



**HORRIS HILL  
SCHOOL**

# **Safeguarding & Child Protection Policy & Procedures**

<b>Policy reviewed:</b>	<b>Reviewed by AR September 2023</b>
<b>Policy approval:</b>	<b>Approved by Forfar Education September 2023</b>
<b>Date of next review:</b>	<b>September 2024</b>

## 1 Our aims and responsibilities

Our commitment is to safeguard and promote the welfare, physical and mental health, and safety of our pupils by creating and maintaining an open, safe, caring, and supportive atmosphere. This includes:

- Proactively teaching pupils about safeguarding;
- Ensuring that systems and procedures are in place to protect pupils; and
- Acting in the best interests of the child.

All staff have the following responsibilities:

- Contribute to providing a safe environment in which all children can learn and flourish;
- Know what to do if a child tells them that they are being abused or neglected, or if they are experiencing sexual harassment and/or sexual violence
- Know what to do if they are concerned about the behaviour or conduct of an adult in the school;
- Manage the requirement to maintain an appropriate level of confidentiality;
- Know about Online Safety (including the filtering and monitoring systems that are in use)
- Refer any safeguarding concern about children to the Designated Safeguarding Lead (DSL) or the Deputy DSL;
- Refer any safeguarding concern about adults to the Headteacher, or in their absence the Chair of Governors Mr J Forsyth/Safeguarding Governor Mrs J Storey
- Refer any safeguarding concern about the Headteacher to the Chair of Governors Mr J Forsyth
- Be aware of local Early Help process and their role in it; and identify children who may benefit from Early Help.
- Be aware of the process for making a referral to Children's Social Care and understand the role they might be expected to play in statutory assessments.
- Be aware of the process for making a referral to the Police and understand the role they may be expected to play in any criminal investigation

## 2 Definition of safeguarding

Safeguarding and promoting the welfare of children is defined for the purposes of this guidance as:

- protecting children from maltreatment;
- preventing impairment of children's physical and/or mental health, or development;
- ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and
- taking action to enable all children to have the best outcomes.

Everyone who comes into contact with children and their families has a role to play. No single professional can have a full picture of a child's needs and circumstances. If children and families are to receive the right help at the right time, everyone who comes into contact with them has a role to play in identifying concerns, sharing information and taking prompt action.

In order to fulfil this responsibility effectively, all professionals should make sure their approach is child-centred. This means that they should consider, at all times, what is in the best interests of the child, taking into consideration the views and wishes of the child. **All staff** should be aware that children may not feel ready or know how to tell someone that they are being abused, exploited, or neglected, and/or they may not recognise their experiences as harmful.

#### 2.1 Who this policy applies to

This policy applies to all pupils in the school, including those in the early years.

This policy applies to all teaching, non-teaching, residential, pastoral, support, peripatetic, contract staff and ancillary staff, agency/supply staff, volunteers, non-school based staff and any other adults working at the school. All references in this document to "staff" or "members of staff" should be interpreted as relating to the aforementioned, unless otherwise stated. This also applies to adults in the early years phase of the school. Throughout the document, the term DSL is used for the Designated Safeguarding Lead. For staff in the early years, they should report directly to the Early Years Designated Safeguarding Lead (EYDSL).

This Safeguarding Policy and the Code of Conduct apply to all pupils and adults in the school, including when being educated off-site and undertaking an educational visit. They also apply to students who are on an exchange and being hosted by the school.

#### 2.2 Inter-agency working

The school is committed to inter-agency working in order to secure the best levels of safeguarding for all of its pupils. The school contributes to inter-agency working in accordance with statutory guidance. The school works with Social Care, the Police, health services, and other services to promote the welfare of children and protect them from harm. The school will also work within the requirements of their Safeguarding Partners.

#### 2.3 Definitions and terminology

'Children' includes everyone under the age of 18

'DSL' refers to the school's named Designated Safeguarding Lead

'DDSL' refers to the school's named Deputy Designated Safeguarding Lead

'DO' refers to the local authority Designated Officer (the person appointed to deal with allegations against adults (often referred to as the LADO))

'ECMS' refers to Electronic Case Management System e.g. isams wellbeing manager or equivalent

#### 2.4 Related documentation

This policy should be read in relation to the most recent version of the following documents:

National documents:

- The Education (Independent School Standards) Regulations 2014
- Keeping Children Safe in Education (KCSIE) (2023)
- Working Together to Safeguard Children (July 2020)
- Prevent Duty Guidance: for England and Wales (July 2015)
- Disqualification under the Childcare Act (July 2018)
- What do to if you are worried a child is being abused – Advice for practitioners (departmental advice) (March 2015)
- Early Years Foundation Stage Framework (2021)

This policy is updated annually, drawing on feedback from staff, and is published to all

staff and volunteers and placed on the school website. This policy is based on KCSIE 2023 and any references to national guidance made within this document are in relation to the versions listed above. The school will always refer to the above statutory guidance as the benchmark for all safeguarding practice and decision making.

Selection of Internal documents referred to within the document:

- Behaviour Policy
- Anti-Bullying Policy
- Drug and Alcohol Policy
- Digital Safety Policy (including Acceptable Use Policy)
- Exclusion Policy
- Early Years – Use of Mobile Phones, Cameras, and Devices Policy
- Preventing Extremism and Radicalisation Policy
- Safer Recruitment Policy
- Employment Manual
- Staff Code of Conduct
- Use of Reasonable Force, Screening, Searching and Confiscation Policy
- Social Media Policy
- Equality, Diversity and Inclusion Policy
- Children Absent in Education and Attendance Policy

#### 2.5 Safer recruitment

Our school prioritises embedding a culture of safer recruitment as part of our strategy for preventing harm to children. Statutory procedures for checking the suitability of staff and volunteers who work with children are always followed.

