



**Learning for Life**  
*Stronger together*

# **Child Protection and Safeguarding Policy and Procedure September 2018**

**TO BE REVIEWED: SEPT 2019**

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## 1. AIM OF POLICY

- To inform staff, parents/carers, volunteers, members of the governing bodies and directors about the trust's and the schools' responsibilities for safeguarding children.
- To enable everyone to have a clear understanding of how these responsibilities should be carried out.
- To ensure that appropriate action is taken in a timely manner to safeguard and promote children's welfare.

The schools of the Learning for Life Education Trust have all agreed to use the same policy due to the similarities in their context and geographical location. This enables close and effective working.

## 2. DEFINITIONS

Safeguarding and promoting the welfare of children is defined as:-

- **Protecting** children from maltreatment;
- **Preventing** impairment of children's health or development;
- Ensuring that children grow up in circumstances consistent with the provision of **safe and effective care**;
- **Taking action** to enable all children to have the best outcomes.

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

**Abuse** is a form of maltreatment of a child, and may involve inflicting harm or failing to act to prevent harm. *Appendix 1 explains the different types of abuse.*

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

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

*(Keeping Children Safe in Education DfE, September 2018)*

### 3. LEGISLATION AND STATUTORY GUIDANCE

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

This policy is also based on the following legislation and statutory guidance:

- **The Children Act 1989 and The Children Act 2004 amendment-Section 11** of the Children Act 2004 places duties on a range of organisations and individuals to ensure their functions, and any services that they contract out to others, are discharged having regard to the need to safeguard and promote the welfare of children.
- Section 5B (11) of the Female Genital Mutilation Act 2003, as inserted by section 74 of the **Serious Crime Act 2015**, which places a statutory duty on teachers to report to the police where they discover that female genital mutilation (FGM) appears to have been carried out on a girl under 18
- **Statutory guidance on FGM**, which sets out responsibilities with regards to safeguarding and supporting girls affected by FGM
- **The Rehabilitation of Offenders Act 1974**, which outlines when people with criminal convictions can work with children
- Schedule 4 of the **Safeguarding Vulnerable Groups Act 2006**, which defines what 'regulated activity' is in relation to children
- Statutory guidance on the Prevent duty, which explains schools' duties under the **Counter-Terrorism and Security Act 2015** with respect to protecting people from the risk of radicalisation and extremism
- Section 175 of the **Education Act 2002**, which places a duty on schools and local authorities to safeguard and promote the welfare of pupils
- The **School Staffing (England) Regulations 2009**, which set out what must be recorded on the single central record and the requirement for at least one person on a school interview/appointment panel to be trained in safer recruitment techniques
- Sexual Offences Act (2003)
- Part 3 of the schedule to the Education (Independent School Standards) Regulations 2014, which places a duty on academies and independent schools to safeguard and promote the welfare of pupils at the school (Academies, including free schools, and independent schools)
- Part 1 of the schedule to the Non-Maintained Special Schools (England) Regulations 2015, which places a duty on non-maintained special schools to safeguard and promote the welfare of pupils at the school (Non-maintained special schools)

- The Childcare (Disqualification) Regulations 2009 (and 2018 amendment) and Childcare Act 2006, which set out who is disqualified from working with children (All schools with pupils aged under 8)
- This policy also meets requirements relating to safeguarding and welfare in the statutory framework for the Early Years Foundation Stage. (All early years providers)

This policy forms part of a suite of documents and policies which relate to the safeguarding responsibilities of the school.

The Trust and its schools comply with this guidance and the procedures set out by Northamptonshire Safeguarding Children Board.

In particular this policy should be read in conjunction with the Trust or school policy:-

- Safer Recruitment Policy (Trust)
- Behaviour Policy (school)
- Physical Intervention Policy (school)
- Anti-Bullying Policy (school)
- Code of Conduct/Staff Behaviour Policy (Trust and school)
- Online Safety Policy (school)
- ICT Acceptable Usage Policy (Trust and school)
- The Prevention of Radicalisation and Extremism Policy (Trust and school)

#### **4. EQUALITY STATEMENT**

Some children have an increased risk of abuse, and additional barriers can exist for some children with respect to recognising or disclosing it. We are committed to anti-discriminatory practice and recognise children's diverse circumstances. We ensure that all children have the same protection, regardless of any barriers they may face.

We give special consideration to children who:

- Have special educational needs or disabilities
- Are young carers
- May experience discrimination due to their race, ethnicity, religion, gender identification or sexuality
- Have English as an additional language
- Are known to be living in difficult situations – for example, temporary accommodation or where there are issues such as substance abuse or domestic violence
- Are at risk of FGM, sexual exploitation, forced marriage, or radicalisation
- Are asylum seekers

## 5. ROLES AND RESPONSIBILITIES

Safeguarding and child protection is **everyone's** responsibility. This policy applies to all staff, volunteers and governors in the school and is consistent with the procedures of Northamptonshire Safeguarding Children Board.

Our policy and procedures also apply to **extended school and off-site activities**.

### 5.1 All Staff

All staff will read and understand **Part 1 and Annex A KCSIE 2018** of the Department for Education's statutory safeguarding guidance, **Keeping Children Safe in Education 2018**, and review this guidance at least annually.

All staff will be aware of:

- Our systems which support safeguarding, including the staff code of conduct, the role of the designated safeguarding lead (DSL), the behaviour policy, and the safeguarding response to children who go missing from education
- The early help process and their role in it, including identifying emerging problems, liaising with the DSL, and sharing information with other professionals to support early identification and assessment
- The process for making referrals to local authority children's social care and for statutory assessments that may follow a referral, including the role they might be expected to play
- What to do if they identify a safeguarding issue or a child tells them they are being abused or neglected, including specific issues such as FGM, and how to maintain an appropriate level of confidentiality while liaising with relevant professionals
- The signs of different types of abuse and neglect, as well as specific safeguarding issues, such as child sexual exploitation (CSE), FGM and radicalisation. **Appendix 4 and Appendix 7 of this policy outline in more detail how staff are supported to do this.**
- Please refer to the NSCB website for specific guidance on identification of neglect **NSCB Neglect Toolkit** including roles and responsibilities for interventions.

Please use the full suite of documents and guidance contained within the NSCB webpages - including the Neglect Screening Tool – **Neglect Screening Tool**

## 5.2 The Designated Safeguarding Lead (DSL)

### Learning for Life Education Trust

Name	Contact Details	Position
Mr S Ward	Steve.ward@iflt.org.uk	Chair of Directors
Mrs P Reading	Penny.reading@iflt.org.uk	Safeguarding Director Designated Safeguarding Lead trained
Mrs J Sanchez-Thompson	Jsanchez-thompson@iflt.org.uk	<b>Designated Safeguarding Lead</b> Executive Head Teacher / CEO

### Irthlingborough Nursery and Infant School

Mrs J Marshall Head Teacher	Jan.marshall@iflt.org.uk	<b>Designated Safeguarding Lead</b>
Mrs T Harvey	Tracy.harvey@iflt.org.uk	Designated Safeguarding Deputy
Mrs J Luke	Jo.luke@iflt.org.uk	Designated Safeguarding Deputy
Mrs L Colquhoun	Lesley.colquhoun@iflt.org.uk	Designated Safeguarding Deputy
Mrs L Wright	Laura.wright@iflt.org.uk	Designated Safeguarding Deputy
Mrs R Chapman	Reachel.chapman@iflt.org.uk	Designated Safeguarding Deputy
Mrs P Reading	Penny.reading@iflt.org.uk	Safeguarding governor

### Finedon Infant School and Finedon Mulso C of E Junior School

Mrs J Lloyd - Williams Head Teacher	Joanne.lloyd-williams@iflt.org.uk	<b>Designated Safeguarding Lead</b>
Mrs K Reynolds	Kimberley.reynolds@iflt.org.uk	Designated Safeguarding Deputy
Ms C Jewell	Caroline.jewell@iflt.org.uk	Designated Safeguarding Deputy
Ms L Sadler	Lucy.sadler@iflt.org.uk	Designated Safeguarding Deputy
Miss F Pettitt	Felicity.pettitt@iflt.org.uk	Designated Safeguarding Deputy
Mrs J McDougall	Jo.mcdougall@iflt.org.uk	Safeguarding governor

### Irthlingborough Junior School

Mr N Garley Head Teacher	Nick.garley@iflt.org.uk	Designated Safeguarding Deputy
Mrs J Meekings	Jo.meekings@iflt.org.uk	<b>Designated Safeguarding Lead</b>
Mrs C Cummins	Carly.cummins@iflt.org.uk	Designated Safeguarding Deputy

Mrs L Colquhoun	Lesley.colquhoun@iflt.org.uk	Designated Safeguarding Deputy
Fth J Hall	John.hall@iflt.org.uk	Safeguarding governor

The Designated Safeguarding Lead (DSL) takes lead responsibility for child protection and wider safeguarding.

During term time, the DSL will be available during school hours for staff to discuss any safeguarding concerns. Contact details are given above.

When the DSL is absent, one of the deputies will act as cover. All deputies are trained to the same standard as the designated safeguarding lead.

If the DSL and deputies are not available, a DSL from one of the other schools will act as cover (for example, during out-of-hours/out-of-term activities).

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

- Provide advice and support to other staff on child welfare and child protection matters
- Take part in strategy discussions and inter-agency meetings and/or support other staff to do so
- Contribute to the assessment of children
- Refer suspected cases, as appropriate, to the relevant body (local authority children's social care, Channel programme, Disclosure and Barring Service, and/or police), and support staff who make such referrals directly

The DSL will also keep the head teacher informed of any issues, and liaise with Local Authority case managers and Designated Officers for child protection concerns as appropriate.

Whilst the activities of the designated safeguarding lead can be delegated to appropriately trained deputies, the ultimate **lead responsibility** for child protection, as set out above, remains with the designated safeguarding lead; this **lead responsibility** will not be delegated. (*Annex B; Paragraph 2 Keeping Children Safe in Education 2018.*)

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

The Designated Safeguarding Lead should undergo formal training every two years. The DSL should also undertake Prevent awareness training. In addition to this training, their knowledge and skills should be refreshed, (for example via e-bulletins, meeting other DSLs, or taking time to read and digest safeguarding developments), at least annually.

