so, consider any suitable sanctions using our behaviour policy, including consideration of permanent exclusion.

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

Reports of sexual assault and sexual harassment will, in some cases, not lead to a report to the police (for a variety of reasons). In some cases, rape, assault by penetration, sexual assault or sexual harassment are reported to the police and the case is not progressed or are reported to the police and ultimately result in a not guilty verdict. None of this means the offence did not happen or that the victim lied. The process will have affected both victim and alleged perpetrator. Appropriate support will be provided to both as required and consideration given to sharing classes and potential contact as required on a case-by-case basis.

All the above will be considered with the needs and wishes of the victim at the heart of the process (supported by parents and carers as required). Any arrangements should be kept under review.

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Physical Abuse

While a clear focus of peer-on-peer abuse is around sexual abuse and harassment, physical assaults and initiation violence and rituals from students to students can also be abusive.

These are equally not tolerated and if it is believed that a crime has been committed, will be reported to the police.

The principles from the anti-bullying policy will be applied in these cases, with recognition that any police investigation will need to take priority.

When dealing with other alleged behaviour which involves reports of, for example, emotional and/or physical abuse, staff can draw on aspects of Hackett's continuum (Appendix 1) to assess where the alleged behaviour falls on a spectrum and to decide how to respond. This could include, for example, whether it:

- is socially acceptable
- involves a single incident or has occurred over a period of time
- is socially acceptable within the peer group
- is problematic and concerning
- involves any overt elements of victimisation or discrimination e.g. related to race, gender, sexual orientation, physical, emotional, or intellectual vulnerability
- involves an element of coercion or pre-planning
- involves a power imbalance between the child/children allegedly responsible for the behaviour
- involves a misuse of power

Online Behaviour

Many forms of peer-on-peer abuse have an element of online behaviour including behaviours such as cyberbullying and sexting (sending nudes).

Prevention

Thornden School actively seeks to raise awareness of and prevent all forms of peer-on-peer abuse by:

- Educating and training all Governors, Senior Leadership Team, staff and volunteers about the nature, prevalence, and effect of peer-on-peer abuse, and how to prevent, identify and respond to it. This includes
 - (a) Contextual Safeguarding;
 - (b) The identification and classification of specific behaviours; and
 - (c) The importance of taking seriously all forms of peer-on-peer abuse (no matter how low level they may appear) and ensuring that no form of peer-on-peer abuse is ever dismissed as banter or teasing.
- Educating students about the nature and prevalence of peer-on-peer abuse via PSHE and the wider curriculum.
- Reminding students frequently about what to do if they witness or experience such abuse, the effect that it can have on those who experience it and the possible reasons for it, including vulnerability of those who inflict such abuse.
- Regularly informing everyone about our approach to such issues, including its zero-tolerance policy towards all forms of peer-on-peer abuse.
- Engaging parents/carers on this issue by:
 - (a) Talking about it with them.
 - (b) Asking them what they perceive to be the risks facing their child and how they would like to see us address those risks.
 - (c) Involving them in the review of policies and lesson plans; and
 - (d) Encouraging them to hold the school to account on this issue.
- Ensuring that all peer-on-peer abuse issues are fed back to the school's DSL so that they can spot and address any concerning trends and identify students who maybe in need of additional support; relevant information will then be shared with staff via the Confidential Bulletin.
- Challenging the attitudes that underlie such abuse (both inside and outside the classroom).

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- Promoting positive values and encouraging a culture of tolerance and respect amongst all members of the school community.
- Creating conditions in which our students can aspire to and realise safe and healthy relationships.
- Creating a culture in which our students feel able to share their concerns openly, in a non-judgmental environment, and have them listened to; and
- Responding to cases of peer-on-peer abuse promptly and appropriately.

Multi-agency working

We actively engage with our local partners in relation to peer-on-peer abuse, and work closely with, Children's Services, and/or other relevant agencies, and other schools.

The relationships we have built with these partners are essential to ensuring that the school is able to prevent, identify early and appropriately handle cases of peer-on-peer abuse. They help the school:

- (a) To develop a good awareness and understanding of the different referral pathways that operate in its local area, as well as the preventative and support services which exist.
- (b) To ensure that our students can access the range of services and support they need quickly.
- (c) To support and help inform our local community's response to peer-on-peer abuse.
- (d) To increase our awareness and understanding of any concerning trends and emerging risks in our local area to enable us to take preventative action to minimise the risk of these being experienced by our students.

