



# Safeguarding policy

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Level 4 and 5 DSL training 12<sup>th</sup> April 2018

All staff refresher- January 2018

## Preface

We recognise the paramount importance of our role in the wider safeguarding system<sup>1</sup> for children<sup>2</sup>.

Our policy has been developed in consultation with experienced and expert staff and adopted by the Governors (see contact details on the next page). The policy is reviewed annually, or immediately in the event of changes to guidance. Effective implementation and adherence to the policy is reviewed through an annual cycle of governance review visits.

As detailed throughout this document, our policy complies with relevant statutory and non-statutory guidance, including [Keeping Children Safe in Education \(KCSIE\)](#) effective from September 2016. The policy applies wherever staff are working with children, including when this involves being off-premises.



Recognising that safeguarding is the responsibility of **everyone** within the organisation, we ensure that mechanisms are in place to assist all members of staff<sup>3</sup> to understand and discharge their responsibilities, and that they are appropriately and regularly informed and trained. All staff are obliged to make an annual affirmation statement that they have read and understood this policy and Part 1 of KCSIE.

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<sup>1</sup> As outlined in [Working together to safeguard children \(2015\)](#)

<sup>2</sup> Legally speaking, a child is someone who has not yet reached their 18<sup>th</sup> birthday, but in practice this policy applies to all young people studying, or living within Alpha Plus Group establishments.

<sup>3</sup> In this document, any reference to 'staff' includes part-time employees and volunteers.

Our policy is available to parents on request and is published on our website.

This policy should be read in conjunction with our other policies which concern the welfare of children, which are listed below in Section A under the sub-heading: **The scope of welfare.**

## Contents

- School/College ethos

### **PART A – PRINCIPLES AND RISKS**

- Principles of safeguarding and welfare
- The scope of welfare (including references to our other policies which promote welfare)
- Identifying risks to the welfare of children
- Duty of staff
- Duty of parents
- Harm and abuse: definitions and categories

### **PART B – RESPONDING TO THE DISCOVERY OR DISCLOSURE OF A SAFEGUARDING CONCERN**

- Early help
- Response to the child and information gathering
- Next steps – notification, consultation and reporting
- Record keeping
  - Allegations against members of staff
  - Resolution of allegations
  - Following through on a concern
  - Conflict of interest
  - Disqualification by association
  - Confidentiality

### **PART C – THE MANAGEMENT OF SAFEGUARDING**

- Working together to safeguard children
- The role and responsibilities of the Designated Safeguarding Lead (DSL)
- Managing referrals
- Raising awareness
- Training
- Safer recruitment

## **PART A – PRINCIPLES AND RISKS**

### **Principles of safeguarding and welfare**

Children have a right to be safe, and to feel cared for and supported. Adults have a responsibility to protect children. The safeguarding of children and the promotion of their welfare is a simple and uncontested priority of society, and is of paramount importance to us.

Although the principles of safeguarding may be simple, the perceptions of the threats to the welfare of children are broad, complex, and sometimes poorly-understood. They are also subject to ever-increasing public concern, government guidance and regulation. Such breadth and complexity create an environment which can be challenging for all those working in education, and for parents.

In response, this policy aims to provide a holistic framework which:

- defines the types of risk which pose a threat to the welfare of children in education, and explains:
- how we assess and respond to those risks
- what expectations we have of ourselves, and of parents
- what procedures should be followed to identify children who may be vulnerable
- what must happen when a specific concern or disclosure arises
- what other channels and specialist resources are available for children and parents

In doing so, we follow prevailing statutory duties and guidance<sup>4</sup>, and we fully embrace the value of working together with local authorities and agencies in order to keep children safe.

### **The scope of welfare**

The welfare of children may be described and evaluated in many ways including:

1. their safety, security and protection from maltreatment
2. the prevention of impairment of their health or development
3. their emotional resilience, self-esteem, and self-confidence
4. their ability to communicate, trust others, and to form social bonds
5. the development of their critical faculties, moral awareness, independence and maturity

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<sup>4</sup> including: Children Act 1989 and subsequent amendments; Education Act 2002; Keeping Children Safe in Education KCSIE (2016); Working Together to Safeguard Children (2015); Disqualification under the Childcare Act 2006 (February 2015); Information Sharing (March 2015). Other guidance is referenced as appropriate in subsequent footnotes.

Welfare also includes children's feelings of being valued, supported, respected and listened to. This is especially relevant when their individuality and differences are not being respected. Such differences might be cultural, racial, religious, or based on special needs or disabilities.

Staying alert and responsive to these aspects of welfare, and providing early help as soon as a problem emerges, are at the heart of everything we do to keep children safe. We take a child-centred approach, meaning that we consider at all times what is in the best interests of the individual child, taking action to enable all children to have the best possible outcomes.

### **Identifying risks to the welfare of children**

Risks can arise from many different sources and be categorized in a number of different ways. All children are potentially at risk, but children with disabilities or special educational needs are especially vulnerable.

The source of a risk may be from people known to the child and in close physical proximity, or it may be more remote and anonymous, including via the internet<sup>5</sup>. The risk may be from peers and other children (e.g. bullying), or it may come from adults, including teachers or other professionals. A risk to welfare may also manifest itself through a child harming itself, whether consciously or otherwise.

Being sensitive to the indicators of risk is central to our culture of safeguarding, and underpins the induction of staff, and ongoing awareness-building and training of staff. Risk indicators which help staff identify vulnerability of children to various categories of harm or abuse are included in Appendix 2 and 4.

### **Duty of Staff**

All schools and colleges have a responsibility to identify children who may be in need of extra help or who are suffering, or are likely to suffer harm. All staff then have a responsibility to take appropriate action, working with other services as needed.

The early identification of potential problems, and the provision of early help, relies upon the following general expectations which apply to all staff at all times:

- Staff must be vigilant and open-minded, and maintain the attitude 'it could happen here'.
- Staff must regularly encourage all children to share any concerns they have with an adult and they must listen sympathetically, taking any allegations seriously.
  - Staff must ensure that they:
    - always act in the best interests of the child
    - understand the systems and processes which support the welfare and safeguarding of children in the school/college, and seek clarification if anything is not clear to them.

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<sup>5</sup> These risks and our related controls and procedures are covered extensively by our E-safety and ICT usage policies.

