



**GUIDANCE NOTES RELATING TO
THE SAFEGUARDING / CHILD
PROTECTION POLICY
2015**

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Guidance notes relating to the Safeguarding / Child Protection Policy 2015

The Safeguarding / Child Protection Policy has been heavily revised due to new national legislation, documentation and focus on specific high profile areas that have had significant impact on the safety of children and young people in recent times.

Also, there have been many changes to local procedures (in all areas - to comply with new legislation), including Northamptonshire. A key example of this is the change to Early Help Procedures and the addition of the Early Help Co-Ordinators into the Multi-Agency Safeguarding Hub (MASH).

You are asked to read the policy carefully to ensure understanding of changes, in addition to familiarising yourself with the new documents and the Local Safeguarding Children Board (LSCB) website which will clearly outline local procedures.

Policies should always be made personal to the academy and clearly reflect academy procedures so you will need to adapt the document accordingly.

New information includes, for example, reference to:

New Documents March 2015

“Working Together to Safeguard Children 2015”

“Information Sharing 2015”

“What to do if you’re worried a child is being abused 2015”

Key Points to Note

Working Together to Safeguard Children 2015

This document contains some updates and changes based on new laws and outcomes of serious incidents. The key points are:

- **LSCBs must commission services for children** who have been or are likely to be:
 - Sexually exploited;
 - Subject to Female Genital Mutilation (FGM);
 - Subjected to radicalisation.
- **Channel panels** must be set up by LAs to assess the extent to which identified individuals are vulnerable to being drawn into terrorism. They must also arrange for support to be provided to them. Education is a partner of the Channel panel. (Channel documentation needs to be understood by the academy and there should be an academy policy on “Protecting children and young people from radicalisation and extremism”).
- **Assessments for young carers** must reach a view on whether any care tasks are felt to be “inappropriate” or “excessive.”
- All organisations need clear **whistleblowing procedures** in line with Sir Robert Francis’s “Freedom to Speak Up” report. It is important that ALL academy staff know how to whistle blow and manage an allegation against other staff. They also need to know what to do if they feel their concerns are not being dealt with appropriately.

- The title of the **Local Authority Designated Officer (LADO)** has changed. No longer does Working Together refer to a “LADO” but rather to a **“Designated Officer”** or “Team” who will handle all allegations against adults who work with children and young people. People undertaking this role from April must now be qualified social workers (apart from people currently in post or moving between authorities).
- There are some other changes including: notifiable incidents involving the care of a child and the definition of serious harm for the purposes of serious case reviews and child death reviews.

Information Sharing 2015

In March 2015, the government published revised guidance: Information Sharing 2015. This document makes it very clear about the need for sharing information and **encourages practitioners to balance the risk of sharing with the risk of not sharing.** There are still “Seven Golden Rules to Sharing Information” in the document and a flowchart outlining when and how to share information.

What to do if you’re worried a child is being abused 2015

This document has finally been rewritten. The last one was from 2006! It is non-statutory guidance which is aimed at anyone whose work brings them into contact with children and families, including those who work in early years, social care, health, education (including schools/academies), the police and adult services. It outlines four guiding principles:

- Children have a right to be safe and should be protected from all forms of abuse and neglect;
- Safeguarding children is everyone’s responsibility;
- It is better to help children as early as possible, before issues escalate and become more damaging; and
- Children and families are best supported and protected when there is a co-ordinated response from all relevant agencies.
- The 4 main categories of abuse are described, together with possible indicators and step by step actions to take are given.

New Documents - July 2015

“Keeping Children Safe in Education – Statutory Guidance for Schools and Colleges”
July 2015

“The Prevent Duty for Schools” – July 2015

Key Points to Note

Keeping Children Safe in Education - July 2015

In March 2015, the DfE updated the statutory guidance on safeguarding. This has subsequently been updated again in July 2015 to include more detail regarding **Children Missing Education, CSE, FGM, and Radicalisation.** This revised version of the guidance replaces the following documentation:

- *Keeping Children Safe in Education (2014);*
- *Keeping Children Safe in Education (March 2015);*
- *Safeguarding Children and Safer Recruitment in Education (2006);*

- *Dealing with allegations of abuse against teachers and other staff: Guidance for local authorities, head teachers, school staff, governing bodies and proprietors of independent schools (2012).*

It sits alongside Working Together to Safeguard Children 2015.

Children Missing Education

All children, regardless of their circumstances, are entitled to a full time education which is suitable to their age, ability, aptitude and any special educational needs they may have. Local authorities have a duty to establish, as far as it is possible to do so, the identity of children of compulsory school age who are missing education in their area. A child going missing from education is a potential indicator of abuse or neglect. Academy staff should follow the academy's procedures for dealing with children that 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 their going missing in future. Academies should put in place appropriate safeguarding policies, procedures and responses for children who go missing from education, particularly on repeat occasions.