#### 2.6 Policy review

The school carries out an annual review of this policy. This includes an evaluation of the extent to which these policies have been effectively implemented throughout the school. The school will remedy any deficiencies or weaknesses in child protection arrangements without delay and without waiting for the next policy review date, should any be necessary. Staff are invited to contribute to and shape safeguarding arrangements based on reflection and learning. Staff are invited to contribute to the review of this policy.

#### 2.7 Information sharing

Information sharing is vital in identifying and tackling all forms of abuse and neglect. Fears about sharing information must not be allowed to stand in the way of the need to safeguard and promote the welfare and protect the safety of children.

The Data Protection Act (2018) and GDPR do not prevent the sharing of information for the purposes of keeping children safe. 'Safeguarding of children and individuals at risk' is a processing condition that allows schools to share special category personal data. This includes allowing schools to share information without consent where there is good reason to do so, and that the sharing of information will enhance the safeguarding of a child in a timely manner. It would be legitimate to share information without consent where: it is not possible to gain consent; it cannot be reasonably expected that a practitioner gains consent; and, if to gain consent would place a child at risk,

School staff should, therefore, be proactive in sharing information as early as possible to help identify, assess, and respond to risks or concerns about the safety and welfare of children, whether this is when problems are first emerging, or where a child is already known to the local authority children's Social Care.

## 2.8 Visiting professionals and speakers

*Professionals:* For visitors who are there in a professional capacity schools should check ID and be assured that the visitor has had the appropriate DBS check (or the visitor's employers have confirmed that their staff have appropriate checks. Schools should not ask to see the certificate in these circumstances).

*Speakers:* Whilst external organisations and individuals (including parents) can provide a varied and useful range of information and resources that can help schools enrich children's education, careful consideration must be given to their suitability. Diligence should include an assessment of the education value, the age appropriateness of what is going to be delivered, and whether relevant checks will be required. A record should be kept of the diligence and checks undertaken.

### 3 Key safeguarding facts

**The safety and wellbeing of our pupils  
is our number one priority**

*Safeguarding and  
promoting the welfare of  
children is everyone's  
responsibility*

*We operate within a culture  
of openness and recognise  
and accept that abuse can  
happen in any organisation*

*We are a  
'sharing organisation'*  
  
*All concerns should  
be reported*

**All concerns about a child (including signs of abuse and neglect) must be reported immediately to the Designated Safeguarding Lead (DSL) or, in their absence, to the Deputy Designated Safeguarding Lead (DDSL)**

**In the event that a child is in immediate danger or at risk of harm, a referral should be made to Children's Social Care and/or the Police immediately**

**This policy must be read alongside  
'Keeping Children Safe in Education' – DFE Statutory Guidance**

**An allegation about another  
adult in school should be  
referred to the Headteacher**

**An allegation about the  
Headteacher should be  
referred to the Mr John  
Forsyth (Chair of Governors)**

**Any concern or 'nagging  
doubt' about an adult or child  
should be shared with the DSL  
or Headteacher**

#### 4 Key people and contacts

<b>School contacts</b>	
Designated Safeguarding Lead (DSL)	Amy Rutherford
Deputy Designated Safeguarding Lead (Deputy DSL)	Rob Stewart, Laura Wowk
Any other staff trained to DSL level	N/A
Designated Practitioner with responsibility for safeguarding in early years	Laura Wowk
Deputy Designated Practitioner with responsibility for safeguarding in early years	Rob Stewart
LGBTQ+ Champion(s)/ EDI Lead	Jade Vidler
Designated Teacher for Looked After Children	Mark Hale
Mental Health/Wellbeing Lead	Mark Hale/Jade Vidler
Prevent Lead	Amy Rutherford
Headteacher/Principal	Rob Stewart
<b>Governance Contacts</b>	
Chair of Governors (CEO Forfar Education)	Mr J Forsyth: <a href="mailto:jf@forfareducation.co.uk">jf@forfareducation.co.uk</a>
Board member with responsibility for safeguarding	Mrs Jo Storey: <a href="mailto:js@forfareducation.co.uk">js@forfareducation.co.uk</a>
Whistleblowing Officer	Mrs Jo Storey: <a href="mailto:js@forfareducation.co.uk">js@forfareducation.co.uk</a>
<b>Local Authority Contacts</b>	
Our school follows the safeguarding protocols and procedures of our Safeguarding Partners	Hampshire Safeguarding Children Partnership <a href="https://www.hampshirescp.org.uk/">https://www.hampshirescp.org.uk/</a> 01962 876355 <a href="mailto:hscp@hants.gov.uk">hscp@hants.gov.uk</a>
Local authority children's Social Care referral team(s)	Childrens Reception Team 0300 555 1384 (office hours) 0300 555 1373 (outside office hours) 01329 225379 (professional line only)
The Designated Officer for child protection (sometimes still referred to as the LADO)	01962 876364 <a href="mailto:hscp@hants.gov.uk">hscp@hants.gov.uk</a>
Local authority Prevent Lead	Hampshire Prevent Partnership Board Contactable through Childrens Reception Team 0300 555 1384 (children) 0300 555 1386 (adults)
Local authority's out of hours social care contact numbers	Childrens Reception Team 0300 555 1373

<b>Police</b>	
Local Police Emergency	999
Local Police non-emergency	101

<b>Location of local authority safeguarding and child protection documents in school</b>	
Local authority documents, e.g. thresholds, referral forms and related guidance can be found:	Safeguarding Board in Staff Room DSL Office in The Hill Hub