- are able to identify children who may be in need of additional help, and respond in appropriate ways consistent with our SEND policy, and with the Common Assessment Framework (CAF) and Team Around the Child (TAC) approach<sup>6</sup>.
- are familiar with the indicators of various types of child abuse. (Appendix 2 provides a list of risk indicators)
- report suspicions of child-abuse immediately. Child abuse is defined below along with procedures to be followed. Appendix 1 describes the different forms of harm and abuse in more detail.
- have received appropriate child protection training on induction, and at appropriate intervals thereafter. Whilst it is one of the DSL's responsibilities to ensure that staff have received the appropriate level of training, staff-members have a reciprocal responsibility to check with the DSL if they are unsure about their training requirements, or feel that they need further training.
- recognise their responsibility to raise concerns<sup>7</sup> about poor or unsafe practice and potential failures in the school/college safeguarding regime, and to follow-up if such concerns are not taken seriously by the senior leadership team.

### **Duty of parents**

This policy focuses on the duties and the responsibilities of the educational establishment, but it is also worth stating briefly our expectations of parents. Parents are expected to help their children to behave in non-violent and non-abusive ways towards both staff and other pupils. Parents will be informed if it was necessary to use minimal force to protect a pupil from injury or to prevent a pupil from harming others.

Parents should always inform the school/college of any accidental bruising or other injuries that might otherwise be misinterpreted. They should also inform the school/college of any changes in home circumstances, such as the death of a member of the family, separation or divorce that might lead to otherwise unexplained changes in behaviour or characteristics.

### **Harm and abuse – definitions and categories**

Threats to the welfare of children tend to be described using the words 'harm' or 'abuse'. The Children Act 1989 introduced the concept of '**significant<sup>8</sup> harm**' as the threshold that justifies interventions by institutions in fulfilment of their duty of care, if and when such interventions are in the best interest of the child. In this context, harm is defined as ill-treatment, or the impairment of health and development, where:

- *Ill-treatment* can be anything which impairs physical or mental health, and includes sexual abuse.

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<sup>6</sup> CAF and TAC refer to standardised approaches to conducting an assessment of a child's additional needs, and deciding how those needs should be met, where necessary involving a team of professionals working together with the family to address the child's needs in a holistic way. S.17 of the Children Act 1989 defines a child in need as one (a) being unlikely to achieve or maintain a reasonable standard of health or development without the provision of services by a local authority; (b) whose health or development is likely to be significantly impaired without the provision of such services; or (c) is disabled.

<sup>7</sup> Please refer to the [Whistleblowing policy](#), available on the Alpha Plus Group Portal

<sup>8</sup> 'Where the question of whether the harm suffered by a child is 'significant' turns on the child's health and development, this shall be determined in comparison to that which could reasonably expected of a similar child.'

- *development* includes physical, intellectual, emotional, social, or behavioural development.

The term 'abuse' is widely, and sometimes loosely, applied. It takes many forms, both active and passive, including inflicting harm, or failing to act to prevent harm. Abuse can be profoundly damaging, and can blight the remainder of a child's life. Abused children sometimes become abusing adults themselves. Child abuse usually exists in a world of secrecy and silence, and the cycle of abuse must be broken, not only to prevent serious injury (or even death), but also so that children can grow up to be well-adjusted adults.

So what is child abuse? Amongst the agencies who work with children, four categories of abuse are recognised under which a child may be assessed as having suffered, or being likely to suffer significant harm. These four categories are:

- Physical abuse (which includes female genital mutilation 'FGM'<sup>9</sup> and 'honour-based' violence)
- Emotional abuse
- Sexual abuse (which includes child sexual exploitation 'CSE')
- Neglect (which includes 'children missing from education')

Descriptions of these four categories of abuse are included in appendix 1, and risk indicators which can help staff to recognise them are included in appendix 2.

Though not an accepted category of abuse in its own right, the vulnerability of children to being seduced by extreme ideological positions is something we take very seriously. Appendix 3 contains an explanation of the threat of young people being drawn into terrorism, including the statutory 'Prevent Duty' which applies to those working in schools and colleges.

Abuse, neglect and safeguarding issues are rarely stand-alone events that can be covered by one definition or label. In most cases multiple issues will overlap with one another.

### **Response to the child and information-gathering**

Abuse is rarely disclosed explicitly by children themselves. When they do, it is essential that they are listened to and taken seriously and that their disclosure is treated discretely and sensitively. If a child (either as a victim or as a third party) asks to speak with a staff-member about anything relevant to safeguarding concerns, they should never be promised confidentiality, nor told that the secret will be kept. The staff-member should listen sympathetically and carefully right to the end of what the child has to say. Even if it is not immediately, the child may have been struggling with this decision for days or weeks, and may have had to summon up tremendous courage to come forward. Therefore, however uncomfortable the details, the child should not be stopped mid-account nor be told that they need to speak to someone else. Notes should not be taken while the child is speaking, as this can put unhelpful pressure on the child by formalising the situation.

As a fundamental principle children should be given a fair hearing and taken seriously. Even if the staff-member suspects the child's disclosure is implausible, fanciful or malicious, they should continue to listen carefully, without betraying any hint of scepticism or asking any leading questions. It is not the role of the school/college or its DSL to investigate allegations of abuse. It is their role simply to gather sufficient information to be able to make a preliminary decision about how to proceed. For this reason alone, staff-members listening to disclosures from children can, when

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<sup>9</sup> If a teacher in the course of their work in the profession discovers that an act of FGM appears to have been carried out on a girl under the age of 18, the teacher must report this to the police. For further details, [link here and see Annex A to KCSIE](#) (2016)

necessary, gently ask questions for basic clarification of the facts such as "what?", "when?" and "where?". However, they should be careful not to invite the child to speculate about motive as this might undermine any criminal investigation, and can prejudice outcomes.

At the end of the disclosure, the staff-member should reassure the child that they have done the right thing, and offer a guarantee that the information will be taken seriously. The child should be advised not to discuss the matter with anyone else<sup>10</sup> for the time being, and be reassured that the matter will be dealt with by experienced, caring people who operate with the greatest discretion. The child should also be advised that they will be kept informed of the progress of the disclosure, and their wishes and feelings taken into account in responding to the matter. Clearly, however, the information will need to be passed on, so staff-members should never mislead children by telling them that the secret will go no further.

As soon as possible, the staff-member should write a comprehensive note of all that has been said, using the child's words as far as possible. The note should be signed with a time and date, and passed on as detailed in the next section below. Beyond this strict channel of communication, confidentiality must be maintained.

