

# Child Protection Policy & Procedures



**Garfield** Primary

Today's children, tomorrow's future.

**Updated: September 2020 by Marion Samuel**

**Raised at: Teaching & Learning Committee:  
Ratified by Governing Body:**

**Signed:**

A handwritten signature in black ink, appearing to read 'Marion Samuel', written over a horizontal line.

**Chair of Governors**

**Next review: Autumn 2021**



## Child Protection Policy and Procedures

This Policy should be read in conjunction with the following documents

- Keeping Children Safe in Education (September 2020)
- Covid-19 school closure arrangements for Safeguarding and Child Protection at Garfield (April 2020)
- Working Together to Safeguard Children (2018)
- Garfield Primary School Behavior Policy (2019/20)
- Garfield Primary School E-Safety Policy (Check Date)
- Code of Conduct (Enfield LA 2019)
- Role of Designated Lead Job Description (2018)
- Children Missing in Education (Dfe 2016)
- Health & Safety policy
- What to do if you are worried about a child being abused (2015)
- Whistleblowing Policy
- Confidentiality Policy

### Introduction

The governors and staff of Garfield PS are committed to the highest standards in protecting and safeguarding the children entrusted to our care. We recognise that all staff, including volunteers, have a full and active part to play in protecting our pupils from harm.

All staff and Governors believe that our school should provide a caring, positive safe and stimulating environment which promotes the social, physical and moral development of the individual child.

### Section1: The Aims of the Policy

- To emphasize the key importance of /raise the awareness of teaching and non-teaching staff of the need to safeguard children and of their responsibilities in identifying and reporting possible cases of abuse
- To ensure staff understand the importance of their role in the safeguarding process and the need for immediate reporting of any concerns
- To support the child's development in ways that will foster security, confidence and independence.
- To encouraging positive self-esteem and self-assertiveness and create an atmosphere where all our children can feel secure, valued and listened to
- To ensure staff are aware of and able to effectively tackle bullying and harassment
- To inform staff about the groups of children that may be particularly vulnerable to abuse.
- To inform staff about different forms of abuse so that they are aware of the indicators of possible abuse
- To inform staff and parents of a variety of different extra familial harms that children can be exposed to including sexual exploitation, criminal exploitation and serious youth violence.
- To inform staff, parents and children of potentially harmful and inappropriate online material
- To inform staff of the behaviors linked to issues such as drug taking, missing in education, sexting which can put children in danger-

### Section 2: Procedures

Our school procedures for safeguarding children will be in line with The Education Children Service and Leisure (ECSL) and the Local Safeguarding Partnership (LSP) procedures. The LSP have adopted and follow the London Child Protection Procedures (LCPP). **The school has also updated the policy in line with Working Together to Safeguard Children 2018 & Keeping Children Safe in Education September 2020**

**Child Protection Policy & Procedures 2020**



## We will ensure that

- All adults within our school who have access to children have been checked as to their suitability. Safe recruitment practices are in place for individuals whom the school will permit to work regularly with children including policies on when to obtain a relevant Disclosure and Barring Scheme (DBS) check. The school follows the Enfield Local Authority Safer Recruitment Policy and Procedures.
- All new members of staff will have our Child Protection Procedures discussed with them as part of their induction into the school. A copy of the procedure is available on the staff shared drive on the computer for all staff. All supply staff and volunteers are provided with the photos of the Designated Safeguarding Lead and deputies.
- The Designated Safeguarding Lead who is Marion Samuel (Assistant Headteacher for Inclusion) and the other three designated members of staff (deputies) (Headteacher, Deputy Headteacher and the other Assistant Headteacher/s) undertake regular bi-annual training and receive regular updates throughout the year.
- The deputies act in her role if she is not available or is absent. Whilst the activities of the designated safeguarding lead can be delegated to appropriately trained deputies, the ultimate lead responsibility for safeguarding and child protection, remains with the designated safeguarding lead.
- The School works with social care, the police, health services and other services to promote the welfare of children and protect them from harm. This includes providing a coordinated offer of early help when additional needs of children are identified and contributing to inter-agency plans to provide additional support to children subject to child protection plans.
- All members of staff develop their understanding of the signs and indicators of abuse through annual training and updates.
- All members of staff are trained in how to respond to a pupil who discloses abuse and what to do.
- All parents/carers are made aware of the responsibilities of staff members with regard to child protection procedures.
- All staff are informed of the school's policy on peer on peer abuse
- All teachers are made aware of their duty to report suspected cases of FGM the teacher **must** report this to the police.
- **All** staff are made aware of their local early help process and understand their role in it.
- All staff are made aware of the process for making referrals to children's social care.
- Staff maintain an attitude of '**it could happen here**' where safeguarding is concerned.
- All relevant staff and in particular the Designated Safeguarding Lead are aware of contextual safeguarding considering the whole context of a particular child both in and outside school.



- We ensure that appropriate staff have the information they need in relation to a child's looked after legal status (whether they are looked after under voluntary arrangements with consent of parents or on an interim or full care order) and contact arrangements with birth parents or those with parental responsibility. We will also have information about the child's care arrangements and the levels of authority delegated to the carer by the authority looking after him/her. The designated safeguarding lead will have details of the child's social worker and the name
- All children are taught about safeguarding, including online, through teaching and learning opportunities, as part of providing a broad and balanced curriculum. This will include covering relevant issues through personal, social, health and economic education for maintained schools and colleges, through sex and relationship education
- We provide a systematic means of monitoring children known or thought to be at risk of harm.
- We emphasis the need for good levels of communication between all members of staff.

Our procedures will be regularly reviewed and up-dated at least annually.