### 5.3 The Board of Directors

The Board of Trustees will ensure that each school designates an appropriate senior member of staff to take lead responsibility for child protection. This person will have the status and authority within the school to carry out the duties of the post including committing resources and, where appropriate, supporting and directing other staff.

The Board of Directors will approve this policy at each review and hold the executive headteacher and the head teachers to account for its implementation.

The Board will appoint a Director Safeguarding Lead to monitor the effectiveness of this policy in conjunction with the full Board. This is always a different person from the DSL.

The chair of the Board of Directors will act as the 'case manager' in the event that an allegation of abuse is made against the executive head teacher, where appropriate (see appendix 3). The chair of the Local Governing Body will act as the 'case manager' in the event that an allegation of abuse is made against the head teacher, where appropriate (see appendix 3).

#### **5.4 The Head Teacher**

The head teacher is responsible for the implementation of this policy, including:

- Ensuring that staff (including temporary staff) and volunteers are informed of this policy as part of their induction
- Communicating this policy to parents when their child joins the school and via the school website
- Ensuring that the DSL has appropriate time, funding, training and resources, and that there is always adequate cover if the DSL is absent
- Ensuring that all staff undertake appropriate safeguarding and child protection training and update this regularly
- Acting as the 'case manager' in the event of an allegation of abuse made against another member of staff or volunteer, where appropriate (see appendix 3)
- Ensuring the relevant staffing ratios are met, where applicable (Early years providers and primary schools)
- Making sure each child in the Early Years Foundation Stage is assigned a key person (Early years providers)

## 6. WHEN TO BE CONCERNED

### 6.1 Children Who May Require Early Help

All staff should be aware of the **early help process**, and understand their role in identifying emerging problems, sharing information with other professionals to support early identification and assessment of a child's needs. It is important for children to receive the right help at the right time to address risks and prevent issues escalating. This also includes staff monitoring the situation and feeding back to the Designated Safeguarding Lead any ongoing/escalating concerns so that consideration can be given to a referral to Children's Services if the child's situation does not appear to be improving.

#### Early Help Links:

- Follow this link: [Early Help](#) to access Northamptonshire's information and support for professionals regarding Early Help.
- The Early Help Strategy Link: [Early Help Strategy](#)
- Early Help Co-ordinator Link: [Early Help Co-ordinators](#)

Staff and volunteers working within the school should be alert to the potential need for early help for children also who are more vulnerable. For example:

- **Children with a disability and/or specific additional needs.**
- **Children with special educational needs.**
- **Children who are acting as a young carer.**
- **Children who are showing signs of engaging in anti-social or criminal behaviour.**
- **Children whose family circumstances present challenges, such as substance abuse, adult mental health or learning disability, domestic violence.**
- **Children who are showing early signs of abuse and/or neglect.**

### 6.2 Children with Special Educational Needs and Disabilities:

Additional barriers can exist when recognising abuse and neglect in this group of children.

This can include:

- Assumptions that indicators of possible abuse such as behaviour; including for example: ADHD or other specific behavioural problems/diagnosis, mood and injury relate to the child's impairment without further exploration;
- Assumptions that children with SEN and disabilities can be disproportionately impacted by things like bullying - without outwardly showing any signs;
- Communication barriers and difficulties;
- Reluctance to challenge carers, (professionals may over empathise with carers because of the perceived stress of caring for a disabled child);
- Disabled children often rely on a wide network of carers to meet their basic needs and therefore the potential risk of exposure to abusive behaviour can be increased;
- A disabled child's understanding of abuse;
- Lack of choice/participation;
- Isolation.

**Directory of Services for Children with Disabilities: [Specialist-support-for SEND](#)**

**Northamptonshire's Local Offer: [SEND Local Offer](#)**

### **6.3 Managing referrals and cases**

- Refer all cases of suspected abuse or neglect to the Multi Agency Safeguarding Hub (MASH), Police (cases where a crime may have been committed) and to the Channel programme where there is a radicalisation concern. Safeguarding Referrals must be made in one of the following ways:
  - By telephone contact to the Multi-Agency Safeguarding Hub (MASH): 0300 126 1000 (Option 1)
  - By e-mail to: [MASH@northamptonshire.gcsx.gov.uk](mailto:MASH@northamptonshire.gcsx.gov.uk)
  - By using the online referral form found at:

<http://www.northamptonshirescb.org.uk/more/borough-and-district-councils/how-to-make-an-online-referral/>

- In an emergency outside office hours, contact children's social care out of hours team on 01604 626938 or the Police
- If a child is in immediate danger at any time, left alone or missing, you should contact the police directly and/or an ambulance using 999

### **6.4 Peer on Peer Abuse**

Education settings are an important part of the inter-agency framework not only in terms of evaluating and referring concerns to Children's Services and the Police, but also in the assessment and management of risk that the child or young person may pose to themselves and others in the education setting.

We recognise that children are capable of abusing their peers. Abuse is abuse and should never be tolerated or passed off as “banter” or “part of growing up”. Most cases of pupils hurting other pupils will be dealt with under the schools behaviour policy but this child protection and safeguarding policy will apply to any allegation that raises safeguarding concerns. This might include where the alleged behaviour:

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

If one child or young person causes harm to another, this should not necessarily be dealt with as abuse. When considering whether behaviour is abusive, it is important to consider:

- Whether there is a large difference in power (for example age, size, ability, development) between the young people concerned; or
- Whether the perpetrator has repeatedly tried to harm one or more other children; or
- Whether there are concerns about the intention of the alleged perpetrator.

Peer on peer abuse can manifest itself in many ways and different gender issues can be prevalent. Severe harm may be caused to children by abusive and bullying behaviour of other children, which may be physical, sexual or emotional and can include gender based violence/sexual assaults, sexting, domestic abuse, peer-on-peer exploitation, serious youth violence, sexual bullying or harmful sexual behaviour.

Guidance on responding to and managing sexting incidents can be found at: [Sexual violence and sexual harassment between children in schools and colleges.pdf](#)    [Sexting In Schools FINAL Jan17.pdf](#)

In order to minimise the risk of peer on peer abuse the school:

- Provides a developmentally appropriate PSHE curriculum which develops pupils’ understanding of acceptable behaviour and keeping themselves safe.
- Have systems in place for any pupil to raise concerns with staff, knowing that they will be listened to, believed and valued.
- Develop robust risk assessments where appropriate.
- Have relevant policies in place (e.g. behaviour policy).

## **7. DEALING WITH A DISCLOSURE**

If a child discloses that he or she has been abused in some way, the member of staff/volunteer should:

- Listen to what is being said without displaying shock or disbelief
- Accept what is being said
- Allow the child to talk freely
- Reassure the child, but not make promises which it might not be possible to keep
- Never promise a child that they will not tell anyone - as this may ultimately not be in the best interests of the child.
- Reassure him or her that what has happened is not his or her fault
- Stress that it was the right thing to tell
- Listen, only asking questions when necessary to clarify
- Not criticise the alleged perpetrator
- Explain what has to be done next and who has to be told
- Make a written record (see Record Keeping)
- Pass the information to the Designated Safeguarding Lead without delay. Alternatively, if appropriate, make a referral to children's social care and/or the police directly (see 7.1), and tell the DSL as soon as possible that you have done so.

## **8. Concerns about a staff member or volunteer**

If you have concerns about a member of staff or volunteer, speak to the headteacher.

If you have concerns about the headteacher, speak to the chair of the local Governing Body.

You can also discuss any concerns about any staff member or volunteer with the DSL.

The headteacher/chair of the LGB/DSL will then follow the procedures set out in appendix 3, if appropriate.

The DSL (or chair of the LGB, in the case of a concern about the headteacher) will also inform the designated officer for the local authority.

Where appropriate, the school will inform Ofsted of the allegation and actions taken, within the necessary timescale. (Early years providers)

For referrals regarding adults in education and other information on the role of the Designated Officer (formerly LADO) follow the link below:

### **Local Authority Designated Officers**

An allegation is any information which indicates that a member of staff/volunteer may have:

- Behaved in a way that has, or may have harmed a child
- Possibly committed a criminal offence against/related to a child
- Behaved towards a child or children in a way which indicates she/he would pose a risk of harm if they work regularly or closely with children

This applies to any child the member of staff/volunteer has contact with in their personal, professional or community life.

### **A member of staff or volunteer should:**

- Feel able to raise concerns about poor or unsafe practice and potential failures in the school or education setting's safeguarding arrangements.
- Be aware of appropriate whistle blowing procedures, which are suitably reflected in staff training and staff behaviour policies, so that such concerns can be raised with the school's senior leadership team.

If staff members have concerns about another staff member then this should be referred to the Head Teacher. Where there are concerns about the Head Teacher, this should be referred to the Chair of the Local Governing Body or the Executive Headteacher.

The Chair of Governors in this school is:

NAME: David McVean      Contact via the school office

In the absence of the Chair of Governors, the Vice Chair should be contacted. The Vice Chair in this school is:

NAME: Mike Fargher      Contact via the school office

In the event of allegations of abuse being made against the Head Teacher, where a staff member feels unable to raise an issue with the Chair of the LGB or the Executive Head Teacher or feels that their genuine concerns are not being addressed, allegations should be reported directly to the Designated Officer (formerly LADO). Staff may consider discussing any concerns with the Designated Safeguarding Lead and, if appropriate, make any referral via them.

The person to whom an allegation is first reported should take the matter seriously and keep an open mind. She/he should not investigate or ask leading questions if seeking clarification; it is important not to make assumptions. Confidentiality should not be promised and the person should be advised that the concern will be shared on a 'need to know' basis only.

Actions to be taken include making an immediate written record of the allegation using the informant's words – including time, date and place where the alleged incident took place, brief details of what happened, what was said and who was present. This record should be signed, dated and immediately passed on to the Head Teacher. The recipient of an allegation must **not** unilaterally determine its validity, and failure to report it in accordance with procedures is a potential disciplinary matter.

The Head Teacher/Chair of LGB will not investigate the allegation itself, or take written or detailed statements, but will assess whether it is necessary to refer the concern to the Designated Officer (formerly LADO):

Multi-Agency Safeguarding Hub: **0300 126 1000 (Option 1)**

For referrals regarding adults in education and other information on the role of the Designated Officer (formerly LADO) follow the link below:

<http://www.northamptonshirescb.org.uk/about-northamptonshire-safeguarding-children-board/who-is-who/designated-officer/>

If the allegation meets any of the three criteria set out at the start of this section, contact should always be made with the Designated Officer (formerly LADO) without delay.