The school actively refers concerns/allegations of peer-on-peer abuse where necessary to Children's Services, and/or other relevant agencies.

In cases involving children who are subject to risk, harm, and abuse and who have LAC status, the children's social worker must be informed and a coordinated approach to address any incidents or concerns will be required.

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Appendix 1

Simon Hackett (2010) has proposed a continuum model to demonstrate the range of sexual behaviours presented by children and young people, from those that are normal, to those that are highly deviant:

[Harmful sexual behaviour framework: an evidence-informed operational framework for children and young people displaying harmful sexual behaviours \(icmec.org\)](https://www.icmec.org/)

Normal	Inappropriate	Problematic	Abusive	Violent
<ul style="list-style-type: none">• Developmentally expected• Socially acceptable• Consensual, mutual, reciprocal• Shared decision making	<ul style="list-style-type: none">• Single instances of inappropriate sexual behaviour• Socially acceptable behaviour within peer group• Context for behaviour may be inappropriate• Generally consensual and reciprocal	<ul style="list-style-type: none">• Problematic and concerning behaviours• Developmentally unusual and socially unexpected• No overt elements of victimisation• Consent issues may be unclear• May lack reciprocity or equal power• May include levels of compulsivity	<ul style="list-style-type: none">• Victimising intent or outcome• Includes misuse of power• Coercion and force to ensure victim compliance• Intrusive• Informed consent lacking, or not able to be freely given by victim• May include elements of expressive violence	<ul style="list-style-type: none">• Physically violent sexual abuse• Highly intrusive• Instrumental violence which is physiologically and/or sexually arousing to the perpetrator• Sadism

Appendix 2



REPORT

Peer-on-peer sexual abuse: risk and needs assessment and version record



Notes on using this template:

- (1) Use "Child A" and "Child B" to signify the children involved, rather than saying "victim" and "alleged perpetrator"; this avoids assigning guilt until a formal investigation has been conducted by the appropriate authorities.
- (2) Each question/consideration will be from the perspective of both students, in collaboration with them. The impact on, and needs of, the wider school community, will be considered and any concerns or actions recorded.
- (3) Changes will be tracked:
 - Create a new copy of the document;
 - Update the version number at the top of the risk assessment
 - Record what has changed in the update log (at the end of the document)
 - Save the most recent version of the risk assessment in the appropriate places (for example, the child's safeguarding file)

Peer-on-peer abuse is most likely to include, but may not be limited to:

- Bullying (including cyber-bullying)
- Sexual violence and sexual harassment
- Upskirting
- Physical abuse such as hitting, kicking, shaking, biting, hair pulling or otherwise causing physical harm
- Sexting (also known as youth produced sexual imagery)
- Initiation or hazing-type violence and rituals

Sexual behaviours continuum model

Normal	Inappropriate	Problematic	Abusive	Violent
<ul style="list-style-type: none"> • Developmentally expected • Socially acceptable • Consensual, mutual, reciprocal • Shared decision making 	<ul style="list-style-type: none"> • Single instances of inappropriate sexual behaviour • Socially acceptable behaviour within peer group • Context for behaviour may be inappropriate • Generally consensual and reciprocal 	<ul style="list-style-type: none"> • Problematic and concerning behaviour • Developmentally unusual and socially unexpected • No overt elements of victimisation • Consent issues may be unclear • May lack reciprocity or equal power • May include levels of compulsivity 	<ul style="list-style-type: none"> • Victimising intent or outcome • Includes misuse of power • Coercion and force to ensure compliance • Intrusive • Informed consent lacking or not able to be freely given • May include elements of expressive violence 	<ul style="list-style-type: none"> • Physically violent sexual abuse • Highly intrusive • Instrumental violence which is psychologically and/or sexually arousing to the child responsible for the behaviour • Sadism

Appendix 3

Some useful definitions:

Sexual Harassment

This can be defined as 'unwanted conduct of a sexual nature' that can occur online and offline. In the context of this guidance this means in the context of child-on-child sexual harassment. Sexual harassment is likely to: violate a child's dignity, and/or make them feel intimidated, degraded, or humiliated and/or create a hostile, offensive or sexualised environment.

It can include

- Sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance and calling someone sexualised names.
- Sexual "jokes" or taunting.

Sexting/sharing nudes

Sexting is when someone shares sexual, naked or semi-naked images or videos of themselves or others or sends sexually explicit messages. They can be sent using mobiles, tablets, smartphones, laptops - any device that allows you to share media and messages. This is also known as youth produced sexual imagery

Upskirting

This 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 and may constitute sexual harassment. Cases of 'up skirting' have a mandatory requirement for being reported.