## Section3: Responsibilities

### The Governors will

- Ensure that the school has a Child Protection Policy which is reviewed annually
- Ensure a member of the Leadership Team is in the role of Designated Safeguarding Lead (DSL) and that the DSL takes **lead responsibility** for safeguarding and child protection (including online safety in liaison with the Computing Lead) and is given time, funding, training, resources and support to provide advice and support to other staff on child welfare and child protection matters, and to take part in strategy discussions and inter-agency meetings and to contribute to the assessment of children
- Ensure that the single central record is kept up to date
- Ensure the school has a Code of Conduct which includes acceptable use of technologies, staff/pupil relationships and communications including the use of social media and that appropriate filters and appropriate monitoring systems are in place.
- Ensure that a Whistleblowing Procedures is in place,
- Ensure that the school operates safe recruitment procedures and makes appropriate staff and volunteer checks as part of that, have recruitment procedures that help deter, reject or identify people who might abuse children. This is in line with LA Safer Recruitment Policy. See also regulated activity information in Appendix 2



- Ensure that at least one member of an appointing panel has attended safer recruitment training
- Ensure that procedures for dealing with allegations against staff and volunteers are in place and that all comply in accordance with Education Children Service and Leisure (ECSL) and the Local Safeguarding Partnership (LSP) procedures. The LSP have adopted and follow the London Child Protection Procedures (LCPP).
- Ensure there is a system in place for children to express their views and give feedback. Ultimately, all systems and processes should operate with the **best** interests of the child at their heart.
- Ensure that there are appropriate safeguarding procedures are in place for children who go missing from education, particularly on repeat occasions, to help identify the risk of abuse and neglect including sexual abuse or exploitation and to help prevent the risks of their going missing in future.
- Ensure that the school contributes to inter-agency working in line with statutory guidance Working together to safeguard children.
- Ensure children are taught about safeguarding, including online, through teaching and learning opportunities, as part of providing a broad and balanced curriculum.
- Ensure there are procedures in place to handle allegations against teachers, headteachers, principals, volunteers and other staff. Such allegations should be referred to the designated officer(s) at the local authority by the appropriate person as set out in Part four of this guidance.
- Ensure there is a procedures in place to make a referral to the Disclosure and Barring Service (DBS) if a person in regulated activity has been dismissed or removed due to safeguarding concerns, or would have been had they not resigned.<sup>18</sup>
- Ensure the school has procedures to minimise the risk of peer on peer abuse and which sets out how allegations of peer on peer abuse will be investigated and dealt with. The policy should reflect the different forms peer on peer abuse can take, make clear that abuse is abuse and should never be tolerated or passed off as “banter” or “part of growing up”. It should be clear as to how victims of peer on peer abuse will be supported and recognise the gendered nature of peer on peer abuse.
- Ensures systems are in place for children to express their views and give feedback. Ultimately, all systems and processes should operate with the **best** interests of the child at their heart.
- Ensure that staff have the skills, knowledge and understanding necessary to keep looked after children (LAC) safe.
- Ensure that the child protection policy reflects the fact that additional barriers can exist when recognising abuse and neglect in SEND group of children. These can include:
  - assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child’s disability without further exploration;
  - the potential for children with SEN and disabilities being disproportionately impacted by behaviours such as bullying, without outwardly showing any signs; and



- communication barriers and difficulties in overcoming these barriers
- Ensure relevant staff have due regard to the relevant data protection principles, which allow them to share (and withhold) personal information, as provided for in the Data Protection Act 2018 and the GDPR. This includes:
  - being confident of the processing conditions which allow them to store and share information for safeguarding purposes, including information which is sensitive and personal, and should be treated as 'special category personal data'.
  - understanding that 'safeguarding of children and individuals at risk' is a processing condition that allows practitioners to share special category personal data. This includes allowing practitioners to share information without consent where there is good reason to do so, and that the sharing of information will enhance the safeguarding of a child in a timely manner but it is not possible to gain consent. It cannot be reasonably expected that a practitioner gains consent, or if to gain consent would place a child at risk.
  - for schools, not providing pupils' personal data where the serious harm test under the legislation is met. For example, in a situation where a child is in a refuge or another form of emergency accommodation, and the serious harms test is met, they must withhold providing the data in compliance with schools' obligations under the Data Protection Act 2018 and the GDPR. Where in doubt, schools should seek independent legal advice.
- Recognise that it does not have a role in dealing with individual cases or a right to know details of cases (except when exercising their disciplinary functions in respect of allegations against staff)
- Make sure that the Child Protection Policy is available to parents on request
- Ensure this policy and practice complements other policies to ensure safeguarding.

### **The Headteacher will ensure that:**

- The policies and procedures adopted by the Governing Body are followed by all staff
- This policy is updated annually, and is available publicly via the school website and as a hard copy
- Sufficient resources and time are allocated to enable the designated persons and other staff to discharge their responsibilities including taking part in strategy discussions and other inter-agency meetings, and to contribute to the assessment of children and young people
- All staff and volunteers feel able to raise their concerns about poor and unsafe practice in regard of children, and such concerns are addressed in a timely manner in accordance with agreed policies.
- She undergoes child protection training which is updated regularly, in line with advice from the LSP – Local Safeguarding Partnership
- There is time allocated for at least annual training of staff



- The governors are trained in the latest Child Protection Policy and Procedures and Keeping Children Safe in Education

## **The Designated Safeguarding Lead will**

### ○ **Manage referrals**

The DSL will

- refer cases of suspected abuse to the local authority children's social care as required
- support staff who make referrals to local authority children's social care
- refer cases to the Channel programme where there is a radicalisation concern as required;
- support staff who make referrals to the Channel programme
- liaise with the headteacher to inform her of issues especially ongoing enquiries under section 47 of the Children Act 1989 and police investigations;
- adhere to the ECSL, LSP and school procedures with regard to referring a child if there are concerns about possible abuse.
- refer cases where a person is dismissed or left due to risk/harm to a child to the Disclosure and Barring Service as required; and
- refer cases where a crime may have been committed to the Police as required.