If it is decided that the allegation does not meet the threshold for safeguarding, it will be handed back to the employer for consideration via the school's internal procedures.

The Head Teacher should, as soon as possible, **following briefing** from the Designated Officer inform the subject of the allegation.

Where a staff member feels unable to raise an issue with their employer/through the whistle blowing procedure or feels that their genuine concerns are not being addressed, other whistle blowing channels may be open to them:

- Multi-Agency Safeguarding Hub: **0300 126 1000 (Option 1)**
- NSPCC whistle blowing helpline is available for staff who do not feel able to raise concerns regarding child protection failures internally. Staff can call: **0800 028 0285** – line is available from 8:00 AM to 8:00 PM, Monday to Friday and Email: **[help@nspcc.org.uk](mailto:help@nspcc.org.uk)**

## 9. Safer working practice

To reduce the risk of allegations, all staff should be aware of safer working practice and should be familiar with the guidance contained in the staff handbook/school code of conduct/staff behaviour policy and Safer Recruitment Consortium document ***Guidance for safer working practice for those working with children and young people in education settings (September 2015)***.

The document seeks to ensure that the responsibilities of school leaders towards children and staff are discharged by raising awareness of illegal, unsafe, unprofessional and unwise behaviour. This includes guidelines for staff on positive behaviour management in line with the ban on corporal punishment (School Standards and Framework Act 1998). Please see the school's behaviour management policy for more information.

## **10. RECORD KEEPING**

All concerns, discussions and decisions made and the reasons for those decisions should be recorded in writing on MyConcern. If in doubt about recording requirements, staff should discuss with the Designated Safeguarding Lead.

When a child has made a disclosure, the member of staff/volunteer should:

- Record as soon as possible after the conversation. Use MyConcern wherever possible.
- Do not destroy the original notes in case they are needed by a court
- Record the date, time, place and any noticeable non-verbal behaviour and the words used by the child
- Draw a diagram to indicate the position of any injuries
- Record statements and observations rather than interpretations or assumptions

All records need to be submitted to the Designated Safeguarding Lead promptly via MyConcern. No copies should be retained by the member of staff or volunteer. In the event of an urgent concern staff should also talk to the DSL to alert them to this.

The Designated Safeguarding Lead will ensure that all safeguarding records are managed in accordance with the Education (Pupil Information) (England) Regulations 2005.

Non-confidential records will be easily accessible and available. Confidential information and records will be held securely on MyConcern and only available to those who have a right or professional need to see them.

If a pupil who is/or has been the subject of a child protection plan changes school, the Designated Safeguarding Lead will inform the social worker responsible for the case and transfer the appropriate records to the Designated Safeguarding Lead at the receiving school, in a secure manner, and separate from the child's academic file.

## **11. CONFIDENTIALITY**

Safeguarding children raises issues of confidentiality that must be clearly understood by all staff/volunteers in schools.

- All staff in schools, both teaching and non-teaching staff, have a responsibility to share relevant information about the protection of children with other professionals, particularly the investigative agencies (Children's Services and the Police).
- Staff should never promise a child that they will not tell anyone about an allegation, as this may not be in the child's best interests
- Staff/volunteers who receive information about children and their families in the course of their work should share that information only within appropriate professional contexts.
- Timely information sharing is essential to effective safeguarding
- Information must only be shared on a 'need-to-know' basis, but you do not need consent to share information if a child is suffering, or at risk of, serious harm

## 12. SCHOOL PROCEDURES

*Please see Appendix 3: What to do if you are worried a child is being abused flowchart.*

If our staff have any concerns about a child's welfare, they should act on them immediately

If staff have a concern, they should follow this policy and speak to the DSL (or deputy).

Options will then include:

- managing any support for the child internally via the school's own pastoral support processes;
- an early help assessment;
- a referral for statutory services, for example as the child might be in need, is in need or suffering or likely to suffer harm.

The DSL or a deputy should always be available to discuss safeguarding concerns. If in exceptional circumstances, the DSL (or deputy) is not available, this should not delay appropriate action being taken. Staff should consider speaking to a member of the senior leadership team and/or take advice from local children's social care. In these circumstances, any action taken should be shared with the designated safeguarding lead (or deputy) as soon as is practically possible.

Our staff should not assume a colleague or another professional will take action and share information that might be critical in keeping children safe. They should be mindful that early information sharing is vital for effective identification, assessment and allocation of appropriate service provision.

If a **teacher** (persons employed or engaged to carry out teaching work at schools and other institutions in England), in the course of their work in the profession, discovers that an act of Female Genital Mutilation (FGM) appears to have been carried out on a girl under the age of 18 **the teacher must report** this to the police after informing the Designated Safeguarding Lead. **This is a mandatory reporting duty.** See Appendix 1- Keeping Children Safe in Education (DfE 2016): Annex A for further details.

The member of staff must record information regarding the concerns on the same day. The recording must be a clear, precise, factual account of the observations. Particular attention will be paid to the attendance and development of any child about whom the school has concerns, or who has been identified as being the subject of a child protection plan and a written record will be kept.

If a pupil who is/or has been the subject of a child protection plan changes school, the Designated Safeguarding Lead will inform the social worker responsible for the case and transfer the appropriate records to the Designated Safeguarding Lead at the receiving school, in a secure manner, and separate from the child's academic file.

The Designated Safeguarding Lead is responsible for making the senior leadership team aware of trends in behaviour that may affect pupil welfare. If necessary, training will be arranged.

### **13. COMMUNICATION WITH PARENTS/CARERS**

*The Trust will ensure the Safeguarding and Child Protection Policy is available publicly via the school and Trust websites.*

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

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

If we believe that notifying the parents would increase the risk to the child, we will discuss this with the local authority children's social care before doing so.

In the case of allegations of abuse made against other children, we will normally notify the parents of all the children involved.

### **14. Useful Links:**

**NSCB**

**NSCB Schools**

**NSPCC 0808 800 5000**

**Childline: 0800 1111**

**Child Exploitation and Online Protection (CEOP): 0870 000 3344**

**Online safety training and advice contact: [Onlinesafety@northamptonshire.gov.uk](mailto:Onlinesafety@northamptonshire.gov.uk)**

**Online safety policy examples: [Online safety policy examples](#)**

**Inspecting Safeguarding In the Early Years August 2018: [Inspecting-safeguarding-in-early-years-education-and-skills](#)**

**Early Years Foundation Stage Statutory Framework: [Early Years Foundation Stage Statutory Framework](#)**

### **15. Implementation, Monitoring and Review of the Child Protection Policy**

The policy will be reviewed annually by the Board of Directors. It will be implemented through the trust and schools' induction and training programmes, and as part of day to day practice. Compliance with the policy will be monitored by the nominated Director and members of the LGB, Designated Safeguarding Lead and through staff performance measures.

## APPENDIX 1: KEEPING CHILDREN SAFE IN EDUCATION (DfE 2018)

### Part One: Information for all school and college staff

#### Annex A: Further information

## KEEPING CHILDREN SAFE IN EDUCATION (DfE 2018)

### KCSIE 2018 Part 1

It is essential that all staff have access to this online document and read Part 1 and Annex A, which provides further information on:

- Children and the court system
- Children missing from education
- Children with family members in prison
- Child sexual exploitation
- Child criminal exploitation: county lines
- Domestic abuse
- Homelessness
- So-called 'honour-based' violence
- Preventing radicalisation
- Peer on peer abuse
- Sexual violence and sexual harassment between children in schools and colleges

This is to assist staff to understand and discharge their role and responsibilities as set out in this guidance.

We expect all staff to sign to say they have read these sections (please see Appendix 2) and they will subsequently be re-directed to these online documents again should any changes occur.

## APPENDIX 2: DECLARATION FOR STAFF

### Child Protection Policy and Keeping Children Safe in Education (DfE 2016)

**Staff are asked to read KCSE 2018 and complete a comprehension activity to assess their understanding annually or on induction. These are reviewed with the DSL. Staff then sign and date to show that they have read and understand the document.**

**Staff are asked to sign to say that they have read and understand the Child Protection Policy annually or on induction.**

## APPENDIX 3: WHAT TO DO IF YOU ARE WORRIED A CHILD IS BEING ABUSED: ADVICE FOR PRACTITIONERS (DfE 2015)

### Flowchart

#### Be alert

- Be aware of the signs of abuse and neglect
- Identify concerns early to prevent escalation.
- Know what systems the school have in place regarding support for safeguarding e.g. induction training , staff behaviour policy / code of conduct and the role of the Designated Safeguarding Lead (DSL).

#### Question behaviours

- Talk and listen to the views of children, be non - judgemental.
- Observe any change in behaviours and question any unexplained marks / injuries
- To raise concerns about poor or unsafe practice, refer to the HT or principal, if the concerns is about the HT or Principal, report to Chair of Governors. Utilise whistleblowing procedure.

#### Ask for help

- Record and share information appropriately with regard to confidentiality.
- If staff members have concerns, raise these with the school's or college's Designated Safeguarding Lead ( DSL)
- Responsibility to take appropriate action, do not delay.

#### Refer

- DSL will make referrals to children services but in an emergency or a genuine concern that appropriate action has not been taken, staff members can speak directly to MASH on 0300 126 1000 (Option 1)

## APPENDIX 4: INDICATORS OF ABUSE AND NEGLECT

### Types of abuse

Abuse, including neglect, and safeguarding issues are rarely standalone events that can be covered by one definition or label. In most cases, multiple issues will overlap.