It is essential that all staff are alert to signs to look out for and the individual triggers to be aware of when considering the risks of potential safeguarding concerns such as travelling to conflict zones, FGM and forced marriage. The law requires all academies to have an admission register and an attendance register. All pupils must be placed on both registers.

All academies must inform their local authority (Education Entitlement Service) of any pupil who is going to be deleted from the admission register where they:

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

The local authority must be notified when an academy is to delete a pupil from its register under the above circumstances. This should be done as soon as the grounds for deletion are met, but no later than deleting the pupil's name from the register. It is essential that academies comply with this duty, so that the LA can, as part of its duty to identify children of compulsory school age who are missing education, follow up with any child who might be in danger of not receiving an education and who might be at risk of abuse or neglect.

All academies must also inform the local authority of any pupil who fails to attend the academy regularly, or has been absent without the academy's permission for a continuous period of 10 school days or more, at such intervals as are agreed between the academy and the local authority (or in default of such agreement, at intervals determined by the Secretary of State).

Child Sexual Exploitation (CSE)

Additional information has been added to give further detail on CSE. All staff need to know what CSE is and understand possible risk indicators. When any practitioner becomes aware that a child or young person is at risk of being sexually exploited, they should identify and react to the need to protect that individual from any future harm. This should always include notifying the Designated Safeguarding Lead within the academy.

(In the event of an individual having concerns that a child or young person is at risk of being sexually exploited, but where there is no immediate danger, these will be reported to the DSL who will follow the procedures outlined in the Northamptonshire CSE Toolkit - Chapter 3 which is on the Northamptonshire Safeguarding Children Board (NSCB) website).

Female Genital Mutilation (FGM)

(All practitioners need to understand that Northamptonshire is a big risk area for FGM).

Female Genital Mutilation (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. Professionals in all agencies, and individuals and groups in relevant communities, need to be alert to the possibility of a girl being at risk of FGM, or already having suffered FGM.

In the UK, under the FGM Act 2003 and the Serious Crime Act 2015, it is an offence for any person (regardless of their nationality or residence status) to:

- Perform FGM;
- Assist a non-UK person to carry out FGM outside the UK on a UK national or permanent UK resident.

The Serious Crime Act 2015 also includes:

- Provision of lifelong anonymity in the media of FGM;
- A new offence of 'failing to protect a girl from FGM' – each person responsible for the girl at the time the FGM occurred will be liable;
- FGM Protection Orders – for the purposes of protecting a girl against the commission of a FGM offence or protecting a girl against whom such an offence has been committed;
- A new mandatory reporting duty requiring specified regulated professionals (healthcare, social care and teachers) in England and Wales to make a report to the police. The duty applies where, in the course of their professional duties, a professional discovers that FGM appears to have been carried out on a girl under 18 (at the time of discovery).

Preventing Radicalisation

Protecting children from the risk of radicalisation should be seen as part of the academies wider safeguarding duties, and is similar in nature to protecting children from other forms of harm and abuse. During the process of radicalisation it is possible to intervene to prevent vulnerable people being radicalised. Radicalisation refers to the process by which a person comes to support terrorism and forms of extremism. There is no single way of identifying an individual who is likely to be susceptible to an extremist ideology. It can happen in many different ways and settings. Specific background factors may contribute to vulnerability which are often combined with specific influences such as family, friends or online, and with specific needs for which an extremist or terrorist group may appear to provide an answer. The internet and the use of social media in particular has become a major factor in the radicalisation of young people. As with managing other safeguarding risks, staff should be alert to changes in children and young people's behaviour which could indicate that they may be in need of help or protection. Academy staff should use their professional judgement in identifying those who might be at risk of radicalisation and act proportionately which may include making a referral to the Channel programme. (Further information has been included in "The Prevent Duty for Schools" – see below).

Other Points to Note:

- It is a requirement within the guidance that *all* staff should read Part One: Safeguarding information for all staff;
- A reminder that the earlier 2015 document introduces the requirement that Child Protection files must now be **transferred "as soon as possible" and securely and a receipt must be obtained for such files;**
- It has always been the case that people can make a direct referral to Children's Social Care Services (the MASH, in Northamptonshire) but this guidance states, "***In exceptional circumstances, such as in emergency or a genuine concern that appropriate action has not been taken, staff members can speak directly to children's social care.***"
- There is a requirement for academies to have a formal staff behaviour policy (code of conduct), which is updated on an annual basis. In addition to previous 2009 guidance on content this should also now include:
 - Staff relationships with pupils
 - Reference to "Position of Power and Trust" (based on the "Position of Trust" offence (Sexual Offences Act 2003)
 - Communications on Social Media
 - Information Sharing
- Safeguarding / Child Protection Policies should be updated annually and published on the academy website;
- The requirement to have a least one person on an interview panel who has received safer recruitment training still stands (from September 2014 it is no longer a requirement to have attended training approved by the Secretary of State, as long as the training covers the contents of the guidance);
- There is a requirement that Governing bodies must appoint a Designated Teacher to promote the achievement of Children in Care and ensure that staff have the skills knowledge and understanding necessary to keep CIC safe.