### ○ **Monitor Key Children who are absent** (in liaison with Attendance Officer)

- If there are concerns about attendance and a pupil's wellbeing and safety, the Education Welfare Officer is contacted
- The key worker of any child that is on the child protection register who is absent without explanation, is contacted on the first day of absence
- Phone calls about absences are logged and dated
- Records of attendance are monitored by our Attendance Officer and appropriate action is taken as required
- Ensuring that any pupil currently on a child protection plan who is absent without explanation for two days is referred to Social Care.

### ○ **Work with others**

- Act as a point of contact with the all safeguarding partners including Police, Social Care and Health.
- The designated safeguarding lead and any deputies should liaise with the three safeguarding partners and work with other agencies in line with Working Together to Safeguard Children. NPCC (National Police Chiefs Council) - When to call the police should help designated safeguarding leads understand when they should consider calling the police and what to expect when they do.



- Liaise with the Headteacher or principal to inform him or her of issues- especially ongoing enquiries under section 47 of the Children Act 1989 and police investigations as required ;
- Liaise with the “case manager” and the designated officer(s) at the local authority for child protection concerns in cases which concern a staff member;
- Liaise with staff (especially pastoral support staff, school nurses, IT Technicians, and SENCOs or the named person with oversight for SEN in a college) on matters of safety and safeguarding (including online and digital safety) and when deciding whether to make a referral by liaising with relevant agencies; and
- Act as a source of support, advice and expertise for all staff.

## ○ **Maintain Accurate Records**

- Keep detailed, accurate, secure written records of concerns and referrals; even if there is no need to make an immediate referral.
- Maintain an individual record in Children’s CP files (Green files) and keep notes, records of phone calls, meetings and conferences
- Keep an ongoing overview record of every referral made to her from school staff and external agencies and a record of the outcome.
- Keep all records confidentially and securely. separate from other pupil records, in a locked filing cabinet in senior staff office
- Where they are stored electronically, have different password protected from the pupils’ other files, and accessible only by the headteacher/designated leads
- Ensure all records are dated and signed

**The designated teacher should not collect statements from the child unless advised to by a social worker** but record or ask the person who initially listened to the child to record what the child said, using the language the child used.

## ○ **Attend Training**

To provide the DSL with the knowledge and skills required to carry out the role.

- She will attend the specific Designated Safeguarding Lead Training every two years.
- The DSL will undertake Prevent awareness training.
- In addition her knowledge and skills will be refreshed (this might be via e-bulletins, meeting other designated safeguarding leads, or simply taking time to read and digest safeguarding developments) at regular intervals, as required, and at least annually, to allow her to understand and keep up with any developments relevant to her role so she:

The DSL will undertake training to ensure that she

- understands the assessment process for providing early help and statutory intervention, including local criteria for action and local authority children’s social care referral arrangements
- has a working knowledge of how local authorities conduct a child protection case conference and a child protection review conference and be able to attend and contribute to these effectively when required to do so



- ensures each member of staff has access to, and understands, the school's or college's child protection policy and procedures, especially new and part time staff;
- is alert to the specific needs of children in need, those with special educational needs and young carers;
- is mindful of contextual safeguarding and that safeguarding incidents and behaviours can be associated with factors outside the school and can occur between children outside the school.
- understands relevant data protection legislation and regulations, especially the Data Protection Act 2018 and the General Data Protection Regulation.
- understands the importance of information sharing, both within the school and college, and with the three safeguarding partners, other agencies, organisations and practitioners.
- understands and supports the school with regards to the requirements of the Prevent duty and is able to provide advice and support to staff on protecting children from the risk of radicalisation;
- understands the unique risks associated with online safety and has the relevant knowledge and up to date capability required to keep children safe whilst they are online at school or college;
- can recognise the additional risks that children with SEN and disabilities (SEND) face online, for example, from online bullying, grooming and radicalisation and is confident she has the capability to support SEND children to stay safe online;
- can obtain access to resources and attend any relevant or refresher
- encourages a culture of listening to children and taking account of their wishes and feelings, among all staff, in any measures the school or college may put in place to protect them.

## ○ **Raise Awareness**

The designated safeguarding lead will:

- ensure the school's child protection policies are known, understood and used appropriately;
- ensure the school's child protection policy is reviewed annually (as a minimum) and the procedures and implementation are updated and reviewed regularly, and work with the governing body regarding this;
- ensure the child protection policy is available publicly and parents are aware of the fact that referrals about suspected abuse or neglect may be made and the role of the school in this; and
- links with the safeguarding partner arrangements to make sure staff are aware of any training opportunities and the latest local policies on local safeguarding arrangements.

## ○ **Ensure transfer of Child protection files**

- Where children leave the school the designated safeguarding lead will ensure their child protection file is transferred to the new school as soon as possible. It will be transferred separately from the main pupil file, ensuring secure transit, and confirmation of receipt should be obtained.
- Ask receiving schools to ensure key staff such as designated safeguarding leads and SENCOs, are aware as required.
- In addition to the child protection file, the designated safeguarding lead will also consider if it would be appropriate to share any information with the new school in advance of a child



leaving. For example, information that would allow the new school to continue supporting victims of abuse and have that support in place for when the child arrives.