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

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

Emotional abuse may involve:

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

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

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

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

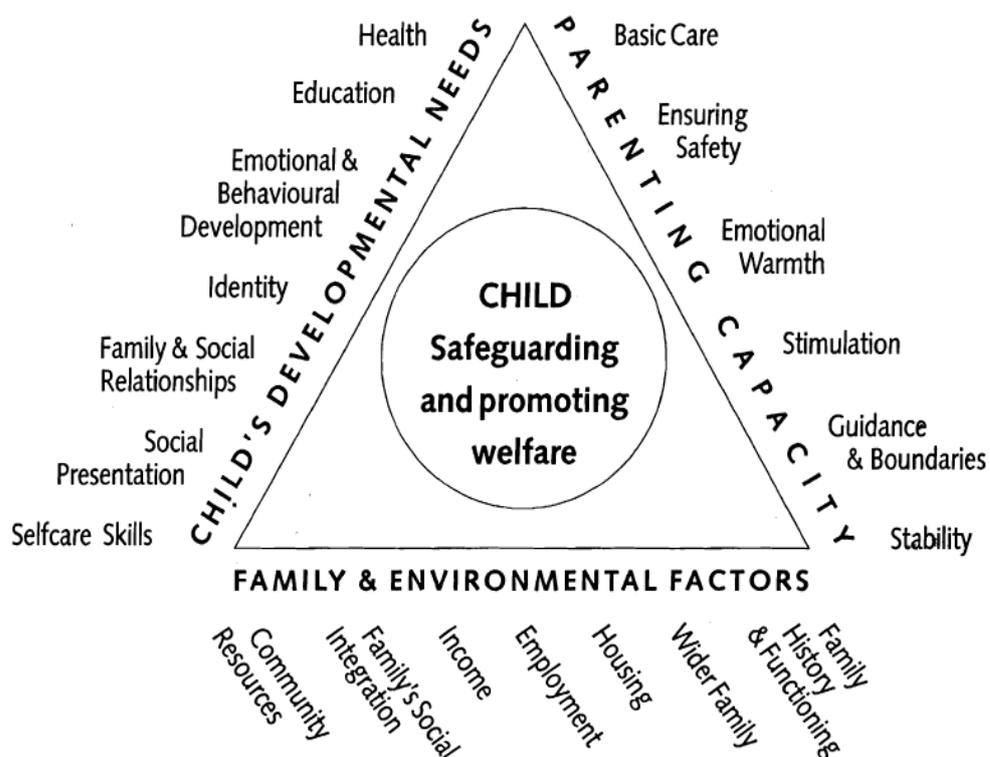
**Neglect** is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse.

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

- Provide adequate food, clothing and shelter (including exclusion from home or abandonment)
- Protect a child from physical and emotional harm or danger
- Ensure adequate supervision (including the use of inadequate care-givers)
- Ensure access to appropriate medical care or treatment

It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

**The framework for understanding children's needs:**



In addition to the above, from Working Together to Safeguard Children (DfE 2015), refer to the latest Thresholds and Pathways document: [Northamptonshire Thresholds and Pathways](#)

## Appendix 5: Specific safeguarding issues

### **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.

They 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 carers.

### **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 or college'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)**

The sexual exploitation of children and young people under 18 involves exploitative situations, contexts and relationships where young people, (or a third person or persons) receive something, (e.g. food, accommodation, drugs, alcohol, cigarettes, affections, gifts, money) as a result of them performing and/or others performing on them, sexual activities. Child sexual exploitation can occur through the use of technology without the child's immediate recognition, for example: being persuaded to post sexual images on the internet/mobile phones without

immediate payment or gain. In all cases those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources. Violence, coercion and intimidations are common, involvement in exploitative relationships being characterised in the main by the child's or young person's limited availability of choice, resulting from their social/economic and/or emotional vulnerability. (DCSF 2009).

### **Key Facts about CSE**

- Sexual exploitation often starts around the age of 10 years old. Girls are usually targeted from age 10 and boys from age 8.
- It affects both girls and boys and can happen in all communities.
- Any person can be targeted but there are some particularly vulnerable groups: Looked after Children, Children Leaving Care and Children with Disabilities.
- Victims of CSE may also be trafficked (locally, nationally and internationally).
- Over 70% of adults involved in prostitution were sexually exploited as children or teenagers.

Sexual violence or abuse against children represents a major public health and social welfare problem within UK society, affecting 16% of children under 16. That is approximately 2 million children.

### **Good practice – Individuals**

- Recognise the symptoms and distinguish them from other forms of abuse
- Treat the child/young person as a victim of abuse
- Understand the perspective/behaviour of the child/young person and be patient with them
- Help the child/young person to recognise that they are being exploited
- Collate as much information as possible
- Share information with other agencies and seek advice/refer to Social Care

### **Good practice – Organisations**

- Ensure robust safeguarding policies and procedures are in place which cover CSE
- Promote and engage in effective multi-agency working to prevent abuse
- Work to help victims move out of exploitation
- Cooperate to enable successful investigations and prosecutions of perpetrators

### **Child Criminal Exploitation: 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>12</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.

### **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

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.

### **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, 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 our school staff will be considering homelessness in the context of children who live with their families, and intervention will be on that basis.

### **So-called 'honour-based' violence**

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 multiagency 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).

### **Female Genital Mutilation FGM**

FGM is child abuse and a form of violence against women and girls, and therefore should be dealt with as part of existing child safeguarding/protection structures, policies and procedures.

FGM is illegal in the UK. In England, Wales and Northern Ireland, the practice is illegal under the Female Genital Mutilation Act 2003.

Other than in the excepted circumstances, it is an offence for **any person (regardless of their nationality or residence status)** to:

- perform FGM in England, Wales or Northern Ireland (section 1 of the Act);
- assist a girl to carry out FGM on herself in England, Wales or Northern Ireland (section 2 of the Act); and
- Assist (from England, Wales or Northern Ireland) a non-UK person to carry out FGM outside the UK on a **UK national or permanent UK resident** (section 3 of the Act).

### **Forced Marriage (FM)**

FM is now a specific offence under s121 of the Anti-Social Behaviour, Crime and Policing Act 2014 that came into force on 16 June 2014.

A FM is a marriage conducted without the valid consent of one or both parties, and where duress is a factor. Forced marriage is when someone faces physical pressure to marry (e.g. threats, physical violence or sexual violence) or emotional and psychological pressure (e.g. if someone is made to feel like they're bringing shame on their family). This is very different to an arranged marriage where both parties give consent.

FM is illegal in England and Wales. This includes:

- taking someone overseas to force them to marry (whether or not the forced marriage takes place)
- marrying someone who lacks the mental capacity to consent to the marriage (whether they're pressured to or not)

## **Prevent**

The Counter Terrorism & Security Act 2015

The Act places a Prevent duty on specified schools to have "due regard to the need to prevent people from being drawn into terrorism". The education and childcare specified authorities in Schedule 6 to the Act are as follows:

- The proprietors of maintained schools, non-maintained special schools, maintained nursery schools, independent schools (including academies and free schools) and alternative provision academies, PRUs, registered early years providers, registered late years providers and some holiday schemes.

Schools subject to the Prevent Duty will be expected to demonstrate activity in the following areas –

- Assessing the risk of children being drawn into terrorism
- Demonstrate that they are protecting children and young people from being drawn into terrorism by having robust safeguarding policies.
- Ensure that their safeguarding arrangements take into account the policies and procedures of the Local Safeguarding Children Board.
- Make sure that staff have training that gives them the knowledge and confidence to identify children at risk of being drawn into terrorism, and to challenge extremist ideas which can be used to legitimise terrorism
- Expected to ensure children are safe from terrorist and extremist material when accessing the internet in school.

## **Sexting in schools**

<https://schools.oxfordshire.gov.uk/cms/sites/schools/files/folders/folders/documents/safeguarding/SextingResourcePack.pdf>

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

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

Children who are victims of sexual violence and sexual harassment will likely find the experience stressful and distressing. This will, 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 2003/19 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

## **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.

## Appendix 6: Further guidance on Child Sexual Exploitation

### **Child Sexual Exploitation**

Child sexual exploitation (CSE) is a type of sexual abuse in which children are sexually exploited for money, power or status.

Children or young people may be tricked into believing they're in a loving, consensual relationship. They might be invited to parties and given drugs and alcohol. They may also be groomed online. Some children and young people are trafficked into or within the UK for the purpose of sexual exploitation. Sexual exploitation can also happen to young people in gangs.

### **Official definition of child sexual exploitation (CSE)**

Sexual exploitation of children and young people under 18 involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive 'something' (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them performing, and/or another or others performing on them, sexual activities.

Child sexual exploitation can occur through the use of technology without the child's immediate recognition; for example being persuaded to post sexual images on the Internet/mobile phones without immediate payment or gain.

In all cases, those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources.

Violence, coercion and intimidation are common, involvement in exploitative relationships being characterised in the main by the child or young person's limited availability of choice resulting from their social/economic and/or emotional vulnerability.

Child sexual exploitation is a hidden crime. Young people often trust their abuser and don't understand that they're being abused. They may depend on their abuser or be too scared to tell anyone what's happening.

It can involve violent, humiliating and degrading sexual assaults, including oral and anal rape. In some cases, young people are persuaded or forced into exchanging sexual activity for money, drugs, gifts, affection or status. Child sexual exploitation doesn't always involve physical contact and can happen online.

## **WARNING SIGNS AND VULNERABILITIES CHECKLIST**

The evidence available points to several factors that can increase a child's vulnerability to being sexually exploited. The following are typical **vulnerabilities in children prior to abuse**:

- Living in a chaotic or dysfunctional household (including parental substance use, domestic violence, parental mental health issues, parental criminality)
- History of abuse (including familial child sexual abuse, risk of forced marriage, risk of 'honour'-based violence, physical and emotional abuse and neglect)
- Recent bereavement or loss
- Gang association either through relatives, peers or intimate relationships (in cases of gang-associated CSE only)
- Attending school with young people who are sexually exploited
- Learning disabilities
- Unsure about their sexual orientation or unable to disclose sexual orientation to their families
- Friends with young people who are sexually exploited
- Homeless
- Lacking friends from the same age group
- Living in a gang neighbourhood
- Living in residential care
- Living in hostel, bed and breakfast accommodation or a foyer
- Low self-esteem or self-confidence
- Young carer

The following signs and behaviour are generally seen in children who are **already being sexually exploited**.

- Missing from home or care
- Physical injuries
- Drug or alcohol misuse
- Involvement in offending
- Repeat sexually-transmitted infections, pregnancy and terminations
- Absent from school
- Evidence of sexual bullying and/or vulnerability through the internet and/or social networking sites
- Estranged from their family
- Receipt of gifts from unknown sources
- Recruiting others into exploitative situations
- Poor mental health
- Self-harm
- Thoughts of or attempts at suicide

Evidence shows that any child displaying several vulnerabilities from the above lists should be considered to be at high risk of sexual exploitation. If you identify a child who you consider to be suffering from or a high risk of CSE, it is important that the Designated Safeguarding Lead in school is informed so that they can contact Children's Services.