<b>National Contacts</b>	
NSPCC 24/7 Helpline	Tel: 0808 800 5000 Email: <a href="mailto:help@nspcc.org.uk">help@nspcc.org.uk</a>
NSPCC Text line	88858
NSPCC Child Line	Tel: 0800 1111
NSPCC FGM helpline	Tel: 0800 028 3550 Email: <a href="mailto:fgmhelp@nspcc.org.uk">fgmhelp@nspcc.org.uk</a>
NSPCC Whistleblowing helpline	Tel: 0800 028 0285 (8am – 8pm) Email: <a href="mailto:help@nspcc.org.uk">help@nspcc.org.uk</a>
DfE Prevent helpline for schools & parents	Tel: 020 7340 7264 (non-emergency) Email: <a href="mailto:counter.extremism@education.gsi.gov.uk">counter.extremism@education.gsi.gov.uk</a>
The Lucy Faithfull Foundation (LFF)	Tel: 0800 1000 900 Email: <a href="mailto:help@stopitnow.org.uk">help@stopitnow.org.uk</a> <a href="http://www.parentsprotect.co.uk">www.parentsprotect.co.uk</a>
National Bullying Helpline	Tel: 0845 22 55 787
UK Safer Internet Centre helpline for School Staff	Tel: 0844 381 4772 Email: <a href="mailto:helpline@saferinternet.org.uk">helpline@saferinternet.org.uk</a>
Internet Watch Foundation hotline for reporting criminal content	<a href="http://www.iwf.org.uk">www.iwf.org.uk</a>
Educate Against Hate	<a href="http://educateagainsthate.com">http://educateagainsthate.com</a>

## 5 Types of abuse

The term ‘abuse’ is often used as an umbrella term. All staff should be aware of indicators of abuse and neglect, including sexual harassment and sexual violence, so that they are able to identify cases of children who may be in need of help or protection. Abuse and safeguarding issues are rarely standalone events that can be covered by one definition or label. In most cases, multiple issues will overlap with one another.



### 5.1 Abuse

Abuse is a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others.

Abuse can take place wholly online, or technology may be used to facilitate offline abuse. They may be abused by an adult or adults or by another child or children.

## 5.2 Physical abuse

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

*Signs of physical abuse can include:*

- *injuries to parts of the body where accidents are unlikely, such as thighs, back, abdomen;*
- *respiratory problems from drowning, suffocation or poisoning;*
- *untreated or inadequately treated injuries;*
- *bruising which looks like hand or finger marks or caused by an implement;*
- *cigarette burns, human bites; or*
- *scarring, scalds and burns.*

## 5.3 Emotional abuse

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

## 5.4 Domestic abuse

Children can be victims of domestic abuse. They may see, hear, or experience the effects of abuse at home and/or suffer domestic abuse in their own intimate relationships (teenage relationship abuse). The cross-government definition of domestic violence and abuse is that it may be a single 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, detrimental and long-term impact on a child's health, wellbeing, development and ability to learn. In some cases, a child may blame themselves for the abuse or may have had to leave the family home as a result.

The Domestic Abuse Act 2021 introduces the first ever statutory definition of domestic abuse and recognises the impact of domestic abuse on children, as victims in their own right. Under the statutory definition, both the person who is carrying out the behaviour and the person to whom the behaviour is directed towards must be aged 16 or over and they must be "personally connected" (as defined in section 2 of the 2021 Act).

Operation Encompass operates in all Police forces across England. It helps Police and schools work together to provide emotional and practical help to children and families

where abuse is happening. The system ensures that when the Police are called to an incident of domestic abuse, where there are children in the household who have experienced the domestic incident, the Police will inform the DSL in school before the child or children arrive at school the following day. This ensures that the school has up to date relevant information about the child's circumstances and can enable immediate support to be put in place, according to the child's needs. Operation Encompass does not replace statutory safeguarding procedures. Where appropriate, the Police and/or schools should make a referral to local authority children's Social Care if they are concerned about a child's welfare. More information about the scheme and how schools can become involved is available on the Operation Encompass [website](#).

Operation Encompass provides an advice and helpline service for all staff members from educational settings who may be concerned about children who have experienced domestic abuse. The helpline is available 8am to 1pm, Monday to Friday on 0204 5139990 (charged at local rate).

#### National Domestic Abuse Helpline

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

*Signs of emotional abuse tend to be behavioural rather than physical (see below).*

#### 5.5 Sexual abuse

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

*Signs of sexual abuse displayed by children may include:*

- *pregnancy*
- *sexually transmitted infection/diseases;*
- *pain/itching/bleeding/bruising/discharge to the genital area/anus/mouth;*
- *urinary infections;*
- *difficulty walking or sitting or standing;*
- *persistent sore throats; or*
- *stomach ache*

#### Supporting practice in tackling child sexual abuse - CSA Centre

Centre of Expertise on Child Sexual Abuse has free evidence-based practice resources to help professionals working with children and young people to identify and respond appropriately to concerns of child sexual abuse.

## 5.6 Neglect

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, for example, as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to: provide adequate food, clothing and shelter (including exclusion from home or abandonment); protect a child from physical and emotional harm or danger; ensure adequate supervision (including the use of inadequate care-givers); or ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

*Signs of possible neglect include:*

- *the child seems underweight or is very small for their age, or their weight deteriorates;*
- *the child seems very overweight for their age;*
- *they are poorly clothed, with inadequate protection from the weather;*
- *they are often absent from school for no apparent reason; or persistently arrive late: or*
- *they are regularly left alone, or in charge of younger brothers or sisters.*

## 5.7 Child on child abuse

All staff must be alert to possible indicators of safeguarding concerns which may indicate child on child abuse. This is most likely to include, but may not be limited to:

- bullying (including cyberbullying);
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm;
- sexual violence and sexual harassment;
- sharing of nudes/semi nudes, imagery/videos, previously referred to as 'sexting';
- initiation/hazing type violence and rituals; and
- 'up skirting'

See separate section of this document on child-on-child abuse below.

## 5.8 Honour Based Abuse (HBA) (including Female Genital Mutilation (FGM), Forced Marriage (FM) and breast flattening)

HBA includes all incidents or crimes which have been committed to protect or defend the honour of the community and/or the family, and commonly involve practices such as FGM, forced marriage and/or breast flattening. Abuse often involves a wider network of family or community pressure and therefore it is important to be aware of this dynamic and consider risk factors when deciding on action. If staff have a concern that a child may be at risk of Honour Based Abuse, they should alert their DSL immediately.