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Sexual Violence

In this guidance this refers to sexual violence in the context of child-on-child sexual violence. Children can and do abuse other children. Sexual violence covers a spectrum of behaviour. It can refer to sexual offences under the Sexual Offences Act 2013. This includes: -

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

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

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

Consent

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

It is important to know that: -

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

It is also important to differentiate between consensual sexual activity between children of a similar age and that which involves any power imbalance, coercion or exploitation. Due to their additional training, the designated safeguarding lead (or deputy) should be involved and leading the school or college response. If in any doubt, they should seek expert advice.

It is important that schools and colleges consider sexual harassment in broad terms. Sexual harassment (as set out above) creates an atmosphere that, if not challenged, can normalise inappropriate behaviours and provide an environment that may lead to sexual violence.

Harmful Sexual Behaviour (HSB)

Children's sexual behaviour exists on a wide continuum, from normal and developmentally expected to inappropriate, problematic, abusive and violent. Problematic, abusive and violent sexual behaviour is developmentally inappropriate and may cause developmental damage. A useful umbrella term is "harmful sexual behaviour". The term has been widely adopted in child protection and is used in this advice. Harmful sexual behaviour can occur online and/or offline and can also occur simultaneously between the two. Harmful sexual behaviour should be considered in a child protection context.

Hazing/Initiation

The practice of rituals, challenges, and other activities involving harassment, abuse or humiliation used as a way of initiating a person into a group.

Contextual Safeguarding

All staff, but especially the designated safeguarding lead (or deputy) should be considering the context within which incidents and/or behaviours occur. This is known as contextual safeguarding, which simply means assessments of children should consider whether wider environmental factors are present in a child's life that are a threat to their safety and/or welfare.

Additional considerations for schools

When considering harmful sexual behaviour, ages, and the stages of development of the children are critical factors to consider. Sexual behaviour between children can be considered harmful if one of the children is

much older, particularly if there is more than two years' difference or if one of the children is pre-pubescent and the other is not. However, a younger child can abuse an older child, particularly if they have power over them, for example, if the older child is disabled or smaller in stature. Schools and colleges should ensure that their response to sexual violence and sexual harassment between children of the same sex is equally robust as it is for sexual violence and sexual harassment between children of the opposite sex.

Appendix 4

Child-on-child sexual abuse: what to do if a child makes a disclosure

Make sure you understand our child protection policy and procedures for dealing with peer-on-peer abuse, and follow these.

DO:

- ✓ Listen and reassure the child that they will be supported and kept safe
- ✓ Make a written record as soon as possible, stating only the facts
- ✓ Tell our designated safeguarding lead (DSL) urgently -
- ✓ Where appropriate, take action yourself:
 - If the child is in immediate danger or at risk of harm, make a referral to children's social care
 - If an offence has been committed, report it to the police (even if the alleged perpetrator is under 10 - the age of criminal responsibility)
 - Find out whether the victim and alleged perpetrator share classes, premises or transport, and consider how best to deal with this

DO NOT:

- ✗ Dismiss the incident as 'banter', 'part of growing up' or 'having a laugh'
- ✗ Ask leading questions
- ✗ Promise total confidentiality - explain who you will need to tell and why
- ✗ View photos or videos of a sexual nature
If you do so by accident or think you might need to in order to deal with the issue effectively, talk to our DSL
- ✗ Take notes while the child is talking, if at all possible
- ✗ Tell anyone about the disclosure unless they need to know in order to progress it

Key definitions

Child-on-child sexual abuse: when a child (anyone under the age of 18) commits an act of sexual violence or harassment against another child

Sexual violence: rape, assault by penetration, or sexual assault (intentional sexual touching)

Sexual harassment: unwanted conduct of a sexual nature - such as sexual comments, sexual jokes or taunting, physical behaviour like interfering with clothes, or online harassment such as sexting

Sexual activity is an offence if:

- Person B (the victim) does not consent
- Person A (the perpetrator) does not reasonably believe that Person B consents

Someone consents if they:

- Agree by choice
- Have the freedom and capacity to choose

Appendix 3: safer recruitment and DBS checks – policy and procedures

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.

Appointing new staff

When appointing new staff, we will:

- Verify their identity (best practice is checking the name on their birth certificate)
- 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
- Carry out further additional checks, as appropriate, on candidates who have lived or worked outside of the UK. See www.gov.uk for up to date information
- 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
- 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.