## **Child sexual abuse online**

When sexual exploitation happens online, young people may be persuaded, or forced, to:

- send or post sexually explicit images of themselves
- take part in sexual activities via a webcam or smartphone
- have sexual conversations by text or online

Abusers may threaten to send images, video or copies of conversations to the young person's friends and family unless they take part in other sexual activity. Images or videos may continue to be shared long after the sexual abuse has stopped.

## **Child sexual exploitation in gangs**

Sexual exploitation is used in gangs to:

- exert power and control over members
- initiate young people into the gang
- exchange sexual activity for status or protection
- entrap rival gang members by exploiting girls and young women
- inflict sexual assault as a weapon in conflict.

Girls and young women are frequently forced into sexual activity by gang members. The majority of sexual exploitation within gangs is committed by teenage boys and men in their twenties.

## **Who sexually exploits children and young people?**

We don't know a great deal about who commits child sexual exploitation. Identifying abusers is difficult because:

- data often isn't recorded or is inconsistent or incomplete
- children and young people often only know their abuser by an alias, nickname or appearance
- victims may be passed between abusers and assaulted by multiple perpetrators
- children and young people are often moved from location to location and abused in each place
- young people may be given alcohol or drugs

The number of known perpetrators is likely to be far higher than those reported.

People who sexually exploit children are often described as highly manipulative individuals. They exert power over young people through physical violence, emotional blackmail or financial pressure, for example holding them in debt.

To maintain control or to distance children and young people from those who may be able to protect them, abusers create or exploit weaknesses such as:

- being isolated/distant from friends and family
- disengagement from services such as education or health
- challenging or criminal behaviour

### **Gender, age and ethnicity of perpetrators**

The Children's Commissioner's study found that:

- 72% of abusers were male
- 10% of abusers were female
- in 18% of cases gender wasn't disclosed

The evidence indicated that the age range of abusers was from 12 to 75 years. Where ethnic group was recorded, the majority of perpetrators were White and the second largest group was Asian.

### **Child sexual exploitation committed by children and young people**

In 2012 Barnardo's reported an increase in sexual exploitation by peers in eight of their services. They found young people were sexually exploiting peers either directly by sexually abusing victims themselves or indirectly by introducing children and young people to abusers.

The Children's Commissioner Inquiry found that of the 2,409 victims reported to them, 155 were also identified as perpetrators of child sexual exploitation.

According to the Child Exploitation and Online Protection Centre (CEOP), perpetrators can use one victim to gain access to others, asking victims to bring their friends along to prearranged meetings or 'parties'. In some cases, if victims try to break free, the perpetrator will use their peers to draw them back in.

## Appendix 7: Further guidance on the Prevention of Female Genital Mutilation, Forced Marriage and Honour Based Violence

### **Prevention of Female Genital Mutilation, Forced Marriage and Honour Based Violence**

Schools are well placed to raise concerns and take action to prevent young people from being forced into marriage whilst on extended visits to their parents' home country or that of extended family. The majority of extended holidays or visits to family overseas are for valid reasons. This guidance aims to raise the awareness of education professionals regarding the safeguarding of children at risk. It should be read together with the multi-agency practice guidelines produced by the Forced Marriage Unit and the Foreign and Commonwealth Office.

#### **What is forced marriage?**

A forced marriage is a marriage in which one or both spouses do not (or, in the case of some adults with learning or physical disabilities, cannot) consent to the marriage and duress is involved. Duress can include physical, psychological, financial, sexual and emotional pressure.

This is not the same as an arranged marriage. In arranged marriages, the families of both spouses take a leading role in arranging the marriage but the choice whether or not to accept the arrangement remains with the prospective spouses.

#### **Who is at risk?**

Pupils, male or female, from as young as 11 may be at risk of being forced into marriage by parents. They may be pressurised and then agree to marry one of the prospective candidates without time for reflection. The younger pupils may be betrothed with the expectation that they will enter full married state at a later stage of their lives.

In the UK, young people can be forced into a legal marriage from age 16 or undergo a religious ceremony at an earlier age and suffer sexual abuse.

#### **The key motives for forcing a child into marriage have been identified as:**

- Controlling unwanted behaviour and sexuality (including perceived promiscuity such as kissing or hand holding, or being gay, lesbian, bisexual or transgender) – particularly the behaviour and sexuality of women
- Controlling unwanted behaviour, for example, alcohol and drug use, wearing make-up or behaving in a 'westernized manner'
- Preventing 'unsuitable' relationships, e.g. outside the ethnic, cultural religious or caste group
- Protecting 'family honour' or 'izzat'
- Rejecting a proposal of marriage
- Responding to peer group or family pressure
- Attempting to strengthen family links
- Achieving financial gain

- Ensuring land, property and wealth remain within the family
- Protecting perceived cultural ideas
- Protecting perceived religious ideals that are misguided
- Ensuring care for a child or vulnerable adult with special needs when parents or existing carers are unable to fulfil that role
- Assisting claims for residence and citizenship
- Long standing family commitments

## **Female genital mutilation (FGM)**

Female genital mutilation (FGM) involves procedures that include the partial or total removal of the external female genital organs for cultural or other non-therapeutic reasons. The practice is medically unnecessary, extremely painful and has serious health consequences, both at the time when the mutilation is carried out and in later life. Schools are well placed to identify concerns and take action to prevent children from becoming victims of FGM. This guidance aims to raise awareness amongst education professionals of children at risk of FGM; it should be read together with the Multi-Agency practice guidelines produced by the [Home Office](#).

Who is at risk?

A recent study<sup>1</sup> has estimated that approximately:

- 60,000 girls aged 0 to 14 years were born in England and Wales to mothers who had undergone FGM.
- 103,000 women aged 15 to 49 and approximately 24,000 women aged 50 and over who have migrated to England and Wales are living with the consequences of FGM.
- 10,000 girls aged under 15 who have migrated to England and Wales are likely to have undergone FGM.

FGM is prevalent in 30 countries. These are concentrated in countries around the Atlantic coast to the Horn of Africa, in areas of the Middle East and in some countries in Asia. However, it also takes place within parts of Western Europe and other developed countries, primarily amongst immigrant and refugee communities. UK communities that are at risk of FGM include Somali, Kenyan, Ethiopian, Sierra Leonean, Sudanese, Egyptian, Nigerian, Eritrean, Yemeni, Kurdish and Indonesian women and girls.

## **Risks & Indicators of FGM<sup>2</sup>**

There are a range of potential indicators that a child or young person may be at risk of FGM. It is important to remember this is not an exhaustive list of risk factors. There may be additional risk factors specific to particular communities. For example, in certain communities FGM is closely associated to when a girl reaches a particular age.

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<sup>1</sup> Macfarlane A, Dorkenoo E. Female Genital Mutilation in England and Wales: Updated statistical estimates of the numbers of affected women living in England and Wales and girls at risk.

<sup>2</sup> Adapted from 'Multi-Agency Practice Guidelines: Female Genital Mutilation', HM Government (2016)

If any of these risk factors are identified professionals will need to consider what action to take. If unsure whether the level of risk requires referral at this point, professionals should discuss the case with their designated safeguarding lead.

**If the risk of harm is imminent, emergency measures may be required.**

**FACTORS THAT MAY INDICATE A GIRL IS POTENTIALLY AT RISK OF BEING AFFECTED BY FGM**

The most significant factor to consider when deciding whether a girl or woman may be at risk of FGM is whether her family has a history of practising FGM. In addition, it is important to consider whether FGM is known to be practised in her community or country of origin.

There are a number of factors in addition to a girl's or woman's community, country of origin and family history that could indicate she is at risk of being subjected to FGM. Potential risk factors may include:

- a female child is born to a woman who has undergone FGM;
- a female child has an older sibling or cousin who has undergone FGM;
- a female child's father comes from a community known to practise FGM;
- the family indicate that there are strong levels of influence held by elders and/or elders are involved in bringing up female children;
- a woman/family believe FGM is integral to cultural or religious identity;
- a girl/family has limited level of integration within UK community;
- parents have limited access to information about FGM and do not know about the harmful effects of FGM or UK law;
- a girl confides to a professional that she is to have a 'special procedure' or to attend a special occasion to 'become a woman';
- a girl talks about a long holiday to her country of origin or another country where the practice is prevalent;
- parents state that they or a relative will take the girl out of the country for a prolonged period;
- a parent or family member expresses concern that FGM may be carried out on the girl;
- a family is not engaging with professionals (health, education or other);
- a family is already known to social care in relation to other safeguarding issues;

- a girl requests help from a teacher or another adult because she is aware or suspects that she is at immediate risk of FGM;
- a girl talks about FGM in conversation, for example, a girl may tell other children about it - it is important to take into account the context of the discussion;
- a girl from a practising community is withdrawn from Personal, Social, Health and Economic (PSHE) education or its equivalent;
- a girl is unexpectedly absent from school.

#### **INDICATIONS THAT FGM MAY HAVE ALREADY TAKEN PLACE**

A girl may:

- ask for help;
- confide in a professional that FGM has taken place;
- have difficulty walking, sitting or standing or looks uncomfortable;
- find it hard to sit still for long periods of time, and this was not a problem previously;
- spend longer than normal in the bathroom or toilet due to difficulties urinating;
- spend long periods of time away from a classroom during the day with bladder or menstrual problems;
- have frequent urinary, menstrual or stomach problems;
- avoid physical exercise or requires to be excused from physical education (PE) lessons without a GP's letter;
- have prolonged or repeated absences from school or college
- have increased emotional and psychological needs, for example withdrawal or depression, or a significant change in behaviour;
- be reluctant to undergo any medical examinations;
- ask for help, but is not be explicit about the problem; and/or
- talk about pain or discomfort between her legs.

#### **Mandatory Reporting Requirements for Teachers (October 2015)**

Section 5B of the FGM Act 2003 (as amended by the Serious Crime Act 2015) introduces a mandatory reporting duty which requires regulated health and social care professionals and teachers in England and Wales to report '**known**' cases of FGM in under 18s which they identify in the course of their professional work to the police. The duty applies from 31 October 2015 onwards.

The duty applies to any teacher who is employed or engaged to carry out 'teaching work', whether or not they have qualified teacher status, in maintained schools, academies, free

schools, independent schools, non-maintained special schools, sixth form colleges, 16-19 academies, relevant youth accommodation or children's homes in England.