This reference is new to this guidance and sets out the full information appropriate staff should have in relation to a CIC including for example, legal status, care/contact arrangements. It needs to be noted that this guidance does not replace the statutory DfE guidance “The role and responsibility for designated teacher for looked after children” (Nov 2009);

- The broader guidance on Safer Recruitment practices in the previous guidance has been removed and the focus in the new document is on DBS and barred list checks;
- Academies are advised that they should note that DBS certificates now only go directly to employees, and therefore academies must ensure that they have had sight of the certificate and any information on the certificate is appropriately assessed;
- The guidance continues to place a statutory requirement on schools, colleges, academies, relevant youth accommodation and children’s homes to undertake prohibition checks for staff appointed as teachers (this came in from April 2014);
- The guidance removes the outcome category “unfounded” from the possible outcome of an investigation;
- In Keeping Children Safe In Education 2014 if staff had **concerns about another adult in the academy**, it could be reported to the Headteacher or the Designated Safeguarding Lead. KCSIE 2015 makes it clear that such concerns **must be reported only to the Headteacher**. (Staff should also be reminded that they have a duty to go to the Chair of Governors if they feel their concern has not been dealt with);
- For **concerns against the Headteacher it is the Chair of Governors** that the report is made to. The management of such allegations of abuse by staff must be reported to the Designated Office (formerly LADO);
- After any allegations of abuse about people working with children have been made, there will always be one of the following outcomes:
 - Substantiated;
 - Malicious;
 - False;
 - Unsubstantiated.

Prevent Duty – July 2015

The Counter Terrorism and Security Act 2015 and The Prevent Duty (July 2015) place a duty on specified authorities, including the local authorities and childcare, education and other children’s services providers, in the exercise of their functions, to have due regard to the need to prevent people from being drawn into terrorism (‘The Prevent Duty’).

The Counter Terrorism and Security Act 2015 also places a duty on local authorities to ensure Channel panels are in place. The panel must include the local authority and chief officer of the local police. Panels will assess the extent to which identified individuals are vulnerable to being drawn into terrorism, following a referral from the police and where considered appropriate and necessary consent is obtained, arrange for support to be provided to those individuals. The Act will require partners of Channel panels to co-operate with the panel in the carrying out of its functions and with the police in undertaking the initial assessment as to whether a referral is

appropriate. Schools/academies and colleges who are required to have regard to “Keeping Children Safe in Education” are listed in the Act as partners of the panel. The relevant provisions of the Act came into force on 12th April 2015.

The biggest threat is around terrorist groups seeking to radicalise and recruit people. This threat is greater amongst young people. Extremism is defined as a rejection of a cohesive, integrated, multi-faith society and parliamentary democracy. The local agenda supports the Prevent Strategy. Communities and local authorities have a key part to play in developing a sense of belonging and will be an important part of wider partnership working. The threat is not just from radical religious groups such as ‘Islamic State’ but also from radical ‘far right’ and other political groups who may attempt to radicalise children and young people.

Paragraphs 57 - 76 of the Prevent guidance are concerned specifically with schools/academies (but also cover childcare). It is anticipated that the duty will come into force for sixth form colleges and Further Education colleges early in the autumn.

The statutory Prevent guidance summarises the requirements on academies in terms of four general themes: Risk Assessment; Working in Partnership; Staff Training and IT policies.

- Academies are expected to **assess the risk** of children being drawn into terrorism, including support for extremist ideas that are part of terrorist ideology. This means being able to demonstrate both a general understanding of the risks affecting children and young people in the area and a specific understanding of how to identify individual children who may be at risk of radicalisation and what to do to support them. Academies should have clear procedures in place for protecting children at risk of radicalisation. These procedures may be set out in existing safeguarding policies. It is not necessary for academies to have distinct policies on implementing the Prevent Duty.
- The Prevent Duty builds on existing **local partnership** arrangements. For example, governing bodies and proprietors of all schools / academies should ensure that their safeguarding arrangements take into account the policies and procedures of Local Safeguarding Children Board.
- The Prevent guidance refers to the importance of Prevent awareness training to equip staff to identify children at risk of being drawn into terrorism and to challenge extremist ideas. Individual academies are best placed to assess the training needs of staff in the light of their assessment of the risk to pupils at the academy of being drawn into terrorism. As a minimum, however, academies should ensure that the Designated Safeguarding Lead undertakes Prevent awareness training and is able to provide advice and support to other members of staff on protecting children from the risk of radicalisation. (NSCB will have an online training session available as an introduction).
- Academies must ensure that children are safe from terrorist and extremist material when **accessing the internet** in academies. Academies should ensure that suitable filtering is in place. It is also important that academies teach pupils about online safety more generally.

The Department for Education has also published advice for academies on the Prevent Duty. The advice is intended to complement the Prevent guidance and signposts other sources of advice and support. Academy staff should understand when it is appropriate to make a referral to the 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 academies 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).