### FGM

FGM is abuse that encompasses all procedures involved in the partial or total removal of female external genitalia and is illegal in the UK. Whilst all staff should speak to the DSL (or deputy DSL) with regards to any concerns about FGM, there is a specific legal duty on teachers under the FGM Act (2003) to report 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, it is mandatory that the teacher **must** report this to the police using the telephone number 101.

### Forced Marriage (FM)

Forcing a person into marriage is a crime in England and Wales. Changes to the Marriage Act (1929) and the Civil Partnership Act (2004) came into effect in February 2023 which have raised the legal marriage age to 18 years old. These changes mean that 16 to 17-year-olds are no longer

able to marry or enter a civil partnership under any circumstances, even with parental or judicial consent. This Minimum Age Act expands the criminal offence of forced marriage in England and Wales to make it an offence in all circumstances to do anything intended to cause a child to marry before they turn 18 without the need to prove that:

- the young person is coerced into the marriage or civil partnership (e.g. threatened)
- the young person is deceived into leaving the UK and coerced into marriage
- the young person lacks the mental capacity to give consent

FM is one entered into without the full and free consent of one or both parties and where violence, threats or any form of coercion is used to cause a person to enter into a marriage. The Forced Marriage Unit (FMU) has created: Multi-agency practice guidelines: handling cases of forced marriage (pages 75-80 of which focus on the role of schools) plus there is the government guidance The right to choose: government guidance on forced marriage -GOV.UK (www.gov.uk).

School staff can contact the Forced Marriage Unit if they need advice or information: Contact: 020 7008 0151 or email [fmufcdo.gov.uk](mailto:fmufcdo.gov.uk).

#### Breast Flattening

Breast flattening, also known as breast ironing, is the pounding and massaging of a pubescent girl's breasts, using hard or heated objects, to try to make them stop developing or disappear. It is typically carried out by the girl's mother, who will say she is trying to protect the girl from sexual harassment and rape to prevent early pregnancy that would tarnish the family name, or to allow the girl to pursue education, rather than be forced into early marriage.

#### **See Annex B of KCSIE for further details**

#### 5.9 Behavioural signs of abuse and neglect

If a child is being abused, their behaviour may change in a number of ways. For example, they may:

- behave aggressively or be disruptive, act out, demand attention and require more discipline than other children;
- become angry or disinterested and/or show little creativity;
- seem frightened of certain adults;
- become sad, withdrawn or depressed;
- have trouble sleeping;
- become sexually active at a young age;
- exhibit inappropriate sexual knowledge for their age or sexualised behaviour in their play with other children;
- refuse to change for gym or participate in physical activities;
- develop eating disorders;
- self-harm and/or express suicidal ideation;
- refuse to attend school or run away from home;
- lack confidence or have low self-esteem; or
- use drugs or alcohol as a coping strategy

#### 5.10 Emotional Wellbeing and Mental Health

Where children have suffered abuse and neglect, or other potentially traumatic adverse childhood experiences, this can have a lasting impact throughout childhood, adolescence and into

adulthood. It is key that all staff are aware of how these children's experiences, can impact on their mental health, behaviour and education.

All staff should also be aware that deteriorating emotional wellbeing and escalation of mental health problems can, in some cases, be an indicator that there is a safeguarding concern, for example, a child has suffered or is at risk of suffering abuse, neglect, bullying/cyberbullying or exploitation. Please note, however, that only appropriately trained health professionals should attempt to make a diagnosis of a mental health problem.

Staff, however, are well placed to observe children day-to-day and identify those whose behaviour suggests that they may be experiencing a mental health problem or be at risk of developing one. If staff have a mental health concern about a child that is also a safeguarding concern, immediate action should be taken, following this policy and speaking to the DSL.

The Department of Education has published advice and guidance on [Preventing and Tackling Bullying, Mental Health and Behaviour in Schools](#), and ['Every interaction matters'](#). The latter is a pre-recorded webinar which provides staff with a simple framework for promoting wellbeing, resilience, and mental health.

In addition, Public Health England has produced a range of resources to support secondary school teachers to promote positive health, wellbeing and resilience among young people including its guidance, [Promoting Children and Young People's Emotional Health and Wellbeing](#). Its resources include social media, forming positive relationships, smoking and alcohol. See [Rise Above](#) for links to all materials and lesson plans.

Whilst all children should be protected, it is important that staff recognise that some groups of children are potentially at greater risk of harm (including online harm). For example, this vulnerable group includes, but is not limited to: those children with SEND (see below), young carers, those with a parent in prison, those identifying as LGBTQ+, and those living in homes characterised by domestic abuse and/or parental acrimony.

#### 5.11 Children with Special Educational Needs and/or Disabilities

Children with special educational needs (SEN) and/or disabilities are statistically more vulnerable to child abuse, including child on child abuse. Additional barriers can exist when recognising abuse and neglect in this group of children. These include:

- assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability without further exploration;
- assumptions that children with SEN and disabilities can be disproportionately impacted by things like bullying without outwardly showing any signs; and
- communication barriers and difficulties in overcoming these challenges.

Further information can be found at:

[SEND Code of Practice 0 to 25 years](#), and  
[Supporting Pupils at School with Medical Conditions](#)

and from specialist organisations such as:

[The Special Educational Needs and Disabilities Information and Support Services \(SENDIASS\)](#). SENDIASS offer information, advice and support for parents and carers of children and young people with SEND.