The duty does not apply in suspected cases or if a teacher identifies a child at risk of FGM but these concerns should be reported to the Designated Safeguarding Lead within the school in any event.

The duty is a personal duty which requires the individual professional who becomes aware of the case to make a report; the responsibility cannot be transferred. The only exception to this is if you know that another individual from your profession has already made a report; there is no requirement to make a second.

Guidance from the Home Office on this reporting requirement advises that any professional making a report to the police does this orally by calling 101, the single non-emergency number. Where there is a risk to life or likelihood of serious immediate harm, professionals should report the case immediately to police, including dialling 999 if appropriate. Full procedural information relating to the requirement including frequently asked questions is provided within the Home Office Guidance and should be read by all relevant professionals working in a school.

If a member of staff needs to report a 'known' case of FGM to the police, they should also be advised to inform the Designated Safeguarding Lead in line with the school's safeguarding policy.

### **What can you do to spot the risks?**

It is believed that FGM happens to British girls in the UK as well as overseas (often in the family's country of origin). Girls of school age who are subjected to FGM overseas are thought to be taken abroad at the start of the school holidays, particularly in the summer holidays, in order for there to be sufficient time for her to recover before returning to her studies.

When managing requests for absence, it is useful for school clusters/pyramids to share a common absence request form which requests information on all siblings who attend other schools. Sometimes younger siblings tell teachers information that has a bearing on older members of the family. Schools should liaise with each other when considering requests for leave of absence during term-time.

Parents/carers will sometimes require translation or interpretation of absence request forms and explanation of the rules concerning term time holidays.

Where head teachers require a meeting with parents to discuss applications for extended leave of absence during term time, this can provide an opportunity to gather important information.

When parents/carers make requests for extended holiday leave, consider whether the parents/carers are volunteering information on the following:

- The precise location of where the pupil is going
- The purpose of the visit
- The child/children know and corroborate the purpose of the visit
- The return date and whether it is estimated or fixed

Parents/carers may not always be able to provide a definite return date due to return flights being booked as last minute availability occurs. The circumstances triggering a trip may also necessitate a flexible return date.

**If a return date has been specified and a child has not returned to school, school must contact their Attendance Improvement Officer.**

In no circumstances should a school remove the student from the roll without first making enquiries about the child's disappearance in line with Northamptonshire County

Council's Children Missing Education Procedures. Children's Services and the Police should be notified as appropriate.

### **What to do if you are concerned:**

A child at risk of FGM may also be at risk of other forms of honour based abuse. Extreme caution should be taken in sharing information with any family members or those with influence within the community as this may alert them to your concerns and may place the student in danger.

### **Honour based violence**

'Honour' based violence (HBV) occurs when perpetrators believe a relative or other individual has shamed or damaged a family's or community's 'honour' or reputation (known in some communities as izzat), and that the only way to redeem the damaged 'honour' is to punish and/or kill the individual.

'Honour' based violence is a term that is widely used to describe this sort of abuse however it is often referred to as so called 'honour' based violence because the concept of 'honour' is used by perpetrators to make excuses for their abuse. There is a very strong link between 'honour' based violence, forced marriage and domestic abuse.

Examples of damaged honour are:

- Defying parental authority
- Becoming overly westernised in style (e.g. clothing, make up, behaviour, attitudes, etc.)

- Having sex/relationships/pregnancies outside marriage
- Using drugs, alcohol, cigarettes
- Gossip – family honour can be damaged by unfounded or untrue gossip or rumours
- Interfaith or intercommunity relationships
- Leaving a spouse or seeking a divorce

### **Forms of 'honour' based violence can include, but are not limited to:**

- Being disowned or ostracised by the community
- Physical abuse of the victim by family members including spouse and in laws
- Restriction of freedom or loss of independence – being “policed” by family members
- Isolation from wider family or community, e.g. stopped from seeing friends
- Forced marriage
- Murder

Internalisation of guilt or shame by the victim can cause internal conflict for them, and not wanting to cause further shame can result in self-harm and suicide attempts.

### **Potential indicators of 'honour' based violence**

Cases will rarely present as forced marriage and/or 'honour' based violence, and the victim (particularly children and young people) will not usually mention either forced marriage or 'honour' based violence.

### **Education**

- Withdrawal of student from school by those with parental responsibility
- Removal of day centre for person with physical or learning disability
- Sudden announcement of engagement to a stranger
- Student being prevented from attending higher or higher education
- Truancy or persistent absences
- Request for extended leave or student not returning from an overseas visit
- Surveillance by siblings/cousins/extended family members at school
- Decline in behaviour, engagement, performance or punctuality, poor exam results – in particular for previously motivated student
- Decline in physical presentation or demeanour

### **Health**

- Patient constantly being accompanied on visits to doctor, midwife and/or clinics
- Self-harm and/or eating disorders
- Attempted suicide
- Depression
- Isolation
- Alcohol or substance misuse
- Early, unwanted or constant pregnancy
- Female genital mutilation (an offence under the Female Genital mutilation Act 2003)

## **Family History**

- Siblings being forced to marry
- Early marriage of siblings
- Self-harm or suicide of siblings
- Death of a parent
- Family disputes
- Domestic Violence and abuse
- Running away from home
- Unreasonable restrictions (e.g. house arrest)
- Never being allowed to leave the home unescorted
- Financial restrictions (e.g. not being access to own money or bank account)

## **Employment**

- Poor performance
- Poor attendance
- Limited career choices
- Unable to attend business trips or functions
- Not allowed to work
- Subject to financial control (e.g. not being given access to own money or bank account)

## **Police Involvement**

- Victim or other sibling being reported as missing
- Reports of domestic abuse, violence harassment or breaches of the peace in the family home
- Reports of other offences such as rape or kidnap
- Victim reported by family for alleged offences (e.g. substance misuse, shoplifting)
- Threats to kill
- Attempts to kill or harm
- Acid attacks
- Female genital mutilation (an offence under the Female Genital mutilation Act 2003)

## **Risk Factors and Motivations**

Many young people, throughout their childhood, expect their parents to choose or select their marriage partner for them, and may not realise they have a fundamental human right to choose their spouse. Motives behind forced marriage can be justified, by the perpetrators, as protection of their children or preservation of cultural or religious traditions, and they are unlikely, therefore, to see anything wrong with their actions.

Some of the key motivations, identified by practitioners working with victims of forced marriage and "honour" based violence, include:

- Controlling unwanted or perceived promiscuity

- Controlling sexuality
- Preventing “unsuitable” or undesirable relationships (e.g. outside ethnic, cultural, religious or caste group)
- Protecting family ‘honour’ and pride/ izzat
- Responding to peer group or family pressure
- Fulfilling long standing family commitments and/or to strengthen family links or ties
- Protecting perceived cultural ideals
- Protecting perceived religious ideals which are misguided
- Ensuring care for a child or vulnerable adult with special needs
- Assisting claims for UK residence and/or citizenship
- Protecting family wealth, land or property or increasing wealth

**Some factors increase the risk of someone being forced into marriage and can include:**

- Bereavement within a family – occasionally, when a parent dies, the remaining parent feels an urgency to ensure the children are married
- When a step parent moves in with the family
- When an older child refuses to marry a younger child may be forced in to the marriage to protect the family ‘honour’ or fulfil the original contract
- When a disclosure of sexual abuse is made – parents may feel the marriage will restore the family ‘honour’ or stop the abuse These motivations may help practitioners understand why parents may force their children to marry but cannot be used as justification for denying their children their human right to choose their own marriage partner.

Every major faith group, including Islam, Sikh, Hindu and Christian, condemns forced marriage and all require freely given consent as a pre requisite for a valid marriage to take place.

**Initial steps**

Agencies may only get ‘one chance to help an individual escape from honour based violence. Remembering the ‘one chance rule’ the agency should carefully question the person concerned as cases are frequently complex and highly sensitive to the individual. The reason behind a forced marriage or “honour” based violence may be due to sexuality or disability as well as cultural belief. The majority of victims will be women but this does not mean that there are not male victims. All cases should be dealt with seriously. There is no specific offence of forced marriage or “honour” based violence but the victim concerned may have been subjected to a number of offences

Initially agencies will need to take the following essential action:

- Ensure the victim is seen in a safe and private place (if there is imminent risk phone 999)
- See the victim on their own, if an interpreter is needed take steps to ensure that the interpreter is not connected with the individual or community
- Where victim is under 18, refer to child safeguarding procedures
- Identify any potential criminal offences and refer to the police if appropriate

- Reassure the victim, this will include ensuring that their confidentiality is maintained
  - Establish a safe way of maintaining contact with the victim
- 
- Do not send the victim back to the family home as part of the routine safeguarding or domestic abuse procedures – practitioners need to be sure that such action will be safe for the victim and, if it is, that the victim has a safety plan and is clear on how to access support when it is needed at any point in the future
  - Do not approach family members and/or members of the community without an express request from the victim,
  - Do not breach confidentiality or share information inappropriately, unless due to safeguarding concerns for a child or vulnerable adult or an adult at risk of serious harm or homicide (MARAC referral).
  - Do not use friends, family members, community leaders or members as interpreters even if they give reassurances of their support for the victim
  - Do not share information from any strategy meetings or MARAC discussions without the agreement of partners at those meetings and the expressed consent of the victim
  - Do not contact the family in advance of any enquiries by the police, the Forced Marriage Unit, adult or children’s social care, either by telephone or letter

Remember Cases of ‘honour’ based violence and forced marriage may not fit with some of the principles of working with children and families, as they may, inadvertently, place the victim at greater risk of harm. This includes the principle that the best place for a child or young person is with his/her family. It also includes the practice of attempting to resolve cases through family mediation, counselling, arbitration or reconciliation.

## Appendix 8: Peer on Peer Abuse

### **Managing allegations against other pupils**

DfE guidance Keeping Children Safe in Education (2016) says that 'governing bodies should ensure that there are procedures in place to handle allegations against other children'. The guidance also states the importance of minimising the risks of peer-on- peer abuse. In most instances, the conduct of students towards each other will be covered by the school's behaviour policy. Some allegations may be of such a serious nature that they may raise safeguarding concerns. These allegations are most likely to include physical abuse, emotional abuse, sexual abuse and sexual exploitation. It is also likely that incidents dealt with under this policy will involve older students and their behaviour towards younger students or those who are vulnerable.