### **Next steps – notification, consultation and reporting**

If staff members have any concerns about a child (as opposed to a child being at risk of abuse or in immediate danger – see below) they will need to decide what action to take. Where possible there should be a conversation with the DSL to agree a course of action, although any staff member can refer their concerns to Children's Social Care (CSC) directly, in which case they must inform the DSL as soon as possible. Please note the explicit reporting obligation for cases of female genital mutilation (FGM). If a teacher in the course of their work in the profession discovers that an act of FGM appears to have been carried out on a girl under the age of 18, the teacher must report this to the police. For further details on FGM [link here and see Annex A to KCSIE](#) (2016).

In all cases of referrals, the local authority should make a decision within one working day of a referral being made about what course of action they are taking, and must let the referrer know the outcome. If early help is appropriate, the DSL should support the staff member in liaising with other agencies and setting up an inter-agency assessment as appropriate.

Staff should follow-up on a referral should appropriate information not be forthcoming. Thereafter they should press for re-consideration if the child's situation does not appear to be improving. The following link [Reporting child abuse to your local council](#) directs staff to the appropriate contact details and process.

In cases where a child is in immediate danger or at risk of harm and in all suspected cases of abuse action must be taken immediately. Details must be given to the DSL without delay. The Head/Principal must also be notified immediately<sup>11</sup>. Staff should not wait for a disclosure. If they have concerns, they should discuss them with the DSL early, and not wait for concerns to escalate. Where the child requires urgent medical treatment an ambulance should be called to take them to hospital.

Within 24 hours, the DSL will consult with:

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<sup>10</sup> Great care should be taken here, and no staff-member is in a position to tell a child not to speak to its parents. The DSL must be consulted if the staff-member is in any doubt.

<sup>11</sup> It will be a matter for professional judgement and circumstance as to the sequence of a staff-member informing the DSL and Head/Principal. Both must be informed as soon as possible.

1. children's social care (CSC) services<sup>12</sup>
2. the police<sup>13</sup>
3. the Local Authority Designated Officer (LADO) if there is any suspicion or allegation against anyone working in the school or college. The LADO can provide advice and guidance in assessing the seriousness of any incident or allegation, help co-ordinate information-sharing with the right people, and monitor any investigation with the aim to resolve it as quickly as possible.

Taking into account the nature, content and context of the allegation, the DSL will agree a course of action with the relevant parties in accordance with Local Safeguarding Children Board (LSCB) policy and guidance.

The DSL will enter into a preliminary discussion with the parents, but only if there is no risk to the child of further harm resulting out of this action. The DSL should seek to ascertain any possible additional information or explanations of the indicators which have given rise to a suspicion or allegation. These discussions are exploratory, and the DSL should be careful not to prejudice the outcome of any potential multi-agency investigation.

### **Record keeping**

All concerns, discussions and decisions made, the reasons for those decisions, and any actions taken, should be recorded in writing. If in doubt about record keeping, staff should consult the DSL.

### **The role and responsibilities of the Designated Safeguarding Lead (DSL)**

It is apparent from the procedures outlined throughout this policy that great reliance is placed upon all staff sharing information and referring their concerns to the DSL. This, in turn, puts great reliance on the DSL to carry out their role thoroughly and diligently.

As a member of the Senior Leadership Team, the DSL must ensure they have appropriate status, authority, time, funding, training, resources and support to fulfil their responsibilities. They must consult the Head/Principal, and if necessary the nominated governor, if they feel that this is not the case. There must always be cover for the DSL role, in the form of a deputy DSL, who must be trained to the same level as the DSL. Though *activities* may be delegated to the Deputy DSL, the ultimate responsibility remains with the DSL.

The DSL's role and responsibilities must be explicitly recorded in their job description.

The duties and objectives of the DSL include:

- providing advice and support to staff on child welfare and child protection matters
- for 'looked after' children, ensuring that appropriate staff have relevant information about care needs and contact arrangements
- gathering and collating information on alleged safeguarding incidents, seeking clarification from alleged perpetrators or victims
- managing the referral process (see more below)
- keeping parents informed (wherever possible) and sharing with them any reports concerning their child
- keeping the Head/Principal informed of all significant safeguarding matters

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<sup>12</sup> There may be discussion of whether an incident or pattern of incidents constitutes bullying rather than abuse. Reference should be made to our anti-bullying policy. It should be borne in mind that bullying behaviour might be indicative of something else going on in that child's life. The bully should therefore be considered a potential child in need, as well as the child being bullied.

<sup>13</sup> The criteria regarding the involvement of the police is a context-driven judgment-call, but if the safety of the child is in any doubt, the police should be called.

- undergoing their own training updates (see more below)
- raising awareness of safeguarding matters generally (see more below)
- consulting on the design of the PSHEE policy and relevant curriculum components of welfare and safeguarding.
- liaising with the LADO(s) and other local agencies in line with [Working Together to Safeguard Children](#)
- in conjunction with the governors, ensure the safeguarding policy is reviewed annually for effectiveness and for compliance with latest legislation, or updated sooner where necessary

### **Managing referrals**

In particular the DSL is expected to:

- Be aware of the early help process and the referral threshold criteria of the relevant Local Safeguarding Children's Board (LSCB).
- Refer all cases of suspected abuse to the local authority children's social care and:
  - The designated officer(s) for child protection concerns (all cases which concern a staff member),
  - Disclosure and Barring Service (cases where a person is dismissed or left due to risk/harm to a child); and/or
  - Police (cases where a crime may have been committed).
  - the Channel programme where there is a radicalisation concern
- If the referrals listed above are made by other staff, the DSL should support those staff in the process
- Keep detailed, accurate, secure written records of concerns and referrals.
- Liaise with the Head/Principal to inform them of issues especially ongoing enquiries under section 47 of the Children Act 1989 and police investigations.
- Act as a source of support, advice and expertise to staff on matters of safety and safeguarding and when deciding whether to make a referral by liaising with relevant agencies.

### **Raising Awareness**

The DSL should ensure that safeguarding policy and procedures are known and used appropriately:

- Ensure the child protection policy is available publicly and parents are aware of the fact that referrals about suspected abuse or neglect may be made and the role of the school or college in this.
- Liaise with the LSCB to ensure awareness of local multi-agency procedures, local referral procedures and training opportunities, and maintain a list of local multi-agency contacts.
- Where children leave the school or college ensure their child protection file is transferred to the new school or college as soon as possible. This should be transferred separately from the main pupil file, ensuring secure transit and confirmation of receipt should be obtained.