All local authorities have such a service: Find your local IAS service ([councilfordisabledchildren.org.uk](http://councilfordisabledchildren.org.uk))

Mencap - Represents people with learning disabilities, with specific advice and information for people who work with children and young people

5.12 Signs of abuse or neglect manifested by the parents or other responsible adult

places unrealistic expectations on the child, i.e. demands a level of academic or physical performance of which they are not capable;

- offers conflicting or unconvincing explanation of any injuries to the child;
- delays seeking medical treatment for the child's mental/physical health
- appears indifferent to, is emotionally unavailable, or overtly rejects, the child;
- denies existence of or blames the child for the child's behaviours at home or at school;
- sees and describes the child as entirely worthless, burdensome or in another negative light;
- refuses offers of support to meet the child's needs;
- refuses to consent to referrals to external agencies to meet their child's needs/does not engage as expected

5.13 Grooming

Grooming is the process by which an individual prepares a child, significant adults and the environment for abuse of this child. Children and young people can be groomed online or in the real world, by a stranger or by someone they know. Groomers may be of any gender identity or sexual orientation. They could be of any age, including another young person. Many children and young people do not understand that they have been groomed, or that what has happened is abuse. The signs that a child is being groomed are not always obvious. Groomers will also go to great lengths not to be identified.

Children may:

- be very secretive, including about what they are doing online;
- have older boyfriends or girlfriends;
- go to unusual places to meet friends;
- have new things such as clothes or mobile phones that they can't or won't explain;
- have access to drugs and alcohol;
- go missing from home or school;
- display behavioural changes;
- have sexual health issues; or
- present as suicidal, self/harming, feeling depressed, and/or unworthy.

In older children, signs of grooming can easily be mistaken for 'normal' teenage behaviour, but you may notice unexplained changes in behaviour or personality, or inappropriate sexual behaviour for their age. See the [NSPCC website](#) for further information about grooming.

5.14 Signs of grooming and/or online abuse

A child may be experiencing abuse online if they:

- spend lots, much more, or much less time online, texting, gaming or using social media;
- are withdrawn, upset or outraged after using the internet or texting;
- are secretive about who they're talking to and what they're doing online or on their mobile phone; and/or
- have lots of new phone numbers, texts or e-mail addresses on their mobile phone, laptop or tablet.
- have more than one phone

#### 5.15 Signs of grooming manifested by sex offenders

It is important to remember that not all sex offenders will exhibit the signs listed below and if an individual exhibits some or all of these signs, it does not mean that they are a sex offender:

- Overly affectionate behaviour with a child;
- Affording special attention or preferential treatment to a child;
- Excessive time spent alone with a child outside of the classroom/school;
- Frequently spending time with a child in private or isolated areas;
- Transporting a child to or from the school;
- Making friends with a child's parents and visiting their home;
- Acting as a particular child's confidante;
- Giving small gifts, money, toys, cards, letters to a child;
- Using texts, telephone calls, e-mails or social networking sites to inappropriately communicate with a child; and/or
- Flirtatious behaviour or making suggestive remarks or comments of a sexual nature around a child.

#### 5.16 Modus operandi of grooming

- Target vulnerable victim: Perpetrators target victims who are vulnerable, isolated, insecure and/or have greater emotional needs.
- Gain victim's trust: Offenders may allow a child to do something (e.g. eat ice cream, stay up late, view pornography) which is not normally permitted by the child's parents or the school in order to foster secrecy.
- Gain the trust of others: Institutional offenders are often popular with children and parents, successfully grooming not only the victim but also other members of the victim's family and the community at large.
- Filling a need/becoming more important to the child: This can involve giving gifts, rewards, additional help or advice, favouritism, special attention and/or opportunities for special trips or outings.
- Isolating the child: The perpetrator may encourage dependency and subtly undermine the victim's other relationships with friends or family members.
- Sexualising the relationship: This can involve playful touches, tickling and hugs. It may involve adult jokes and innuendo or talking as if adults, for example about marital problems or conflicts.
- Maintaining control and secrecy: Offenders may use their professional position to make a child believe that they have no choice but to submit to the offender.

#### 5.17 Signs of grooming for radicalisation

All schools are subject to a duty under section 26 of the Counter Terrorism and Security Act (2015), in the exercise of their functions, to have "due regard to the need to prevent people from being drawn into terrorism". This duty is known as the Prevent duty. For more information, please see the Preventing Extremism and Radicalisation Policy and Annex B of KCSIE.

There is no single way of identifying whether a child is likely to be susceptible to an extremist ideology. Background factors combined with specific influences such as family and friends may contribute to a child's vulnerability. Similarly, radicalisation can occur through many different methods (such as social media or the internet) and settings (such as within the home). As with other safeguarding risks, staff should be alert to changes in children's behaviour, which could indicate that they may be in need of help or protection. Staff should use their judgement in identifying children who might be susceptible and at risk of radicalisation and act proportionately which may include the DSL or the Prevent Lead making a Prevent referral. There are no known

definitive indicators that a young person is susceptible or vulnerable to radicalisation, but there are a number of signs that together increase their risk of being groomed in this way.

Signs of susceptibility and/or vulnerability include:

- Under/over achievement;
- Being in possession of extremist literature;
- Poverty;
- Social exclusion;
- Traumatic events;
- Global or national events;
- Religious conversion;
- Change in behaviour;
- Exploitation of some form
- Extremist influences;
- Conflict with family over lifestyle;
- Confused identity;
- Victim or witness to race or hate crimes; and
- Rejection by peers, family, social groups.
- Having confirmed or emerging indicators of SEND

#### 5.18 Child Criminal Exploitation and Serious Violence

CCE is where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child into any criminal activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial or other advantage of the perpetrator or facilitator and/or (c) through violence or the threat of violence. The victim may have been criminally exploited even if the activity appears consensual. CCE does not always involve physical contact; it can also occur through the use of technology. CCE can include children being forced to work in cannabis factories, forced to shoplift or pickpocket, or to threaten other young people. It is important to note that the experience of girls who are criminally exploited can be very different to that of boys. The indicators may not be the same, however professionals should be aware that girls are at risk of criminal exploitation too. It is also important to note that both boys and girls being criminally exploited may be at higher risk of sexual exploitation.