### **The safeguarding implications of sexual activity between young people<sup>i</sup>**

The intervention of child protection agencies in situations involving sexual activity between children can require difficult professional judgments. Some situations are statutorily clear – for example, a child under the age of 13 cannot consent to sexual activity. But it will not necessarily be appropriate to initiate safeguarding procedures where sexual activity involving children and young people below the age of legal consent (16 years) comes to notice. In our society generally the age at which children become sexually active has steadily dropped. It is important to distinguish between consensual sexual activity between children of a similar age (where at least one is below the age of consent), and sexual activity involving a power imbalance, or some form of coercion or exploitation. It may also be difficult to be sure that what has or has been alleged to have taken place definitely does have a sexual component.

As usual, important decisions should be made on a case by case basis, on the basis of an assessment of the children's best interests. Referral under safeguarding arrangements may be necessary, guided by an assessment of the extent to which a child is suffering, or is likely to suffer, significant harm. Key specific considerations will include:

- The age, maturity and understanding of the children
- Any disability or special needs of the children
- Their social and family circumstance
- Any evidence in the behaviour or presentation of the children that might suggest they have been harmed
- Any evidence of pressure to engage in sexual activity
- Any indication of sexual exploitation.

There are also contextual factors. Gender, sexuality, race and levels of sexual knowledge can all be used to exert power. A sexual predator may sometimes be a woman or girl and the victim a boy

## **Policy:-**

At The Irthlingborough and Finedon Learning Trust we believe that all children have a right to attend school and learn in a safe environment. Children should be free from harm by adults in the school and other students.

We recognise that some students will sometimes negatively affect the learning and wellbeing of others and their behaviour will be dealt with under the school's behaviour policy.

## **Prevention**

As a school we will minimise the risk of allegations against other pupils by:-

- Providing a developmentally appropriate PSHE syllabus which develops students understanding of acceptable behaviour and keeping themselves safe
- Having systems in place for any student to raise concerns with staff, knowing that they will be listened to, believed and valued
- Delivering targeted work on assertiveness and keeping safe to those pupils identified as being at risk
- Developing robust risk assessments & providing targeted work for pupils identified as being a potential risk to other pupils.

## **Allegations against other pupils which are safeguarding issues**

Occasionally, allegations may be made against students by others in the school, which are of a safeguarding nature. Safeguarding issues raised in this way may include physical abuse, emotional abuse, sexual abuse and sexual exploitation. It is likely that, to be considered a safeguarding allegation against a pupil, some of the following features will be found.

If the allegation:-

- Is made against an older pupil and refers to their behaviour towards a younger pupil or a more vulnerable pupil
- Is of a serious nature, possibly including a criminal offence
- Raises risk factors for other pupils in the school
- Indicates that other pupils may have been affected by this student
- Indicates that young people outside the school may be affected by this student

Examples of safeguarding issues against a student could include:

### **Physical Abuse**

- Violence, particularly pre-planned
- Forcing others to use drugs or alcohol

### **Emotional Abuse**

- Blackmail or extortion
- Threats and intimidation

## **Sexual Abuse**

- Indecent exposure, indecent touching or serious sexual assaults
- Forcing others to watch pornography or take part in sexting

## **Sexual Exploitation**

- Encouraging other children to engage in inappropriate sexual behaviour ( For example - having an older boyfriend/girlfriend, associating with unknown adults or other sexually exploited children, staying out overnight)
- Photographing or videoing other children performing indecent acts

## **Sexting in schools and colleges, responding to incidents, and safeguarding young people, guidance from the UK Council for Child Internet Safety (UKCCIS)**

In August 2016 the UK Council for Child Internet Safety (UKCCIS) published non-statutory guidance on managing incidents of sexting by under-18s. Over 200 organisations were involved in creating the guidance, including government and the DfE, children's charities, UK Safer Internet Centre, CEOP, Police, and teachers' groups.

The UKCCIS guidance is non-statutory, but should be read alongside 'Keeping children safe in education'. It should be followed unless there's a good reason not to do so.

There is no clear definition of 'sexting'. Instead, this document talks about 'youth-produced sexual imagery'. This is imagery that is being created by under 18s themselves and involves still photographs, video, and streaming. In the guidance, this content is described as sexual and not indecent. Indecent is subjective and has no specific definition in UK law.

### **Incidents covered by this guidance:**

- Person under 18 creates a sexual image of themselves and shares it with another person under 18
- A person under 18s shares an image of another under 18 with another person under 18 or an adult
- A person under 18 is in possession of sexual imagery created by another person under 18

### **Incidents not covered by this guidance:**

- Under 18s sharing adult pornography
- Under 18s sharing sexual texts without sexual imagery
- Adults sharing sexual imagery of under 18s. (This is child sexual abuse and must always be reported to police.)
- 

### **Response to incidents of youth produced sexual imagery**

The response should be guided by the 'principle of proportionality'.

'The primary concern at all times should be the welfare and protection of the young people involved.' (Sexting in schools and colleges: responding to incidents and safeguarding young people (page 8))

## **The Law**

*Making, possessing, and distributing any imagery of someone under 18 which is indecent is illegal. This includes imagery of yourself if you're under 18.*

Indecent is not definitively defined in law, but images are likely to be considered indecent if they depict:

- a naked young person
- a topless girl
- an image which displays genitals, and
- sex acts including masturbation
- indecent images may also include overtly sexual images of young people in their underwear

These laws weren't created to criminalise young people but to protect them.

Although sharing sexual images of themselves is illegal and risky, it is often the result of curiosity and exploration. Young people need education, support, and safeguarding, not criminalisation.

The National Police Chiefs' Council (NPCC) is clear that "youth-produced sexual imagery should be primarily treated as a safeguarding issue."

Schools may respond to incidents without involving the police. (However, in some circumstances, the police must always be involved.)

## **Crime recording**

When the police are notified about youth-produced sexual imagery, they must record this as a crime. The incident is listed as a crime, and the young person is the suspect. This is, however, not the same as a criminal record.

Every crime reported to the police must have an outcome code. The NPCC, Home Office and the DBS have agreed a new outcome code for youth-produced sexual imagery.

Outcome 21: This outcome code allows the police discretion not to take further action if it is not in the public interest, even though there is enough evidence to prosecute.

Using this outcome code is likely to mean the offence would not appear on a future Enhanced DBS check, although not impossible, as that disclosure is a risk-based decision. Schools can be assured that the police have the discretion they need not to adversely impact young people in the future.

## **Handling incidents**

- Refer to the designated safeguarding lead
- DSL meets with the young people involved
- Do not view the image unless it is unavoidable
- Discuss with parents, unless there is an issue where that's not possible
- Any concern the young person is at risk of harm, contact social care or the police

### **Always refer to the police or social care if incident involves:**

- an adult
- coercion, blackmail, or grooming
- concerns about capacity to consent, [e.g., SEN]
- images show atypical sexual behaviour for the child's developmental stage
- violent acts are depicted
- image shows sex acts and includes a child under 13
- a young person at risk of immediate harm as a result of the disclosure (for example, self-harm or suicide)

Once DSL has enough information, the decision should be made to deal with the matter in school, refer it to the police or to social care. All information and decision-making should be recorded in line with school policy. If the incident has been dealt with in school, a further review should be held to assess risks.

### **Assessing the risks once the images have been shared**

- Has it been shared with the knowledge of the young person?
- Are adults involved in the sharing?
- Was there pressure to make the image?
- What is the impact on those involved?
- Does the child or children have additional vulnerabilities?
- Has the child taken part in producing sexual imagery before?

### **Viewing images**

- Avoid viewing youth-produced sexual imagery. Instead, respond to what you have been told the image contains
- If it is felt necessary to view, discuss with the head teacher first
- Never copy, print, or share the image (it's illegal)
- View with another member of staff present
- Record the fact that the images were videoed along with reasons and who was present. Sign and date.

### **Deleting images (from devices and social media)**

If the school has decided that involving other agencies is not necessary, consideration should be given to deleting the images.

It is recommended that pupils are asked to delete the images themselves and confirm they have done so. This should be recorded, signed, and dated.

Any refusal to delete the images should be treated seriously, reminding the pupil that possession is unlawful.

## **Summary**

- New guidance for schools
- Not "sexting" but "youth-produced sexual imagery."
- Although illegal, police involvement not always necessary
- Images can be deleted and incident managed in school
- Risk-based approach

## **Procedure**

When an allegation is made by a pupil against another student, members of staff should consider whether the complaint raises a safeguarding concern. If there is a safeguarding concern the Designated Safeguarding Lead (DSL) should be informed.

A factual record should be made of the allegation, but no attempt at this stage should be made to investigate the circumstances.

The DSL should contact Multi Agency Safeguarding Hub (MASH) to discuss the case. The DSL will follow through the outcomes of the discussion and make a referral where appropriate.

If the allegation indicates that a potential criminal offence has taken place, MASH will refer the case to the Police.

Parents, of both the student being complained about and the alleged victim, should be informed and kept updated on the progress of the referral.

The DSL will make a record of the concern, the discussion and any outcome and keep a copy in the files of both pupils' files.

It may be appropriate to exclude the pupil being complained about for a period of time according to the school's behaviour policy and procedures.

Where neither social services nor the police accept the complaint, a thorough school investigation should take place into the matter using the school's usual disciplinary procedures.

In situations where the school considers a safeguarding risk is present, a risk assessment should be prepared along with a preventative, supervision plan.

The plan should be monitored and a date set for a follow-up evaluation with everyone concerned.

## Appendix 9: Private Fostering

### **The law says that the Local Authority must be told about all private fostering situations.**

The child's parent(s), private foster carer(s) or anyone else involved in the arrangement are legally required to inform Northamptonshire Children's Services. However, private foster carers are often unaware of the legal requirements which can leave potentially vulnerable children at risk.

### **Education and health professionals are often the first people to become aware of private fostering situations.**

Use the checklist below (also available on the [NSCB website](#)) to help you identify a current or impending arrangement that comes under the private fostering regulations.

If the answer to the questions below is 'yes', then it is likely that a private fostering arrangement is in place:

- Is the child/young person under 16 years (or under 18 years if disabled)?
- Are they being provided with accommodation by someone other than a parent, relative or a person with parental responsibility?
- Are the parents in agreement with the arrangement?
- Has the child/young person been accommodated for a period of 28 days? If not, is the intent to accommodate for a period of 28 days or more?
- Are the child's/young person's parents/persons with parental responsibility living in separate accommodation from the child/young person?