### ○ **Be Available**

During term time the designated safeguarding lead (or a deputy) will always be available (during school hours 8:00am-5:45pm) for staff in the school to discuss any safeguarding concerns

## **Staff and Volunteers**

All staff and volunteers, including supply teachers, visiting professionals working with children in the school, those who support Sex and Relationships Education and those supporting school visits, are required to have enhanced DBS verification and are informed of the name of the designated safeguarding lead and the school's procedures for protecting children.

- The school policy and procedures are shared during their first induction to the school or supply teachers' booklet.
- All staff are made aware that to safeguard children, they have a duty to share information with the designated leads, and through the designated lead, with other agencies
- They are alert to signs and symptoms of harm and abuse and know how to respond when they have concerns or when a pupil discloses to them and to act confidentially.
- They are trained in what safeguarding concern may be and how to report and record concerns.
- They are trained to consider the context in which incidents or behaviours occur. This is known as contextual safeguarding so that assessments of children should consider wider environmental factors that are present in a child's life that are a threat to their safety and /or welfare.
- They are told to report any concerns or suspicions, **immediately** to the designated lead or deputies. If in doubt they should talk with the designated teacher.
- They are trained in what to do if they have safeguarding concerns, or an allegation is made about another member of staff (including supply staff and volunteers), posing a risk of harm to children.
- **The staff are trained in the following procedures -Listening to Children**
  - It is vital that our actions do not abuse the child further or prejudice further enquiries. Staff should listen to the pupil. If you are shocked by what is being said, try not to show it. It is acceptable to observe bruises but not to ask a child to remove their clothing to observe them
  - if a disclosure is made, the pace should be dictated by the pupil without him/her being pressed for detail by the teacher asking leading questions such as "what did s/he do next?" or "where did s/he touch you?" **It is our role to listen not to investigate.** Use open questions such as "is there anything else you want to tell me? etc. Accept what the pupil says. Be careful not to burden them with guilt by asking "why didn't you tell me before?" acknowledge how hard it was for them to tell you this. Do not criticise the perpetrator, the pupil might have a relationship with him/her.



- **Do not promise confidentiality.** Reassure the pupil that he/she has done the right thing, explain whom you will have to tell (the designated lead) and why and, depending on his/her age, what the next stage will be. It is important that you don't make promises that you cannot keep such as "I'll stay with you all the time" or "it will be all right now."
- Any staff who have concerns, or have a disclosure made to them, should make some brief notes at the time or immediately afterwards; record the date, time, place and context of disclosure or concern, recording facts and not assumption and interpretation. If it is observation of bruising or an injury they should record detail, e.g. "right arm above elbow. Note the non-verbal behaviour and the key words in the language used by the pupil (try not to translate into "proper terms"). Do not take photographs or video.
- It is important that these original notes are passed on to the designated lead immediately who will ask for a written referral. A written referral is needed within 2 hours

### **Confidentiality**

We recognise that all matters relating to Child Protection are confidential.

- The Headteacher or Designated Teacher will disclose any information about a pupil to other members of staff on a need to know basis only.
- All staff must be aware that they have a professional responsibility to share information with other agencies in order to safeguard children.
- All staff must be aware that they cannot promise a child to keep secrets.
- (See also Confidentiality Policy)

### **Supporting Staff**

- We recognise that staff working in the school who have become involved with a child who has suffered harm, or appears to be likely to suffer harm may find the situation stressful and upsetting.
- We will support such staff by providing an opportunity to talk through their anxieties with the designated teacher and to seek further support as appropriate

## **Section 4: Supporting Children**

- We recognise that a child who is abused or witnesses abuse may find it difficult to develop and maintain a sense of self-worth. We recognise that a child in these circumstances may feel helpless and humiliated. We recognise that a child may feel self-blame.
- We recognise that the school may provide the only stability in the lives of children who have been abused or who are at risk of harm.
- We accept that research shows that the behaviour of a child in these circumstances may range from that which is perceived to be normal to aggressive or withdrawn.

### **Our school will support all pupils by:**

- Encouraging self-esteem and self-assertiveness whilst not condoning aggression or bullying
- Promoting a caring, safe and positive environment within the school.
- Providing children with a drop in service at Place2Talk (provided by Place2Be). P2B also provide one to one and group sessions for those children who are most in need. Where appropriate children can also be referred to a Learning Mentors.
- Liaising and working together with all other support services and those agencies involved in the safeguarding of children



- Considering whether wider environmental factors are present that are a threat to their welfare and safety and will pass this information on to social care (Contextual Safeguarding)
- Notifying Social Care as soon as there is a significant concern.
- Providing continuing support to a pupil about whom there have been concerns who leaves the school by ensuring that appropriate information is forwarded under confidential cover to the pupil's new school.

### **Children requiring Mental Health Support**

We understand that we have an important role to play in supporting the mental health and wellbeing of our pupils.

**WE understand 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. We have clear systems and processes in place for identifying possible mental health problems, including routes to escalate and clear referral and accountability systems.

**We** can access a range of advice to help us identify children in need of extra mental health support, this includes working with external agencies. More information can be found in the mental health and behaviour in schools guidance.

We understand that Department for Health is providing funding to support costs of a significant training programme for senior mental health leads and the national rollout of the Link Programme. Training for senior mental health leads, will be available to all state-funded schools and colleges by 2025, to help introduce or develop their whole school or college approach to mental health.

## **Section 5: Allegations against staff**

- We understand that a pupil may make an allegation against a member of staff.
- If such an allegation is made, the member of staff receiving the allegation will immediately inform the headteacher.
- The headteacher on all such occasions will discuss the content of the allegation with the LEA Lead Officer for Child Protection. ( LADO)
- If the allegation made to a member of staff concerns the headteacher, the designated teacher will immediately inform the Chair of Governors who will consult with the LEA's Lead Office for Child Protection.
- The school will follow the LEA procedures for managing allegations against staff, a copy of which will be readily available in the school.