CCE also involves children and young people being coerced into moving drugs or money across the country; this is commonly referred to as County Lines.

County Lines usually occurs through engaging children into gangs and using them to carry money or drugs from urban areas to suburban and rural areas, market and seaside towns. Further information on the signs of a child's involvement in county lines is available in guidance published by the Home Office [here](#).

[County Lines Toolkit For Professionals](#) - The Children's Society in partnership with Victim Support and National Police Chiefs' Council.

All staff should be aware of indicators which may signal that children are susceptible or at risk from, or are involved with, serious violent crime. These can include but are not limited to: increased absence from school; a change in friendships or relationships with older individuals or groups; a significant decline in performance; signs of self-harm or a significant change in wellbeing; or signs of assault or unexplained injuries. Unexplained gifts or new possessions could also indicate that children have been approached by, or are involved with, individuals associated with criminal networks or gangs. More information can be found in KCSIE (2023), in the Home

Office's 'Preventing youth violence and gang involvement' and its 'Criminal exploitation of children and vulnerable adults: county lines guidance'.

**See Annex B of KCSIE for more information.**

#### 5.19 Contextual Safeguarding

Contextual Safeguarding is an approach to understanding, and responding to, young people's experiences of significant harm beyond their families. It recognises that the different relationships that young people form in their neighbourhoods, schools and online can feature violence and abuse. Parents and carers have little influence over these contexts, and young people's experiences of extra-familial abuse can undermine parent-child relationships. Staff should consider the importance of understanding intra familial harms and any necessary support for siblings following incidents of child-on-child abuse, including sexual harassment and/or violence (see below)

The contextual safeguarding approach says that children's social care practitioners, child protection systems and wider safeguarding partnerships need to engage with individuals and sectors who do have influence over/within extra-familial contexts, and recognise that assessment of, and intervention with, these spaces are a critical part of safeguarding practices. Contextual Safeguarding, therefore, expands the objectives of child protection systems in recognition that young people are vulnerable to abuse beyond their front doors. This also includes the risk of abuse occurring in or outside of school.

#### 5.20 Child Sexual Exploitation (CSE)

CSE is a form of child sexual abuse (see above) and occurs where an individual or group takes advantage of an imbalance in power to coerce, manipulate or deceive a child into sexual activity. Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, sexual identity, cognitive ability, physical strength, status, and access to economic or other resources. In some cases, the abuse will be in exchange for something the victim needs or wants and/or will be to the financial benefit or other advantage (such as increased status) of the perpetrator or facilitator.

The abuse can be perpetrated by individuals or groups, males or females, and children or adults. The abuse can be a one-off occurrence or a series of incidents over time and range from opportunistic to complex organised abuse. It can involve force and/or enticement-based methods of compliance and may, or may not, be accompanied by violence or threats of violence. Victims can be exploited even when activity appears consensual, and it should be noted exploitation as well as being physical can be facilitated and/or take place online.

CSE can affect any child or young person (male or female) under the age of 18 years, including 16- and 17-year-olds, who can legally consent to have sex. It can include both contact (penetrative and non-penetrative acts) and non-contact sexual activity and may occur without the child or young person's immediate knowledge (e.g. through others copying videos or images they have created and posted on social media).

The above CCE indicators can also be indicators of CSE, as can:

- children who have older boyfriends or girlfriends; and
- children who suffer from sexually transmitted infections or become pregnant.

For more information, see Child Sexual Exploitation: Guide for Practitioners

**See Annex B of KCSIE for more information.**

**5.21 Children Absent from Education**

All staff should be aware that children who are absent from education for prolonged periods and/or on repeat occasions, 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 can also be a sign of child criminal exploitation including involvement in County Lines. It may indicate mental health difficulties, risk of substance abuse, risk of travelling to conflict zones, risk of female genital mutilation or risk of forced marriage.

It is important that the school's response to persistently absent children supports identifying such abuse, and in the case of absent pupils, helps prevent the risk of them becoming a child missing education in the future. This includes when problems are first emerging but also where children are already known to external agencies, where being absent from education may increase known safeguarding risks within the family or in the community.

Early intervention is necessary to identify the existence of any underlying safeguarding risk and to help prevent the risks of a child being absent from school or going missing in future. Staff should be aware of their school's unauthorised absence and their local authority's 'children missing/absent from education' procedures. Information regarding schools' duties regarding children absent/missing education, including information schools must provide to the local authority when removing a child from the school roll at standard and non-standard transition points, can be found in the department's statutory guidance: Children Missing Education.

**Elective Home Education**

Many home-educated children have an overwhelmingly positive learning experience. Most parents decide to home educate with their child's best education at the heart of their decision. However, this is not the case for all, and home education can mean some children are less visible to the services that are there to keep them safe and supported in line with their needs. Where a parent/carer has expressed their intention to remove a child from school with a view to educating at home, the school will coordinate a meeting with parents/carers where possible. Ideally, this would be before a final decision has been made, to ensure the parents/carers have considered what is in the best interests of each child. This is particularly important where a child has SEND, is vulnerable, and/or has a Social Worker. Should there be safeguarding concerns about any child whose parents state they are planning to educate them at home, a referral to Social Care may be considered.

**5.22 Children with family members in prison**

Schools should be aware if they have any children or young people on their roll whose parent or close family member is in prison and provide additional support. Approximately 200,000 children in England and Wales 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.

## 6 Stages of child protection

The school can use a range of arrangements, depending on the information available. The school will always work cooperatively with external agencies, including the local authority and the police.

Where a child is suffering, or is likely to suffer from harm, it is important that a referral to children's Social Care (and, if appropriate, the Police) is made immediately by the DSL, who should follow the local authority's referral process. If the DSL is not available, then there should be no delay in another safeguarding staff member in the school making a referral.