### **Professionals becoming aware of a private fostering arrangement have a duty to satisfy themselves that Northamptonshire County Council has been notified:**

- Professionals should encourage the child's parent or carer to notify the authority
- Professionals should also consider contacting Northamptonshire County Council to ensure that the notification has or will be made
- You will not be breaching confidentiality by notifying us, but you will be helping to safeguard a child.

**If you think you know a child who is being privately fostered please contact the Multi Agency Safeguarding Hub (MASH) to notify or seek further information about private fostering.**

**Contact the MASH by email: [mash@northamptonshire.gcsx.gov.uk](mailto:mash@northamptonshire.gcsx.gov.uk) or call 0300 126 1000.**

## Appendix 10: Safeguarding Concern Form

Form used by visitors and Mid-Day Supervisors other staff record concerns on MyConcern.

### Safeguarding children at Irthlingborough Junior School

#### *Safeguarding Concern*

**Child's Name:**

**Class:**

**D.O.B.**

**Date:**

**Time:**

**Areas of Concern**

**Shared/discussed with Parent /Carer    Yes/ No**

**Date:**

**Time:**

**Advice/ Action**

**Member of staff** \_\_\_\_\_ **Signed** \_\_\_\_\_ **Date** \_\_\_\_\_

**Passed to Designed Safeguarding Lead** \_\_\_\_\_ **signed** **Date** \_\_\_\_\_

**Actions/ Follow up (Dates)**

**Action completed date:**

*Please use yellow paper*

## Appendix 11: If a pupil discloses to you

If a pupil talks to a member of staff about any risks to their safety or wellbeing, **the staff member will need to let the pupil know that they must pass the information on** – staff are not allowed to keep secrets. The point at which they tell the pupil this is a matter for professional judgement. If they jump in immediately the pupil may think that they do not want to listen, if left until the very end of the conversation, the pupil may feel that they have been misled into revealing more than they would have otherwise.

Staff are given the following guidelines to help them in the event of a disclosure

### Do

- Be accessible and receptive
- Take it seriously ( e.g. 'this is very serious' or 'I am sorry that this has happened to you' )
- Listen carefully and ask open questions to clarify (eg. 'who, what, where, when, how')
- Negotiate getting help eg. 'I would like to help you, but I will need to talk to other people ( Designated safeguarding staff )who will know what to do
- Report all suspicions or disclosures **IMMEDIATELY** to the Designated safeguarding staff.If they are not available call the Multi – Agency Safeguarding Hub (MASH) **0300 126 1000 option 1 and then option 3**
- Make careful notes of what was said immediately – use the actual words and include any questions asked.
- Designated Safeguarding staff will ask you to complete an entry on My concern if necessary.
- Inform one of the Designated officers in person.
- Consider how you feel after a disclosure. You may want to talk it through with the Designated staff.
- 

### Do Not

- Jump to conclusions
- Try to get the pupil to disclose – let them talk and ask questions needed to clarify immediate **safety**. Repeated questioning in itself is abusive and may also prejudice subsequent investigations by police / social services
- Speculate or make accusations
- Make promises you cannot keep
- Guarantee confidentiality
- Make negative comments about the alleged perpetrator
- Show your own emotional responses to the situation

**Remember** – if a pupil has chosen you , as a trusted adult to confide in , they will expect your support!

## Appendix 12: Adult code of conduct

This policy applies to all staff, regardless of their designation.

In our capacity as school staff, directors and governors, we have a duty to behave in a way that reflects well on the school, working at all times within the law and according to Trust and Local Authority policies and procedures. At no time should public confidence in the school be put at risk by the actions or words of a member of school staff, board of directors or governing body. Volunteers are asked to make a similar commitment.

**It is important that adults read, understand and sign the Trust's Code of Conduct.**

**If the behaviour of a member of staff falls below the standards in this code, the Head Teacher/Chair of Local Governing/Chair of Board of Directors may take disciplinary action against you, including dismissal.**

This Code of Conduct cannot cover every eventuality. Its purpose is to alert you to some areas of common agreement and potential risks of accusation whilst working in a school environment. It does not replace the general requirements of the law, common sense and good conduct.

If any points are unclear or you are not sure of the appropriate action to take in a situation, whether or not it is covered in this code, please consult the Head Teacher.

1. We are committed to safeguarding and promoting the welfare of all children.
2. We know and follow the school aims at all times.
3. We will respect confidentiality (see point 13)
4. We will treat others equally well, avoiding all forms of discrimination.
5. We will be good role models for children.
6. We will be punctual and fully prepared for our work.
7. We will respect and safeguard the school's property and resources.
8. We will listen to what children and adults have to say and value their opinions.
9. We will engage in a professional dialogue when our ideas and opinions differ.
10. We will speak with care to children and adults (see below)
11. We will dress modestly and appropriately for working with children.
12. We will follow Health and Safety guidelines.

## **Confidentiality and Information Disclosure**

We will not pass on to anyone information about any child or adult unless there is a need for them to have this information in the course of their work. This will be agreed with the Head Teacher.

- a) We will conform to the requirements of the Data Protection Act 2002 and will take all reasonable steps to ensure that the loss, destruction, inaccuracy or disclosure of information does not occur as a result of our actions. This includes information relating to school business and pupil data. Children's names and any records which may identify pupil or staff information must be stored securely using password access on laptops and devices.
- b) We will not disclose personal or financial information about any other member of staff or other adult involved with the school to any unauthorised person, external organisation or agency without the express consent of the individual concerned or that of the Head Teacher.
- c) We will not use information obtained in the course of our duties to the detriment of the individual school or Trust or for personal gain or benefit; nor will we impart this information to others who might use it in such a way.
- d) Confidential information belonging to the school or Trust will not be disclosed to any person not authorised to receive it.

## **Transportation of children in private cars**

- a) Adults will only transport a pupil in their car, as part of school duties, if they have provided the school with evidence of appropriate insurance cover. Car insurance must be covered for "Business" use. A copy of valid Car Insurance must be held in school.
- b) Adults will only transport pupils, in relation to school activities, in their private car with the knowledge and consent of the Head Teacher and the agreement of the child's parent
- c) In an emergency when children are taken to hospital in a staff car there will always be another member of staff present. Depending upon the nature of the emergency, permission from parents may not be requested before transportation.
- d) The normal rules of the road apply, for example, all children being transported should be wearing a seat belt and using a child seat as appropriate.

## **Privacy when speaking to or working with children**

- a) As a general rule, adults would not work with, a child alone in a room with the door closed. If an adult needs to speak to, or work with, a child out of the earshot or sight of other children, they should ask for the permission of the head teacher, this may include staff working with children on Phonics Screening, Reading Recovery or Drawing and Talking. Where possible the work should take place in a room with a window in the door or wall allowing others to see into the room.
- b) The administration of first aid should be carried out in a public area or with the support of another adult if involving treatment in private areas and in all other circumstances except in situations which the adult believes may be life-threatening.
- c) Adults should knock and shout a warning into pupil toilet areas before entering and should allow children time to cover up or to leave before they enter the area.
- d) Alternatively, a child may be sent into the toilets to check that they are empty before the adult enters. This applies especially in boys' toilets where boys may be at the urinal.

Toilet areas can be subject to unacceptable behaviour and adults may legitimately enter them in these or other work-related circumstances.

### **Physical Contact between adults and children**

In order to maintain an appropriate professional relationship, physical contact between adults and pupils should be kept to a minimum. Young children may be comforted when distressed and may initiate physical contact in other circumstances, but adults should always be aware that innocent physical contact may be misinterpreted by observers or by the recipient. Adults should avoid putting themselves in potentially compromising situations by observing the following rules:

- a) Physical restraint must only take place as described in the school's physical intervention policy and by trained personnel.
- b) Intimate touches, including kisses, should never be given by adults to pupils. Children who give them to adults must be kindly, but firmly, told that it is inappropriate. Some children, children with special needs related to social interaction for example, may persist with this behaviour throughout school. In such circumstances staff should ensure that other adults are aware, continue to firmly discourage the behaviour, and involve the parents in working towards more appropriate social behaviour.
- c) Where a child is distressed or hurt they may seek some sort of physical comfort. Adults should confine this to the minimum required to comfort the child, for example taking the child's hand, putting a hand on their shoulder. Younger children may actively seek a hug or to sit on the adult's knee. The aim of the adult must always be to minimise such contact and it should not be taken place privately.
- d) Physical contact may be necessary as part of instruction, for example in PE. Whenever practicable demonstration or instruction without physical contact should be used. In other situations make it clear to the children present what contact will be used and why.
- e) Physical contact may be necessary if a child is a danger to himself or others or to guide and support in an activity. This should be in the form of gentle and supportive holds.

### **Appropriate language**

- a) Adults will always model best use of language.
- b) Adults will not use inappropriate language at or in the presence of pupils.
- c) Adults will be polite and use respectful language in the presence of pupils.
- d) Adults will not shout at the children.
- e) Adults will not use sarcasm towards the children.

### **Further information**

This document should be read in conjunction with the school's Behaviour Policy.

## Appendix 13: Transfer Form for Child Protection Records between Educational Establishments

**Not used as a Transfer record is automatically generated when printing out a MyConcern Chronology.**

### Irthlingborough Junior School

#### Transfer Form for Child Protection Records between Educational Establishments

**Please phone the DSL before sending the information.** To ensure school records have been transferred securely please use the guidance and form available in the Guidance on the Retention and Transfer of Child Protection Records for Educational Establishments in Northamptonshire. Available at

<http://www.northamptonshirescb.org.uk/schools/toolkits-docs-schools/documents-schools/>

Name of Child	
Date of Birth	
Unique reference number	
Home address	
Address of originating school	
Name of current Child Protection Lead	
Date file exchanged by hand	
OR Date file posted by special delivery	
OR Date information sent electronically	

Name of receiving establishment	
Address of receiving establishment	
Name of receiving Child Protection Lead	
Date files received	
Signature of receiving Child Protection Lead And date	

Upon receipt, the receiving setting should

- Sign this form and keep a copy with the child's Child Protection records
- Ensure the original form is returned to the originating establishment without delay.
- The originating establishment should keep the returned form securely in line with

the Northamptonshire Guidance on the Transfer and Retention of Child Protection Record. Phone or email sender to confirm receipt of the information.

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