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

Existing staff

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

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

- Where the 'harm test' is satisfied in respect of the individual (i.e. that no action or inaction occurred but the present risk that it could was significant)
- Where the individual has received a caution or conviction for a relevant offence

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- 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](#)
- If the individual has been removed from working in regulated activity (paid or unpaid) or would have been removed if they had not left

Agency and third-party staff

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

Contractors

We will ensure that any contractor, or any employee of the contractor, who is to work at the school has had the appropriate level of DBS check. This will be:

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

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

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

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

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

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.

Volunteers

We will:

- Never leave an unchecked volunteer unsupervised or allow them to work in regulated activity
- Obtain an enhanced DBS check with barred list information for all volunteers who are new to working in regulated activity
- Obtain an enhanced DBS check without barred list information for all volunteers who are not in regulated activity, but who have an opportunity to come into contact with children on a regular basis, for example, supervised volunteers
- Carry out a risk assessment when deciding whether to seek an enhanced DBS check for any volunteers not engaging in regulated activity

The Academy Committee

- All the Academy Committee members will have an enhanced DBS check without barred list information and section 128 check. They will have an enhanced DBS check with barred list information if working in regulated activity. The Chair of the Academy Committee will have their DBS check countersigned by the secretary of state.

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All trustees, proprietors and The Academy Committee will also have the following checks:

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

Adults who supervise students on work experience

When organising work experience, we will ensure that policies and procedures are in place to protect children from harm.

We will also consider whether it is necessary for barred list checks to be carried out on the individuals who supervise a student under 16 on work experience. This will depend on the specific circumstances of the work experience, including the nature of the supervision, the frequency of the activity being supervised, and whether the work is regulated activity.

Students staying with host families

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

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

Appendix 4: safeguarding concern or allegation made about another staff member

There are two levels of allegation/concern:

1. Allegations that meet the harms threshold
2. Allegation/concerns that do not meet the harms threshold - referred to for the purposes of this policy as 'low-level concerns'

Procedure for dealing with allegations that meet the harms threshold:

This procedure applies to all cases in which it is alleged that a current member of staff, volunteer or another adult who works with children has:

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

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

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

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

Suspension

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

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

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

Definitions for outcomes of allegation investigations

- **Substantiated:** there is sufficient evidence to prove the allegation
- **Malicious:** there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive
- **False:** there is sufficient evidence to disprove the allegation
- **Unsubstantiated:** there is insufficient evidence to either prove or disprove the allegation (this does not imply guilt or innocence)

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- **Unfounded:** to reflect cases where there is no evidence or proper basis which supports the allegations being made

In the event of an allegation that meets the criteria above, the Head of School (or chair of The Academy Committee where the Head of School is the subject of the allegation) – the ‘case manager’ – will take the following steps:

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

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If the school is made aware that the secretary of state has made an interim prohibition order in respect of an individual, we will immediately suspend that individual from teaching, pending the findings of the investigation by the National College for Teaching and Leadership.

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

Timescales

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

Specific actions:

Action following a criminal investigation or prosecution

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

Conclusion of a case where the allegation is substantiated

If the allegation is substantiated and the individual is dismissed or the school ceases to use their services, or the individual resigns or otherwise ceases to provide their services, the case manager and the school's personnel adviser (EPS Hampshire) will discuss with the designated officer when to make a referral to the DBS for consideration of whether inclusion on the barred lists is required (this is a legal duty and failure to refer when the criteria are met is a criminal offence).

If the individual concerned is a member of teaching staff, the case manager and personnel adviser will discuss with the LADO whether to refer the matter prohibiting the individual from teaching to the Secretary of State (via the Teaching Regulation Agency).

Individuals returning to work after suspension

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

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

Unsubstantiated or malicious allegations

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

Confidentiality

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

The case manager will take advice from the local authority's designated officer, police and children's social care services, as appropriate, to agree:

- Who needs to know about the allegation and what information can be shared
- How to manage speculation, leaks, and gossip, including how to make parents or carers of a child/children involved aware of their obligations with respect to confidentiality

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- What, if any, information can be reasonably given to the wider community to reduce speculation
- How to manage press interest if, and when, it arises

Record-keeping

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

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

If an allegation or concern is not found to have been malicious, the school will retain the records of the case on the individual's confidential personnel file and provide a copy to the individual. We will retain these records at least until the individual has reached normal pension age, or for 10 years from the date of the allegation if that is longer.