### **Supply teachers (Additional 2020)**

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

Whilst schools and colleges are not the employer of supply teachers, they should ensure allegations are dealt with properly. In no circumstances should a school or college decide to cease to use a supply teacher due to safeguarding concerns, without finding out the facts and liaising with the local authority designated officer (LADO) to determine a suitable outcome. Governing bodies and proprietors should discuss with the agency whether it is appropriate to suspend the supply teacher, or redeploy them to another part of the school, whilst they carry out their investigation.

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

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

## **Section 6: Whistleblowing**

- We recognise that children cannot be expected to raise concerns in an environment where staff fail to do so.
- All staff should be aware of their duty to raise concerns, where they exist, about the attitude or actions of colleagues.
- Staff and Volunteers are made aware of the school Whistleblowing Policy
- Staff and volunteers are informed of the NSPCC Whistleblowing Helpline at training and the number is available on a poster for staff in the staffroom and office

## **Section 7: Physical Intervention**

- We follow the LEA's policy on physical intervention by staff. It acknowledges that staff must only ever use physical intervention as a last resort, and that at all times it must be the minimal force necessary to prevent injury to the child or another person.
- We understand that physical intervention of a nature which causes injury or distress to a child may be considered under child protection or disciplinary procedures.



## **Section 8: Bullying**

Our policy on bullying is set out in a separate policy and acknowledges that to allow or condone bullying may lead to consideration under child protection procedures.

## **Section 9: Racist Incidents**

Our policy on racist incidents is set out in a separate policy and acknowledges that repeated racist incidents or a single serious incident may lead to consideration under child protection procedures.

## **Section 10: Working with Parents/Carers**

- Parents/carers play the central role in protecting their children from harm. The school is required to consider the safety of the pupil and should a concern arise professional advice will be sought prior to contacting parents. Parents will be contacted, and the school will continue to work with the parents to support the needs of their child
- The school aims to help parents understand that the school, like all others, has a responsibility for the welfare of all children and has a duty to refer cases to Social Care in the interests of the child.

## **Section 11: Prevention**

We recognise that the school plays a significant part in the prevention of harm to our pupils by providing pupils with good lines of communication with trusted adults, supportive friends and an ethos of protection. The school community will therefore:

- Establish and maintain an ethos where children feel secure and are encouraged to talk and are always listened to.
- Ensure that all children know there are a number of adults in the school whom they can approach if they are worried or in difficulty.
- Include in the curriculum opportunities for PSHCE from the Early Years which equip children with the skills they need to stay safe from harm and to know to whom they should turn for help. Areas covered include safe and unsafe touches – feelings and management of the situation; anti-bullying, physical; emotional and sexual harassment; respecting the privacy of others; how to get help? Who to tell? How to tell? assertiveness training
- Encourage pupils to respect the fundamental British values of democracy, the rule of law, individual liberty and mutual respect, and tolerance of those with different faiths and beliefs.
- Ensure that partisan political views are not promoted in the teaching of any subject in the school and where political issues are brought to the attention of the pupils; reasonably practicable steps have been taken to offer a balanced presentation of opposing views to pupils. Vocal or active opposition to these fundamental British values may lead to safeguarding concerns in regards to Radicalisation. Any concerns regarding an opposition to British Values should be referred to the Headteacher.



## Section 12: Health & Safety

Our Health & Safety policy and School's Educational Visits Policy set out in a separate document, reflects the consideration we give to the protection of our children both within the school environment and when away from the school when undertaking school trips and visits.

## Section 13: Types of Abuse and Neglect

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

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

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

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

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



**Neglect:** the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy, for example, as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to: 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); or ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic

## Section 15: Specific Safeguarding Issues

**Further Information on Specific Safeguarding Risks (See Keeping Children Safe in Education 1st September 2020.) All staff have been trained in this and read Keeping Safe in Education Part One. And signed a document to acknowledge this.**

**All** staff have been made aware of safeguarding issues that can put children at risk of harm. Behaviours linked to issues such as drug taking, alcohol abuse, deliberately missing education and sexting (also known as youth produced sexual imagery) put children in danger.

**All** staff have been made aware that safeguarding issues can manifest themselves via peer on peer abuse. This is most likely to include, but may not be limited to:

- bullying (including cyberbullying);
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm;
- sexual violence and sexual harassment;
- sexting (also known as youth produced sexual imagery); and
- initiation/hazing type violence and rituals.

**All** staff have been trained in the school's policy and procedures with regards to peer on peer abuse.

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



## **Children with special educational needs and disabilities**

Children with special educational needs and disabilities (SEND) can face additional safeguarding challenges. In that that additional barriers can exist when recognising abuse and neglect in this group of children. These can include:

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

To address these additional challenges, schools and colleges should consider extra pastoral support for children with SEN and disabilities.

### **Section 16: Additional Information on Specific Safeguarding Issues from Keeping Children Safe in Education Annexe A**

#### **Children and the court system**

Children are sometimes required to give evidence in criminal courts, either for crimes committed against them or for crimes they have witnessed. There are two age appropriate guides to support children 5-11-year olds and 12-17 year olds.

The guides explain each step of the process and support and special measures that are available. There are diagrams illustrating the courtroom structure and the use of video links is explained.

Making child arrangements via the family courts following separation can be stressful and entrench conflict in families. This can be stressful for children. The Ministry of Justice has launched an online child arrangements information tool with clear and concise information on the dispute resolution service. This may be useful for some parents and

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

All staff should be aware that children going missing, particularly repeatedly, can act as a vital warning sign of a range of safeguarding possibilities. This may include abuse and neglect, which may include sexual abuse or exploitation and child criminal exploitation. It may indicate mental health problems, risk of substance abuse, risk of travelling to conflict zones, risk of female genital mutilation or risk of forced marriage. Early intervention is necessary to identify the existence of any underlying safeguarding risk and to help prevent the risks of a child going missing in future. Staff should be aware of their school's unauthorised absence and children missing from education procedures.