## Training for the DSL

The DSL and deputy DSL should receive appropriate training and updates in order to:

- Understand the assessment process for providing early help and intervention, for example through locally agreed common and shared assessment processes such as early help assessments.
- Have a working knowledge of how local authorities conduct a child protection case conference and a child protection review conference and be able to attend and contribute to these effectively when required to do so.
- Ensure each member of staff has access to and understands the safeguarding policy and procedures, especially new and part time staff.
- Be alert to the specific needs of children in need, those with special educational needs and young carers.
- Be able to keep detailed, accurate, secure written records of concerns and referrals.
- Obtain access to resources and attend any relevant or refresher training courses.
- Encourage a culture of listening to children and taking account of their wishes and feelings, among all staff, in any measures which may be put in place to protect them.

Formal training<sup>14</sup> should be updated every two years, with continuing professional development updates (e.g. via e-bulletins, meetings, workshops, reading) at regular intervals (minimum annually) to keep up with developments relevant to their role.

For further details of guidance on the role of the DSL, consult [Annex B of KCSIE](#).

## Training for staff (including Heads/Principals)

All staff are provided with our safeguarding policy and KCSIE (Part 1) as part of their induction programme. They are required to affirm **annually** that they have read and understood these documents. Induction training also covers the identity and function of the DSL, the staff code of conduct, and whistle-blowing procedures.

Child protection training updates (e.g. via email, staff meetings and e-bulletins) are provided regularly (minimum annually) in line with KCSIE and advice from the LSCB. In the absence of any prevailing minimum intervals for formal training of all staff<sup>15</sup>, we deem between 24 and 36 months from their last training to be appropriate, unless particular circumstances require greater frequency.

Training includes:

- recognition and reporting of concerns immediately as they arise
- what to do if a child tells staff they are being abused or neglected, including appropriate levels of confidentiality, liaising with professionals (including the DSL), and never promising to a child that they will not tell anyone about an allegation

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<sup>14</sup> Child protection level 3 training is required for DSLs and Deputy DSLs.

<sup>15</sup> All staff to be trained in child protection awareness at a minimum of level 1. Heads and Principals must be trained at a minimum of level 2.

- identification of signs of abuse and when it is appropriate to make a referral
- awareness of the process for making referrals to children’s social care, and for subsequent statutory assessments, along with the role staff might be expected to play in such assessments
- a working knowledge of how the LSCB operates, the conduct of a child protection case conference and how to contribute to these effectively when required
- e-safety training
- ‘Prevent’ training

### **Safer recruitment**

The Alpha Plus Group and its schools and colleges operate ‘safer recruitment’ procedures as outlined by KCSIE (2016)<sup>16</sup> for all positions involving regulated activity. All prospective staff are subject to criminal records checks, checks by the Disclosure and Barring Service (DBS) List and compliance with the Independent School Standards Regulations.

We observe the requirement to report to the Disclosure and Barring Service (DBS), within one month of leaving the school/college any person (whether employed, contracted, a volunteer or student) whose services are no longer used because s/he is considered unsuitable to work with children.

Any offer of appointment to a successful candidate, including one who has lived or worked abroad, must be conditional upon satisfactory completion of pre-employment checks. When appointing new staff, the following steps must be taken:

- verify a candidate’s identity, preferably from current photographic ID and proof of address except where, for exceptional reasons, none is available
- obtain a certificate for an enhanced DBS check with a barred list information where the person will be engaging in regulated activity. Refer to [Annex G of KCSIE](#), or to the official [Guide for eligibility for DBS checks](#) for more details.
- obtain a separate barred list check if an individual will start work in regulated activity before the DBS certificate is available.
- check that a candidate to be employed as a teacher is not subject to a prohibition order (or an interim prohibition order) issued by the Secretary of State, using the [Teacher Services system](#)
- for anyone engaged in management roles, an additional check is required to ensure they are not prohibited under section 128 provisions<sup>17</sup>
- verify the candidate’s mental and physical fitness to carry out their work responsibilities. A job applicant can be asked relevant questions about disability and health in order to establish whether they have the physical and mental capacity for the specific role
- verify the person’s right to work in the UK. If there is uncertainty about whether an individual needs permission to work in the UK, then prospective employers, or volunteer managers, should follow advice on the GOV.UK website
- obtain at least two references from prior employment, or if there is good reason for these being unavailable, from other appropriate sources.
- if the person has lived or worked outside the UK, make any further checks the school or college consider appropriate. This should a check for information about any teacher sanction

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<sup>16</sup> Comprehensive details of KCSIE (2016) safer recruitment guidance is available here (pp.22-40) <https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

<sup>17</sup> Independent Educational Provision in England (Prohibition on Participation in Management) Regulations 2014.

or restriction that an EEA professional regulating authority has imposed using the [NCTL Teacher Services system](#)

- verify professional qualifications, as appropriate

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

We maintain a single central register containing a record of all appropriate checks on staff.

### **Governance of the schools and colleges**

Details of the Alpha Plus Group governors can be found here:

<http://www.alphaplusgroup.co.uk/AboutUs/Governors/>

Within every school and college the governors ensure that:

- the safety and welfare of children are paramount
- children will be listened to and respected
- children will be understood within their own culture and racial origin
- there is an atmosphere where children feel secure and are valued
- the school or college has a range of adults that children can approach for help
- staff are appropriately trained in safeguarding
- there are clear procedures and lines of communication in place to seek support and advice
- the school or college works closely with parents and other local agencies
- children considered at risk are monitored
- the PSHEE curriculum is used to raise awareness of welfare and safeguarding issues
- the DSL has the authority to provide support and advice in the first instance
- appropriate resources are provided to schools and colleges for them to exercise their responsibilities to safeguard children
- this policy and all other school/college policies which affect the safety and welfare of children are reviewed annually for effectiveness, maintained in accordance with statutory and other applicable guidelines, and applied in practice.

### Categories of Abuse and Harm

Including first line responses

Abuse, neglect and safeguarding issues are rarely stand-alone events that can be covered by one definition or label. In most cases multiple issues will overlap with one another. Similarly, all staff should be aware that safeguarding issues are not confined to instances where children are harmed by adults but can also manifest themselves via peer-on-peer abuse, such as bullying, gender-based violence, sexual assaults and sexting. In addition to this Safeguarding policy, staff should also consider the provisions of our Anti-bullying policy. If staff are unsure as to how these policies work together they should seek guidance from the DSL.