### 6.1 Early Help

If early help is appropriate, the DSL or DDSL will generally lead on liaising with other agencies and setting up an inter-agency assessment as appropriate. Staff may be required to support other agencies and professionals in an early help assessment, in some cases acting as the lead professional. Any such cases should be kept under constant review and consideration given to a referral to Children's Social Care for assessment for statutory services if the child's situation does not appear to be improving or is getting worse.

Any child may benefit from early help, but all school staff should be particularly alert to the potential need for early help for a child who:

- is disabled and has specific additional needs;
- has special educational needs (whether or not they have a statutory education, health and care plan);
- is a young carer;
- is showing signs of being drawn into anti-social or criminal behaviour, including gang involvement and association with organised crime groups;
- is frequently missing/goes missing from care or from home;
- is misusing drugs or alcohol themselves;
- is at risk of modern slavery, trafficking or exploitation;
- is in a family circumstance presenting challenges for the child, such as substance abuse, adult mental health problems or domestic abuse;
- has returned home to their family from care;
- is showing early signs of abuse and/or neglect;
- is at risk of being radicalised or exploited;
- is a privately fostered child; and/or
- has already identified as being LGBTQ+ or is beginning to identify as LGBTQ+.

## 6.2 Children who have a Social Worker

Children may need a Social Worker due to safeguarding or welfare needs. Children may need this help due to abuse, neglect and complex family circumstances. A child's experiences of adversity and trauma can leave them vulnerable to further harm, as well as educationally disadvantaged in facing barriers to attendance, learning, behaviour and mental health. Local authorities should share the fact a child has a Social Worker and inform schools whether the child is subject to a Child in Need (s17) or Child Protection (s47) Plan. The DSL should attend all 'plan reviews'. Where children need a Social Worker, this should inform school decisions about safeguarding (for example, responding to unauthorised absence or missing education where there are known safeguarding risks) and about promoting welfare (for example, considering the provision of pastoral and/or academic support, alongside action by statutory services).

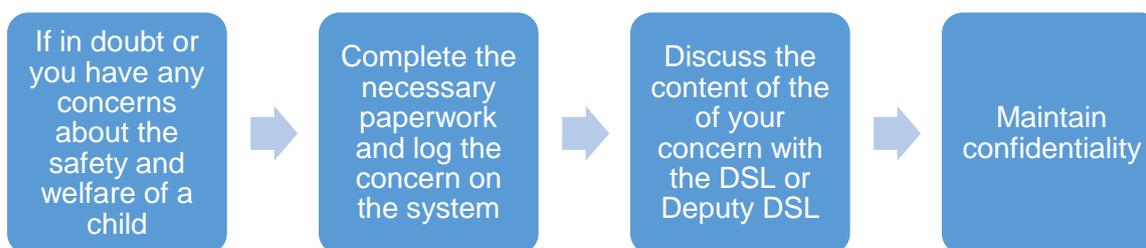
## 6.3 Children in Need

A Child in Need is defined under the Children Act 1989 as a child who is unlikely to achieve or maintain a reasonable level of health or development, or whose health and development is likely to be significantly or further impaired, without the provision of services; or a child who is disabled. Local authorities are required to provide services for children in need for the purposes of safeguarding and promoting their welfare. A child who is deemed to be a Child in Need will have been assessed by Children's Social Care under section 17 of the Children Act 1989.

## 6.4 Children suffering or likely to suffer significant harm

Local authorities, with the help of other organisations as appropriate, have a duty to make enquires under section 47 of the Children Act 1989 if they have reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm. Such enquiries enable them to decide whether they should take any action to safeguard and promote the child's welfare and must be initiated where there are concerns about maltreatment, including all forms of abuse and neglect, female genital mutilation or other so-called honour-based abuse, and extra-familial threats like radicalisation and sexual exploitation. Should an investigation occur, then the school's involvement and any action may be determined on the advice given by the investigating agency.

## 6.5 What to do if you have a concern about a child in the school



### 6.5.1 This should be read alongside KCSIE (statutory guidance) – Part One and Annex B.

Safeguarding and promoting the welfare of children is everyone's responsibility (KCSIE 2023). All staff should know what to do when a child discloses abuse to them, if they have concerns about a child's welfare, or when children or staff raise concerns about a pupil to them.

If a child tells a member of staff that they know about or have been a victim of abuse or neglect the member of staff should:

- Listen carefully and allow the child to speak freely and remain calm. Do not interrupt the child or be afraid of silences. Recognise that there are many barriers to a child making a disclosure.

- Provide reassuring nods and words such as, "I am so sorry this has happened", "You are doing the right thing in talking to me". Avoid saying things like, "I wish you had told me about this earlier" or "I cannot believe what I am hearing". Questioning of the child about what they are saying should not be extensive, as partner agencies will lead any investigation. However, a context around what the child has said should always be sought prior to any referral being made to partner agencies. This should be done by the DSL or DDSL, depending on who obtained the initial disclosure i.e. if a member of teaching staff receives a disclosure or has a concern, the DSL should then also speak to the child, either to corroborate the child's account or to gain further context. Limit questioning to the minimum necessary for clarification using *What, When, How and Where*, but avoid leading questions such as, "Has this happened to your siblings?" Do *not* use questions beginning with *Why* as this can apportion feelings of guilt within a child.
- If the child discloses abuse, it is appropriate to ask whether any other adults were present and observed the abuse and ask what did they do.
- At an appropriate time, tell the child that the matter will be referred in confidence, always using language that is appropriate to the age and stage of development of the child, allowing for their individual need.
- Tell the child what will happen next. The child may want to accompany you to see the DSL, otherwise let the child know that someone will come to see them before the end of the day.

Staff should understand the difficulties children may have in approaching them and the need to build trusted relationships. Staff should be aware that the first approach/disclosure from a child may not be the only incident that has happened. It is appropriate therefore, to ask the child whether something like this has ever happened to them before. **All staff** should be aware that children may not feel ready or know how to tell someone that they are being abused, exploited, or neglected, and/or they may not recognise their experiences as harmful.