## **Children with family members in prison**

Approximately 200,000 children have a parent sent to prison each year. These children are at risk of poor outcomes including poverty, stigma, isolation and poor mental health. NICCO provides information designed to support professionals working with offenders and their children, to help mitigate negative consequences for those children.

## **Child sexual exploitation \* (CSE)**

Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact: it can also occur through the use of technology. Like all forms of child sex abuse, child sexual exploitation:

- can affect any child or young person (male or female) under the age of 18 years, including 16 and 17 year olds who can legally consent to have sex;
- can still be abuse even if the sexual activity appears consensual;
- can include both contact (penetrative and non-penetrative acts) and non-contact sexual activity;
- can take place in person or via technology, or a combination of both;
- can involve force and/or enticement-based methods of compliance and may, or may not, be accompanied by violence or threats of violence;
- may occur without the child or young person's immediate knowledge (e.g. through others copying videos or images they have created and posted on social media);
- can be perpetrated by individuals or groups, males or females, and children or adults. The abuse can be a one-off occurrence or a series of incidents over time, and range from opportunistic to complex organised abuse; and
- is typified by some form of power imbalance in favour of those perpetrating the abuse. Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, sexual identity, cognitive ability, physical strength, status, and access to economic or other resources.

### **Some of the following signs may be indicators of child sexual exploitation:**

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



## **Child criminal exploitation (CCE) \*: county lines**

Criminal exploitation of children is a geographically widespread form of harm that is a typical feature of county lines criminal activity: drug networks or gangs groom and exploit children and young people to carry drugs and money from urban areas to suburban and rural areas, market and seaside towns. Key to identifying potential involvement in county lines are missing episodes, when the victim may have been trafficked for the purpose of transporting drugs and a referral to the National Referral Mechanism<sup>98</sup> should be considered. Like other forms of abuse and exploitation, county lines exploitation:

- can affect any child or young person (male or female) under the age of 18 years;
  - can affect any vulnerable adult over the age of 18 years;
  - can still be exploitation even if the activity appears consensual;
  - can involve force and/or enticement-based methods of compliance and is often accompanied by violence or threats of violence;
  - can be perpetrated by individuals or groups, males or females, and young people or adults; and
  - is typified by some form of power imbalance in favour of those perpetrating the exploitation.
- Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, cognitive ability, physical strength, status, and access to economic or other resources.

- **Additional Information 9-20**

Both CSE and CCE are forms of abuse and both occur where an individual or group takes advantage of an imbalance in power to coerce, manipulate or deceive a child into sexual or criminal activity. Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, sexual identity, cognitive ability, physical strength, status, and access to economic or other resources. In some cases, the abuse will be in exchange for something the victim needs or wants and/or will be to the financial benefit or other advantage (such as increased status) of the perpetrator or facilitator. The abuse can be perpetrated by individuals or groups, males or females, and children or adults. The abuse can be a one-off occurrence or a series of incidents over time, and range from opportunistic to complex organised abuse. It can involve force and/or enticement-based methods of compliance and may, or may not, be accompanied by violence or threats of violence. Victims can be exploited even when activity appears consensual and it should be noted exploitation as well as being physical can be facilitated and/or take place online.

## **Domestic abuse**

The cross-government definition of domestic violence and abuse is:

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

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

All children can witness and be adversely affected by domestic abuse in the context of their home life where domestic abuse occurs between family members. Exposure to domestic abuse and/or violence can have a serious, long lasting emotional and psychological impact on children. In some cases, a child may



blame themselves for the abuse or may have had to leave the family home as a result. Domestic abuse affecting young people can also occur within their personal relationships, as well as in the context of their home life.

Advice on identifying children who are affected by domestic abuse and how they can be helped is available at:

- *NSPCC- UK domestic-abuse Signs Symptoms Effects*
- *(Refuge what is domestic violence/effects of domestic violence on children*
- *Safe lives: young people and domestic abuse)*

### **Operation Encompass**

Operation Encompass operates in the majority of police forces across England. It helps police and schools work together to provide emotional and practical help to children. The system ensures that when police are called to an incident of domestic abuse, where there are children in the household who have experienced the domestic incident, the police will inform the key adult (usually the designated safeguarding lead) in school before the child or children arrive at school the following day. This ensures that the school has up to date relevant information about the child's circumstances and can enable support to be given to the child according to their needs. Police forces not signed up to operation encompass will have their own arrangements in place.

### **National Domestic Abuse Helpline**

Refuge runs the National Domestic Abuse Helpline, which can be called free of charge and in confidence, 24 hours a day on 0808 2000 247. Its website provides guidance and support for potential victims, as well as those who are worried about friends and loved ones. It also has a form through which a safe time from the team for a call can be booked.

Additional advice on identifying children who are affected by domestic abuse and how they can be helped is available at:

- NSPCC- UK domestic-abuse Signs Symptoms Effects
- Refuge what is domestic violence/effects of domestic violence on children
- SafeLives Young people and Domestic abuse



## Homelessness

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

The Homelessness Reduction Act 2017 places a new legal duty on English councils so that everyone who is homeless or at risk of homelessness will have access to meaningful help including an assessment of their needs and circumstances, the development of a personalised housing plan, and work to help them retain their accommodation or find a new place to live. The following factsheets usefully summarise the new duties: [Homeless Reduction Act Factsheets](#). The new duties shift focus to early intervention and encourage those at risk to seek support as soon as possible, before they are facing a homelessness crisis.