Despite these overlapping realities, it is helpful to give some definitions of types of abuse and harm.

**Physical abuse** (includes female genital mutilation 'FGM')

**Emotional abuse**

**Sexual abuse** (includes child sexual exploitation 'CSE')

**Neglect** (includes 'children missing from education')

**'Honour based' violence**

**Ideological harm** (includes radicalisation, extremism and the 'Prevent Duty') – see Appendix 3

Risk indicators of child abuse are included in Appendix 2 and 4

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#### Physical abuse

This is a form of abuse which may involve hitting, shaking, throwing, poisoning, burning, scalding, drowning, suffocating, excessive physical constraint, or otherwise causing physical harm to a child. It may involve consumption of drugs or alcohol. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces illness in a child.

Staff are reminded that children who have been physically abused will often go to some lengths to hide or cover-up their injuries, for example by wearing long clothing even it hot weather.

Physical abuse also includes female genital mutilation (**FGM**), which is an extremely harmful practice and is illegal in the UK. Despite being an embedded practice in some cultures, FGM is not a matter which can be decided by personal preference. Staff must be alert to the indicators that a child may be at risk of FGM, and must refer any suspicions to the DSL<sup>18</sup>. More information on FGM, including the Multi-Agency Practice Guidelines, indicators of imminent risk or post-FGM trauma, and measures the DSL should consider implementing to raise awareness of FGM are available on the government website: <https://www.gov.uk/government/publications/female-genital-mutilation-guidelines>

#### Emotional abuse

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<sup>18</sup> Section 5B of the Female Genital Mutilation Act 2003 (as inserted by s.74 of the Serious Crime Act 2015) places a **statutory duty on teachers (and others) to report to the police where they discover that FGM has been carried out on a girl under 18.**

Some level of emotional abuse will generally occur in all types of maltreatment. It may be defined as the persistent emotional maltreatment of a child such that it will cause severe and adverse effects on the child's emotional development. It may involve a relationship with an adult which is inappropriate or grossly inconsistent; the persistent denial of love and affection; conveying that a child is worthless, unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate, or making them feel stupid. Children also suffer if they are persistently shouted at, or used as scapegoats.

Emotional abuse may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child's developmental capability as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another, such as the observation of serious bullying, or domestic violence, or exposure to extreme horror or violence through audio-visual media. It may involve being a victim of serious bullying (including online or 'cyberbullying'), causing the child frequent feelings of humiliation or fear for their safety.

This category of abuse may also involve the moral, economic, or ideological corruption of children. Such corruption could be for the purposes of gratification or criminality, or it might be ideologically motivated, for example through a child's exposure to propaganda promoting extremist views<sup>19</sup>.

### **Sexual abuse**

Child sexual abuse involves forcing or enticing a child to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in the production of, sexual images, 'sexting'<sup>20</sup>, 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.

Child sexual exploitation (CSE) involves exploitative situations, contexts and relationships where young people receive something (for example food, accommodation, drugs, alcohol, gifts, money or in some cases simply affection) as a result of engaging in sexual activities. Sexual exploitation can take many forms ranging from the seemingly 'consensual' relationship where sex is exchanged for affection or gifts, to serious organised crime by gangs and groups. What marks out exploitation is **an imbalance of power in the relationship**. The perpetrator always holds some kind of power over the victim which increases as the exploitative relationship develops. Sexual exploitation involves varying degrees of coercion, intimidation or enticement, including unwanted pressure from peers to have sex, sexual bullying including cyberbullying and grooming. However, it is also important to recognise that some young people who are being sexually exploited do not exhibit any external signs of this abuse.

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<sup>19</sup> Under section 29 of the Counter-Terrorism and Security Act (CTSA) 2015, staff have a statutory duty to have due regard to the need to prevent children from being drawn into terrorism. Details of how we apply this duty are explained further below.

<sup>20</sup> Sexting is when a person takes an indecent image of themselves and sends it to another person/people via a mobile device. Most young people will not be aware of the consequences, including wider distribution of the image, and that they may be in criminal breach of Sexual Offences Act 2003 if they are younger than 16.

Under the Sexual Offences Act 2003, it is an abuse of a position of trust, and thus a criminal offence, for a member of staff to 'groom' or engage in sexual activity with a pupil under the age of 18. The consent of the young person (or the agreement of a parent) is irrelevant. Furthermore, a relationship between a member of staff and a pupil *over* the age of 18, or a recent former pupil, is also deemed inappropriate, and will lead to questions about that member of staff's suitability for work in an educational context.

### **Neglect**

Neglect is defined as 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); or ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

### Children missing from education

All children, regardless of their circumstances, are entitled to a full-time education. A child going missing from education is a potential indicator of neglect, and of other forms of abuse. As required by law all schools to have an admissions register and an attendance register. All pupils must be placed on both registers and attendance must be logged daily. Beyond general concerns of neglect arising from absences, all staff must be alert to the risks of potential safeguarding concerns triggered by children missing education such as: travelling to conflict zones, FGM and forced marriage.

The local authority must be informed of any child who is going to be deleted from the admission register where they:

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

Notification should be made as soon as the grounds for deletion are met, but no later than deleting the pupil's name from the register. It is essential that schools comply with this duty, so that local authorities can, as part of their duty to identify children of compulsory school age who are missing education, follow up with any child who might be in danger of not receiving an education and who might be at risk of abuse or neglect.

All schools/colleges must inform the local authority of any pupil who fails to attend regularly, or has been absent without the school/college's permission for a continuous period of 10 school days or

more, at such intervals as are agreed between the school and the local authority (or in default of such agreement, at intervals determined by the Secretary of State.

### **Honour based violence**

So-called 'honour-based' violence (HBV) encompasses crimes which have been committed to protect or defend the honour of the family and/or the community, including Female Genital Mutilation (FGM), forced marriage, and practices such as breast ironing. All forms of so called HBV are abuse (regardless of the motivation) and should be handled and escalated as such. If in any doubts staff should speak to the DSL.

#### Indicators

There are a range of potential indicators that a child may be at risk of HBV. Guidance on the warning signs that FGM or forced marriage may be about to take place, or may have already taken place, can be found on pages 38-41 of the [Multi agency statutory guidance on FGM](#) (pages 59-61 focus on the role of schools and colleges) and pages 13-14 of the [Multi-agency guidelines: Handling case of forced marriage](#).