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

References

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

Learning lessons

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

This will include consideration of (as applicable):

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

Allegation/concerns that do not meet the harms threshold - referred to for the purposes of this policy as 'low-level concerns'

The term 'low-level' concern does not mean that it is insignificant, it means that the behaviour towards a child does not meet the threshold set out above. A low-level concern is any concern – no matter how small, and even if no more than causing a sense of unease or a 'nagging doubt' - that an adult working in or on behalf of the school or college may have acted in a way that:

- is inconsistent with the HISP staff code of conduct, including inappropriate conduct outside of work; and
- does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the LADO.

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

- being over friendly with children;
- having favourites;
- taking photographs of children on their mobile phone;

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

Low-level concerns should be reported to the Head of School and recorded by the DSL and an appropriate response taken, collecting as much evidence as possible directly from the person who raised the concern (unless it has been raised anonymously) and to the individual involved and any witnesses.

Appendix 5: specific safeguarding issues

Children missing from education

[Stat guidance template \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

<http://documents.hants.gov.uk/childrens-services/HIAS/childrenatriskofmissingeducation.pdf>

A child going missing from education is a potential indicator of abuse or neglect, and such children are at risk of being victims of harm, exploitation or radicalisation.

A child becomes defined as at risk of missing in education when the child has missed 40 consecutive sessions (20 days) but is still on roll at a school, the school has been unable to contact the family; and the reason for absence has not been established by the school.

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
- 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 ensuring that we have at least two emergency contacts, informing the local authority if a child leaves the school without a new school being named, and adhering to requirements with respect to sharing information with the local authority, when applicable, when removing a child's name from the admission register at non-standard transition points.

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

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

Child Sexual Exploitation (CSE) and Child Criminal Exploitation (CCE)

Both CSE and CCE are forms of abuse that occur where an individual or group takes advantage of an imbalance in power to coerce, manipulate or deceive a child into taking part in sexual or criminal activity, in exchange for something the victim needs or wants, and/or for the financial advantage or increase status of the perpetrator or facilitator and/or through violence or the threat of violence. CSE and CCE can affect children both male and female and can include children who have been moved (commonly referred to as trafficking) for the purposes of exploitation.

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

CSE is a form of child sexual abuse sexual abuse may involve physical contact including assault by penetration (for example rape or oral sex) or nonpenetrative acts such as masturbation, kissing, rubbing, and touching outside clothing. It may include non-contact activities, such as involving

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children 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.

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

Honour – Based Abuse:

a) FGM

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

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

Indicators that FGM has already occurred include:

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

Potential signs that a student may be 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"

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- Talking about a long holiday to her country of origin or another country where the practice is prevalent, or parents/carers 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.

b) Forced marriage

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

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

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

The DSL will:

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

Preventing radicalisation

Radicalisation refers to the process by which a person comes to support terrorism and forms of extremism. Extremism is vocal or active opposition to fundamental British values, such as democracy, the rule of law, individual liberty, and mutual respect and tolerance of different faiths and beliefs.

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

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

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

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

Staff will be alert to changes in students' behaviour.

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The government website [Educate Against Hate](#) and charity [NSPCC](#) say that signs that a student is being radicalised can include:

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

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

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

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

Serious violence

All staff should be aware of the indicators, which may signal children are at risk from or involved with serious violent crime. All staff should also be aware of the range of risk factors which increase the likelihood of involvement in serious violence.

Checking the identity and suitability of visitors

Prior to their visit, staff will complete a “visitor form” and submit this to reception.

For visitors who are there in a professional capacity we will check ID and be assured that the visitor has had the appropriate DBS check (or the visitor’s employers have confirmed that their staff have appropriate checks); self-employed professionals should show their DBS as they have no employer to confirm that this has been done

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

Visitors are expected to sign in at INVENTORY and wear a visitor’s badge.

All visitors to our setting, including visiting speakers, will always be accompanied by a member of staff. We will not invite into the school any speaker who is known to disseminate extremist views and

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will carry out appropriate checks to ensure that any individual or organisation using school facilities is not seeking to disseminate extremist views or radicalise students or staff.

Non-collection of children

If a child who is normally collected from school identifies that they have not been collected, school staff will ensure communication is made with parents/carers to keep the child safe. If outside services need to be contacted this would be undertaken and recorded appropriately.

Missing students

Our procedures are designed to ensure that a missing child is found and returned to effective supervision as soon as possible. If a child goes missing, we will contact parents/carers as soon as we have checked the school site, liaise with police and outside agencies depending on the outcome of discussion with parents/carers and what is known about the child.