In most cases school and college staff will be considering homelessness in the context of children who live with their families, and intervention will be on that basis. However, it should also be recognised in some cases 16 and 17 year olds could be living independently from their parents or guardians, for example through their exclusion from the family home, and will require a different level of intervention and support. Children's services will be the lead agency for these young people and the designated safeguarding lead (or a deputy) should ensure appropriate referrals are made based on the child's circumstances. The department and the Ministry of Housing, Communities and Local Government have published joint statutory guidance on the provision of accommodation for 16 and 17 year olds who may be homeless and/ or require accommodation: [here](#).

## So-called 'honour-based' violence (HBV)

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

### Actions

If staff have a concern regarding a child that might be at risk of HBV or who has suffered from HBV, they should speak to the designated safeguarding lead (or deputy). As appropriate, they will activate local safeguarding procedures, using existing national and local protocols for multi-agency liaison with police and children's social care. Where FGM has taken place, since 31 October 2015 there has been a mandatory reporting duty placed on **teachers** that requires a different approach (see following section).

<sup>99</sup> Under Section 5B(11)(a) of the Female Genital Mutilation Act 2003, "teacher" means, in relation to England, a person within section 141A(1) of the Education Act 2002 (persons employed or engaged to carry out teaching work at schools and other institutions in England).



## FGM

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

### FGM mandatory reporting duty for teachers

Section 5B of the Female Genital Mutilation Act 2003 (as inserted by section 74 of the Serious Crime Act 2015) places a statutory duty upon **teachers** along with regulated health and social care professionals in England and Wales, to report to the police where they discover (either through disclosure by the victim or visual evidence) that FGM appears to have been carried out on a girl under 18. Those failing to report such cases will face disciplinary sanctions. It will be rare for teachers to see visual evidence, and they should **not** be examining pupils or students, but the same definition of what is meant by “to discover that an act of FGM appears to have been carried out” is used for all professionals to whom this mandatory reporting duty applies. Information on when and how to make a report can be found at: **Mandatory reporting of female genital mutilation procedural information.**

Teachers **must** personally report to the police cases where they discover that an act of FGM appears to have been carried out. FGM Fact Sheet. 100 Unless the teacher has good reason not to, they should still consider and discuss any such case with the school’s or college’s designated safeguarding lead (or deputy) and involve children’s social care as appropriate. The duty does not apply in relation to at risk or suspected cases (i.e. where the teacher does not discover that an act of FGM appears to have been carried out, either through disclosure by the victim or visual evidence) or in cases where the woman is 18 or over. In these cases, teachers should follow local safeguarding procedures. The following is a useful summary of the FGM mandatory reporting duty:

### Forced marriage

Forcing a person into a marriage is a crime in England and Wales. 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. A lack of full and free consent can be where a person does not consent or where they cannot consent (if they have learning disabilities, for example). Nevertheless, some communities use religion and culture as a way to coerce a person into marriage. Schools and colleges can play an important role in safeguarding children from forced marriage.

*The Forced Marriage Unit has published statutory guidance and Multi-agency guidelines, with pages 35-36 of which focus on the role of schools and colleges. School and college staff can contact the Forced Marriage Unit if they need advice or information: Contact: 020 7008 0151 or email [fmunit@fco.gov.uk](mailto:fmunit@fco.gov.uk).*

### Preventing radicalisation

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

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

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

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**Terrorism** is an action that endangers or causes serious violence to a person/people; causes serious damage to property; or seriously interferes or disrupts an electronic system. The use or threat **must** be designed to influence the government or to intimidate the public and is made for the purpose of advancing a political, religious or ideological cause.

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

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

The school's designated safeguarding lead and any deputies should be aware of local procedures to make a Prevent referral.

### **The Prevent duty**

All schools and colleges are subject to a duty under section 26 of the Counter-Terrorism and Security Act 2015 (the CTSA 2015), in the exercise of their functions, to have "due regard to the need to prevent people from being drawn into terrorism". This duty is known as the Prevent duty.

The Prevent duty should be seen as part of schools' and colleges' wider safeguarding obligations. Designated safeguarding leads and other senior leaders should familiarise themselves with the revised Prevent duty guidance: for England and Wales, especially paragraphs 57-76, which are specifically concerned with schools (and also covers childcare). The guidance is set out in terms of four general themes: Risk assessment, working in partnership, staff training, and IT policies.

### **Channel**

Channel is a programme which focuses on providing support at an early stage to people who are identified as being vulnerable to being drawn into terrorism. It provides a mechanism for schools to make referrals if they are concerned that an individual might be vulnerable to radicalisation. An individual's engagement with the programme is entirely voluntary at all stages. Guidance on Channel is available at: Channel guidance, and a Channel awareness e-learning programme is available for staff at: Channel General Awareness.

The school's or college's designated safeguarding lead (and any deputies) should be aware of local procedures for making a Channel referral. As a Channel partner, the school or college may be asked to attend a Channel panel to discuss the individual referred to determine whether they are vulnerable to being drawn into terrorism and consider the appropriate support required.



### **Additional support**

The department has published further advice for schools on the Prevent duty. The advice is intended to complement the Prevent guidance and signposts to other sources of advice and support.

The Home Office has developed three e-learning modules:

- **Prevent awareness e-learning** offers an introduction to the Prevent duty.
- **Prevent referrals e-learning** supports staff to make Prevent referrals that are robust, informed and with good intention.
- **Channel awareness e-learning** is aimed at staff who may be asked to contribute to or sit on a multi-agency Channel panel.

**Educate Against Hate**, is a government website designed to support school teachers and leaders to help them safeguard their students from radicalisation and extremism. The platform provides free information and resources to help school staff identify and address the risks, as well as build resilience to radicalisation.