#### Actions

If staff have a concern regarding a child that might be at risk of HBV they should activate the safeguarding procedures described in this policy, using existing national and local protocols for multi-agency liaison with police and children's social care. Where FGM has taken place, since 31 October 2015 there has been a mandatory reporting duty placed **on teachers to report such cases to the police**.

Additional information about specific forms of abuse and safeguarding issues can be found in [Annex A of KCSIE 2016](#).

### Risk indicators of child abuse

#### Physical Abuse:

- Injuries, bruises, burns, bite marks which are unexplained or implausibly explained
- Repeated injuries or requests to be excused through injury, illness
- Fear, watchfulness, over-anxiety to please
- Reluctance to get changed for sports etc.

#### Sexual abuse

- Comments about sexual activity
- Sexual knowledge, comments, behaviour inconsistent with a child of that age
- Unexpected reaction of fear or wariness to people
- Repeated urinary or genital infections
- Pregnancy/sexually transmitted diseases
- Genital trauma

#### Emotional abuse

- Withdrawn, anxious behaviour, lack of self-confidence. Mood swings.
- Challenging/disruptive/aggressive behaviour which is inconsistent with previous experience of the child
- Self-harm and eating disorders
- Demanding or attention-seeking behaviour
- Unwillingness to communicate. Secretive and reluctant to share information
- Repetitive, nervous behaviour such as rocking, hair twisting or pulling

#### General indicators of abuse or neglect

1. Poor attendance or frequent absences which are implausibly explained
  2. Deterioration in educational progress
  3. Parents show little interest in child's performance<sup>21</sup> or behaviour and are non-responsive or dismissive to professional concerns.
- The child's clothes are often dirty, scruffy or unsuitable for the weather
  - No one seeks medical help when the child is ill or hurt
  - Poor hygiene (smelly, dirty)
  - The child is left alone with unsuitable carers
  - The child is thin, pale, lacking in energy
  - The child talks of running away
  - Evidence of alcohol or other substance abuse
  - Unexplained gifts of money

**Please note:** this is not a comprehensive list. Staff should consult with the DSL if in doubt about any symptoms which might be indicative of abuse.

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<sup>21</sup> Conversely, excessive interest from parents, along with unrealistic expectations of their child and evidence of pressure which is causing the child distress should also be given careful consideration.

## Ideological harm: radicalisation, extremism and the 'Prevent Duty'

Though not an accepted category of abuse in its own right, the vulnerability of children to being seduced by extreme ideological positions is something we take very seriously. Recent government legislation means that it is helpful to include here a summary of the 'Prevent Duty' for those working in education. For further information, the Department for Education has published advice for schools on the [Prevent duty](#), and has launched a website [educate against hate](#).

Radicalisation refers to the process by which a person comes to support terrorism or forms of extremism. Consistent with the requirement to promote *fundamental British values*, all staff have a statutory duty to have due regard to the need to prevent children from being drawn into terrorism. In interpreting what is meant by 'due regard', we take guidance from the government's *Prevent* strategy, including the *Channel* programme, which aims to ensure that vulnerable children of any faith, ethnicity or background receive support before their vulnerabilities are exploited by those that would want them to embrace terrorism. Success of this programme depends on effective communication and co-operation between staff, individuals, their families and (where appropriate) the Local Authority and other agencies.

Without undermining values such as freedom of speech, mutual respect and tolerance, all staff must respond to the ideological challenge of extremist views. 'Extremism' is defined as vocal or active opposition to *fundamental British values*, including democracy, the rule of law, individual liberty, mutual respect, and tolerance of different faiths and beliefs. The definition specifically includes calls for the death of members of our armed forces, whether in this country or overseas. It also includes the notion of *non-violent* extremism, which can create an atmosphere conducive to terrorism, and can popularise views which terrorists exploit. Extremism can take many forms whether ideological, political or religious. It can manifest itself explicitly and aggressively, for example through inciting hatred or a call to arms, or through more subtle and sophisticated channels of propaganda, including social media. These channels exploit aspirational images of success, status and belonging, and personal and moral duty which can capture the imagination of young minds.

Our classrooms are safe spaces where children can understand and discuss a wide range of sensitive topics, including extremism. In the process of promoting critical thinking, and in learning how to challenge terrorist ideologies, we recognise that staff may occasionally find themselves faced with a paradox. In an educational and developmental context, it is natural for children to want to explore and question different views and beliefs, some of which may, if only hypothetically or temporarily, challenge *fundamental British values*. Staff must exercise careful professional judgment in such cases, and above all, whether inside or outside the classroom, they must be particularly alert to risk-indicators of vulnerable children and, if appropriate, must seek further guidance. This is a complex and sensitive area, and over-simplified assessments can increase, rather than reduce risk.

There are five dimensions to the actions we take in response to the Prevent Duty:

- Risk assessment
- Working in partnership with local authorities
- Awareness raising amongst staff.
- Protection from terrorist and extremist material when accessing the internet in school/college
- Building resilience to radicalisation through the curriculum, e.g. through citizenship and religious education, and considerations for pupils' spiritual, moral, social and cultural (SMSC) development. These aspects are addressed through our PSHEE policy.

### ***Specific tasks for the DSL relating to the Prevent Duty***

The DSL should establish appropriate and proportionate measures to raise awareness of the Prevent Duty amongst staff and to achieve the following:

- assess the risk of children being drawn into terrorism. Document the risk assessment and any subsequent action plan. Prevent risk assessments are published on the Group Portal.
- ensure that safeguarding arrangements take into account the *Prevent* policies and procedures of the Local Safeguarding Children Board (LSCB)
- ensure that staff have training that gives them the knowledge and confidence to identify<sup>22</sup> children at risk of being drawn into terrorism, and to challenge extremist ideas which can be used to legitimise terrorism. As a minimum, the DSL should attend WRAP (Workshop Raising Awareness of *Prevent*) training where available, and be aware of the process for referring individual cases of vulnerability to the *Channel* programme, as opposed to local Children's Services in the normal way
- ensure that there is appropriate supervision of visiting speakers to the school/college to prevent presentations (including the distribution of materials) which are not contrary to fundamental British values
- the incorporation of any necessary syllabus amendments (e.g. in citizenship, history, politics, religious education)
- protection for children from terrorist or extremist material when accessing the internet

More guidance on the Channel programme is available here:

<https://www.gov.uk/government/publications/channel-guidance>

Guidance for schools on how terrorist groups such as ISIL use social media to encourage travel to Syria and Iraq is available here: <https://www.gov.uk/government/publications/the-use-of-social-media-for-online-radicalisation>

For details of measures to minimise the risk of internet exposure to harmful material, refer to the ICT usage/Social Media policy.

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<sup>22</sup> Where appropriate, staff should familiarise themselves with general risk indicators for vulnerability to being drawn into terrorism listed in Appendix 4

### Risk indicators of being drawn into terrorism

NB references below are to 'child' which includes young people up to the age of 18.

#### Vulnerability

- Identity Crisis - Distance from cultural/religious heritage and uncomfortable with their place in the society around them
- Personal Crisis – Family tensions; sense of isolation; adolescence; low self-esteem; disassociating from existing friendship group and becoming involved with a new and different group of friends; searching for answers to questions about identity, faith and belonging
- Personal Circumstances – Migration; local community tensions; events affecting country or region of origin; alienation from UK values; having a sense of grievance that is triggered by personal experience of racism or discrimination or aspects of Government policy
- Unmet Aspirations – Perceptions of injustice; feeling of failure; rejection of civic life
- Criminality – Experiences of imprisonment; poor resettlement/ reintegration, previous involvement with criminal groups

#### Access to extremism / extremist influences

- Is there reason to believe that the child associates with those known to be involved in extremism - either because they associate directly with known individuals or because they frequent key locations where these individuals are known to operate? (e.g. the child is the partner, spouse, friend or family member of someone believed to be linked with extremist activity)
- Does the child frequent, or is there evidence to suggest that they are accessing the internet for the purpose of extremist activity? (e.g. Use of closed network groups, access to or distribution of extremist material, contact associates covertly via Skype/email etc)
- Is there reason to believe that the child has been or is likely to be involved with extremist/ military training camps/ locations?
- Is the child known to have possessed or is actively seeking to possess and/ or distribute extremist literature/ other media material likely to incite racial/ religious hatred or acts of violence?
- Does the child sympathise with, or support illegal/illicit groups e.g. propaganda distribution, fundraising and attendance at meetings?
- Does the child support groups with links to extremist activity but not illegal/illicit e.g. propaganda distribution, fundraising and attendance at meetings?
- Experiences, Behaviours and Influences
- Has the child encountered peer, social, family or faith group rejection?
- Is there evidence of extremist ideological, political or religious influence on the child from within or outside UK?
- Have international events in areas of conflict and civil unrest had a personal impact on the child resulting in a noticeable change in behaviour? It is important to recognise that many people may be emotionally affected by the plight of what is happening in areas of conflict (i.e. images of children dying) it is important to differentiate them from those that sympathise with or support extremist activity
- Has there been a significant shift in the child's behaviour or outward appearance that suggests a new social/political or religious influence?
- Has the child come into conflict with family over religious beliefs/lifestyle/ dress choices?
- Does the child vocally support terrorist attacks; either verbally or in their written work?

- Has the child witnessed or been the perpetrator/ victim of racial or religious hate crime?

### **Travel**

- Is there a pattern of regular or extended travel within the UK, with other evidence to suggest this is for purposes of extremist training or activity?
- Has the child travelled for extended periods of time to international locations known to be associated with extremism?
- Has the child employed any methods to disguise their true identity? Has the child used documents or cover to support this?

### **Social Factors**

- Does the child have experience of poverty, disadvantage, discrimination or social exclusion?
- Does the child experience a lack of meaningful employment appropriate to their skills?
- Does the child display a lack of affinity or understanding for others, or social isolation from peer groups?
- Does the child demonstrate identity conflict and confusion normally associated with youth development?
- Does the child have any learning difficulties/ mental health support needs?
- Does the child demonstrate a simplistic or flawed understanding of religion or politics?
- Does the child have a history of crime, including episodes in prison?
- Is the child a foreign national, refugee or awaiting a decision on their immigration/ national status?
- Does the child have insecure, conflicted or absent family relationships?
- Has the child experienced any trauma in their lives, particularly any trauma associated with war or sectarian conflict?
- Is there evidence that a significant adult or other in the child's life has extremist view or sympathies?

### **More critical risk factors could include:-**

1. Being in contact with extremist recruiters
2. Articulating support for extremist causes or leaders
3. Accessing extremist websites, especially those with a social networking element
4. Possessing extremist literature
5. Using extremist narratives and a global ideology to explain personal disadvantage
6. Justifying the use of violence to solve societal issues
7. Joining extremist organisations
8. Significant changes to appearance and/or behaviour

**If you have any concerns discuss them with your Safeguarding Lead and local Prevent Officer**

### Hyperlinks to further information on specific safeguarding topics

Expert and professional organisations are best placed to provide up-to-date guidance and practical support on specific safeguarding issues. For example information for schools and colleges can be found on the TES website and the NSPCC website.

Schools and colleges can also access broad government guidance on the issues listed below via the embedded links to the GOV.UK website:

- child missing from education  
<https://www.gov.uk/government/publications/school-attendance>
- child missing from home or care  
<https://www.gov.uk/government/publications/children-who-run-away-or-go-missing-from-home-or-care>
- child sexual exploitation (CSE)  
<https://www.gov.uk/government/publications/what-to-do-if-you-suspect-a-child-is-being-sexually-exploited>
- bullying including cyberbullying  
<https://www.gov.uk/government/publications/preventing-and-tackling-bullying>
- domestic violence  
<https://www.gov.uk/domestic-violence-and-abuse>
- drugs  
<https://www.gov.uk/government/publications/drugs-advice-for-schools>
- fabricated or induced illness  
<https://www.gov.uk/government/publications/safeguarding-children-in-whom-illness-is-fabricated-or-induced>
- faith abuse  
<https://www.gov.uk/government/publications/national-action-plan-to-tackle-child-abuse-linked-to-faith-or-belief>
- female genital mutilation (FGM)  
<https://www.gov.uk/government/publications/female-genital-mutilation-guidelines>
- forced marriage  
<https://www.gov.uk/forced-marriage>
- gangs and youth violence

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/418131/Preventing\\_youth\\_violence\\_and\\_gang\\_involvement\\_v3\\_March2015.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/418131/Preventing_youth_violence_and_gang_involvement_v3_March2015.pdf)

- gender-based violence/violence against women and girls (VAWG)

<https://www.gov.uk/government/policies/violence-against-women-and-girls>

- mental health

<https://www.gov.uk/government/publications/the-mental-health-strategy-for-england>