For advice specific to further education, the Education and Training Foundation (ETF) hosts the **Prevent for FE and Training**. This hosts a range of free, sector specific resources to support further education settings comply with the Prevent duty. This includes the Prevent Awareness e-learning, which offers an introduction to the duty, and the Prevent Referral e-learning, which is designed to support staff to make robust, informed and proportionate referrals.

The ETF Online Learning environment provides online training modules for practitioners, leaders and managers, support staff and governors/Board members outlining their roles and responsibilities under the duty.

### **Peer on peer abuse**

Children can abuse other children. This is generally referred to as peer on peer abuse and can take many forms. This can include (but is not limited to) bullying (including cyberbullying); sexual violence and sexual harassment; physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm; sexting and initiating/hazing type violence and rituals.

### **Sexual violence and sexual harassment between children in schools and colleges**

#### **Context**

Sexual violence and sexual harassment can occur between two children of **any** age and sex. It can also occur through a group of children sexually assaulting or sexually harassing a single child or group of children.

Children who are victims of sexual violence and sexual harassment will likely find the experience stressful and distressing. This will, in all likelihood, adversely affect their educational attainment. Sexual violence and sexual harassment exist on a continuum and may overlap, they can occur online and offline (both physical and verbal) and are never acceptable. It is important that **all** victims are taken seriously and offered appropriate support. Staff should be aware that some groups are potentially more at risk.

Evidence shows girls, children with SEND and LGBT children are at greater risk.



### **Staff should be aware of the importance of:**

- making clear that sexual violence and sexual harassment is not acceptable, will never be tolerated and is not an inevitable part of growing up;
- not tolerating or dismissing sexual violence or sexual harassment as “banter”, “part of growing up”, “just having a laugh” or “boys being boys”; and
- challenging behaviours (potentially criminal in nature), such as grabbing bottoms, breasts and genitalia, flicking bras and lifting up skirts. Dismissing or tolerating such behaviours risks normalising them.

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

### **Sexual violence**

It is important that school and college staff are aware of sexual violence and the fact children can, and sometimes do, abuse their peers in this way. When referring to sexual.. violence we are referring to sexual offences under the Sexual Offences Act 2003 as described below

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

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

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

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

### **Sexual harassment**

When referring to sexual harassment we mean ‘unwanted conduct of a sexual nature’ that can occur online and offline. When we reference sexual harassment, we do so 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.

Whilst not intended to be an exhaustive list, sexual harassment 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;
- physical behaviour, such as: deliberately brushing against someone, interfering with someone’s clothes (schools and colleges should be considering when any of this crosses a line into sexual violence - it is important to talk to and consider the experience of the victim) and displaying pictures, photos or drawings of a sexual nature; and



- online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence. It may include:
  - non-consensual sharing of sexual images and videos
  - sexualised online bullying;
  - unwanted sexual comments and messages, including, on social media; and
  - sexual exploitation; coercion and threats
  - upskirting

### **Upskirting**

The Voyeurism (Offences) Act, which is commonly known as the Upskirting Act, came into force on 12 April 2019. 'Upskirting' is where someone takes a picture under a person's clothing (not necessarily a skirt) without their permission and or knowledge, with the intention of viewing their genitals or buttocks (with or without underwear) to obtain sexual gratification, or cause the victim humiliation, distress or alarm. It is a criminal offence. Anyone of any gender, can be a victim.

### **The response to a report of sexual violence or sexual harassment**

The initial response to a report from a child is important. It is essential 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 sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report.

If staff have a concern they should follow the referral process or if in any doubt speak to the Designated Safeguarding Lead.

For any further guidance Please refer to Keeping Children Safe in Education 2020





## **Talking to Children**

It is not the responsibility of school staff to interview children about alleged abuse. That is the role of the police and Social Care. However school staff, in particular the designated teacher, need to make enquiries of a child in order to gain sufficient information about whether a referral to the investigate agencies is needed.

It is acceptable what is seen on the body in the course of normal activities such as physical education, and to ask how a child may have come about a bruise. It is not however acceptable to undress and examine a child.

Avoid asking leading questions or putting ideas into a child's mind. Seek only as much clarification as is needed at this stage. Record what is seen and heard, as well as the actions taken by the school.

## **Confidentiality**

The welfare of the child is the paramount consideration and should take precedence over the usual issues of confidentiality or maintaining good relations with families. School staff should not give a child a promise of confidentiality, especially before they know what a child wants to say.

Information passed to others within the school should be on a "need to know" basis in order to help to safeguard the child's welfare.

Information about third parties should be treated with caution and efforts made to establish facts or concerns before referral is made.



## APPENDIX 2: Regulated Activity

(Regulated activity)

We start with a presumption of trust and confidence in those who work with children, and the good sense and judgment of their managers. This guidance applies when an organisation decides to supervise with the aim that the supervised work will not be regulated activity (when it would be, if not so supervised). In such a case, the law makes three main points:

- there must be supervision by a person who is in regulated activity;
- the supervision must be regular and day to day; and
- the supervision must be “reasonable in all the circumstances to ensure the protection of children”.

The organisation must have regard to this guidance. This gives local managers the flexibility to determine what is reasonable for their circumstances. While the precise nature and level of supervision will vary from case to case, guidance on the main legal points above is as follows.

4. Supervision by a person in regulated activity/regular and day to day: supervisors must be in regulated activity themselves. The duty that supervision must take place “on a regular basis” means that supervision must not, for example, be concentrated during the first few weeks of an activity and then tail off thereafter, becoming the exception not the rule. It must take place on an ongoing basis, whether the worker has just started or has been doing the activity for some time.