- private fostering

<https://www.gov.uk/government/publications/children-act-1989-private-fostering>

- preventing radicalisation

<https://www.gov.uk/government/publications/channel-guidance>

- sexting

<https://www.ceop.police.uk/Media-Centre/Press-releases/2009/What-does-sexting-mean/>

- teenage relationship abuse

<https://www.gov.uk/government/collections/this-is-abuse-campaign>

- trafficking

<https://www.gov.uk/government/publications/safeguarding-children-who-may-have-been-trafficked-practice-guidance>

### Allegations of abuse by staff

While considerations of child protection must always be paramount, reasonable care must also be taken to safeguard staff against the effects of false and malicious allegations. However, if it is suspected or alleged that a member of staff has:

- behaved in a way that has harmed a child, or may have harmed a child; or
- possibly committed a criminal offence against, or related to, a child; or
- behaved towards a child in a way that suggests the staff-member might pose a risk of harm if they were to work regularly or closely with children;

then the matter must be brought promptly and confidentially to the notice of the DSL.

It is entirely possible that a person making an allegation or disclosure which involves a work colleague will judge that the information is of a nature sufficiently grave or confidential as to warrant bypassing the DSL and informing the Head/Principal directly<sup>23</sup>. What is important is that, one way or another, the Head/Principal receives the information immediately.

If the DSL is the subject of the allegation, then the Head/Principal will of course need to be informed directly. If the Head/Principal is the subject of the allegation, then the nominated lead Governor must be informed (see page 2 of this document for contact details). See below for clarification of communication with the alleged abuser.

In EYFS settings, a report must be made to Ofsted<sup>24</sup> of any allegation of serious harm or abuse by any person living, working or looking after children at the premises (whether the allegation relates to harm or abuse committed on the premises or elsewhere). The notification should include action taken, and be made as soon as reasonably practicable, but at the latest within 14 days of the allegations being made. Failure to comply with this requirement constitutes a statutory offence.

#### Communication with the alleged abuser

The staff-member should not be told of the allegations until the DSL agrees to this course of action, after considering the welfare of the child and after consultation with the local authority designated officer (LADO). The expectation is that in most cases the employee will be immediately informed of any allegations, but in the case of alleged sexual abuse, (or other rare cases requiring special action to protect a child), the DSL will ask for a delay in informing the alleged perpetrator to ensure that the child is protected, and evidence secured. Such delay should be kept to an absolute minimum, and in such cases a week would be regarded as a long time, unless there are special circumstances.

#### Communication with outside parties

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<sup>23</sup> On the question of whether allegations against members of staff should be taken to the DSL or to the Head, Part 4 of *Keeping Children Safe in Education* (2016) conflicts with some local authority guidance. Since it might otherwise lead to the Head/Principal being plagued with comments on minor breaches of good practice, Alpha Plus Group recommends that all communication be channelled via the DSL, but to leave it to the discretion of individual members of staff as to whether the seriousness of the allegation warrants approaching the Head/Principal directly.

<sup>24</sup> In accordance with section 3.8 of the **EYFS Statutory Framework** (2014)

The DSL (or Head/Principal/Governor, if the allegation compromises the DSL or Head/Principal) will contact the LADO within 24 hours if and when it is believed that a member of staff has behaved in a way that has or could have harmed a child, or possibly committed a criminal offence against a child, or conducted themselves in such a way as to suggest they are not suited to working in an educational establishment.

The DSL/Head/Principal/Governor will coordinate any investigation with the appropriate LADO(s), the police and any other agencies that are involved, and will act as a channel of communication with school/college. It would normally be the case that in the event of an allegation against a staff-member which is likely to require full operation of the Child Protection Procedures, there will be an inter-agency planning meeting, to which the Head/Principal/Governor will be invited, and which will determine the appropriate action.

### **Suspension**

If a matter is referred for formal investigation under the Child Protection procedures, consideration should be given to suspending the employee until investigations have been completed. Suspension does not imply a finding of guilt but is intended to enable a dispassionate investigation of the facts, unimpeded by interpersonal tensions. Any employee who is suspended must be informed immediately for the reason for suspension. A member of staff suspended in such a context must not remain on the school/college premises.

If the case is not referred under the Child Protection arrangements, but in the professional opinion of the Head/Principal further action is necessary, then the allegation will be investigated under the disciplinary/complaints procedures. Clearly any case of striking or otherwise physically chastising a child is at first sight a reason for disciplinary investigation, not least because corporal punishment (including the threat of using it) is contrary to Alpha Plus Group policy.

At any stage in the process, as soon as it becomes clear to the Head/Principal that the conduct of the employee could be regarded as gross misconduct (i.e. conduct which if proven goes to the root of the contract of employment), then it is important that the employee is suspended. If this is not done, it could undermine the case for dismissal, because the employer has not immediately treated the alleged conduct as so serious as to require suspension. Clearly the decision on suspension will only be made once it is established there is a case to be investigated. So such action will only follow the initial gathering of the facts to determine that the alleged misconduct could have occurred, and that there is evidence which needs investigation. It must be re-emphasised that taking such action does not imply any finding of guilt.

### **Support for the member of staff**

The Head/Principal must ensure that the member of staff is provided with the opportunity for personal support by someone who is not involved in pursuing the allegation. This should be additional to ensuring the employee has the opportunity to contact their trade union or professional association.

### **Resolution of the investigation**

Every effort should be made to resolve alleged cases of abuse so that they are not left open to widespread speculation which can be damaging for all parties. Details of allegations that are found to have been malicious should be removed from personnel records. However, for all other allegations, it is important that a clear and comprehensive summary of the allegation, details of how the allegation was followed up and resolved, and a note of any action taken and decisions reached, is kept on the confidential personnel file, and a copy provided to the person concerned.

If the allegation is substantiated, and the member of staff resigns or is asked to leave the on the grounds that he or she has caused harm, engaged in criminal behaviour, or is otherwise no longer considered suitable to work with children, then the Head/Principal/Governor will, within one month, and after consultation with local authority designated officer(s) write a report giving the details of the case to both the Disclosure and Barring Service<sup>25</sup>, and, as appropriate, the National College for Teaching and Leadership or other professional body. In such cases the school/college will not enter into settlement or compromise agreements, and will refer to substantiated allegations in any reference provided for employment involving children or vulnerable adults.

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<sup>25</sup> This is a legal duty and failure to refer is a criminal offence