#### 6.5.2 Recording

Staff should make a written record of any conversation with the child as soon as possible, All concerns, discussions and decisions made, and the reasons for those decisions, should be recorded in writing by the DSL. Records should include:

- a clear and comprehensive summary of the concern;
- details of how the concern was followed up and resolved;
- a note of any action taken, decisions reached and the outcome.

Staff recording disclosures should use the specific words that the child used (e.g. if referring to parts of their body), indicating these by using "speech marks/inverted commas".

**If a disclosure of abuse has been made by the child, staff should immediately discuss the concerns verbally with the DSL, Deputy DSL or Headteacher prior to writing up the record so that immediate action can be considered.**

If the DSL is not available then this should not delay appropriate action being taken and staff should speak to the DDSL, Headteacher or, failing that, the Forfar Safeguarding Lead. Headteachers should be made aware of any referral that is made to Social Care or the Police, but staff must not delay if they are unavailable before making the referral. All documents should be kept in a secure location with restricted access.

#### 6.5.3 Photos

If a child discloses physical abuse, self-harms or attempts to take their life, staff should **never** take photos of children's injuries. On very rare occasions, Social Care or the Police will direct the school to take a photo of a child's injury and send it to them for their assessment of risk. The

school must record who has asked this to be done, and note their role and contact. Any photo subsequently taken by staff must have a witness present.

#### 6.6 Making referrals to statutory agencies

##### *If a child is thought to be at risk of harm*

When a child is thought to be at risk of harm or is likely to be at risk of harm (see above), a referral should be made **immediately** to Children's Social Care, and/or to the Police if a criminal act is thought to have occurred. Whilst it is the role of the DSL, any member of staff can make a referral to Children's Social Care or the Police and there should be no delay. *The school does not require parental consent for referrals to be made to statutory agencies*. Consent to do this must **not** be obtained from the parents if to gain consent would put the child's safety at risk or to do so could jeopardise any investigation by partner agencies (WTSC 2020). See above re ensuring that a context is gathered **prior** to making any referral to external agencies.

##### *If a child has unmet needs*

When a child is not considered at risk of harm, but still has unmet needs that could mean that they are a Child in Need (see above), a referral should be made to Children's Social Care via the local authority process. The school does not require parental consent for referrals to be made to statutory agencies in these circumstances, however, it is best practice that these concerns should be discussed with the parents and any subsequent referral made transparently with the parent's knowledge.

##### *Confidentiality*

Whilst it is always important to take into consideration the wishes and feelings of a child, staff should never guarantee confidentiality to pupils or adults wishing to tell them about something serious, as this may ultimately not be in the best interests of the child. They should guarantee that they will not tell anyone who does not have a clear need to know and that they will pass on information in confidence only to the people who must be told in order to ensure their safety.

#### 6.7 Passing on safeguarding records when a child leaves the school

Information sharing is vital in identifying and tackling all forms of abuse. KSCIE (2023) emphasises the need for fuller pastoral information to be passed on about students for whom there has been a safeguarding concern, as a lack of information about their circumstances can impact on the child's safety, welfare and educational outcomes.

When a child leaves the school, it is the responsibility of the DSL to ensure that a copy of their safeguarding records is transferred securely and confidentially to the new school. Records should be transferred within 5 days for an in-year transfer or within the first 5 days of the start of a new term (KCSIE 2023).

Before transferring, the DSL will arrange a telephone call with the DSL or Headteacher in the receiving school. Following the conversation, they will arrange for the secure transfer of documentation. Confirmation of the receipt of the documentation should be retained with safeguarding records. A safeguarding record must be transferred separately from the main pupil file.

Whilst data protection legislation places duties on organisations and individuals to process personal information fairly and lawfully and to keep the information they hold safe and secure, this is not a barrier to sharing information where the failure to do so would result in a child being placed at risk of harm. Fears about sharing information cannot be allowed to stand in the way of the need to promote the welfare and protect the safety of children.

The DSL should also consider if it would be appropriate to share any information with the new school in advance of a child leaving, for example, information that would allow the new school to continue supporting victims of abuse and have that support in place for when the child arrives. This should be done with parent's knowledge, unless to do so would heighten any risk to the child or younger person (if this is the case, then Social Care should be involved).

## 7 Whistleblowing

**Please refer to the staff Whistleblowing Policy for more information.**

### **KEY FACTS:**

- Staff are encouraged to report to the Forfar Board any suspected wrongdoing within the School.
- Members of staff who raise genuine concerns under the Whistleblowing Policy will be supported, even if they turn out to be mistaken.
- Staff must not suffer any detrimental treatment (including dismissal, disciplinary action, threats, or other unfavourable treatment) as a result of raising a genuine concern.
- Staff should ordinarily report wrongdoing internally to the Whistleblowing Officer Mrs J Storey. In most cases it will not be necessary to alert anyone externally.
- Reports made maliciously or in bad faith may lead to disciplinary action.

All adults have a responsibility to report any concerns about poor or unsafe practice, including in relation to the care and protection of a pupil or pupils. If a member of staff believes that best practice in this area is not being adhered to or that practice may put a pupil or pupils at risk, they should first attempt to resolve their concern at school level via their Headteacher. If the situation is not resolved, or the staff member is uncertain about whether something is within the scope of the Whistleblowing Policy, they should seek advice from the Whistleblowing Officer via [js@forfareducation.co.uk](mailto:js@forfareducation.co.uk).

Concerns raised under this Whistleblowing Policy are distinct from concerns or allegations about an adult's suitability to work with or have access to children.

Where an adult feels unable to raise a concern about poor safeguarding practice within their school, through the above options or where they feel that their concern is not being addressed, they can raise their concern externally using either of the routes below:

- Government guidance can be found [here](#).
- The [NSPCC whistleblowing helpline](#) is available for adults who do not feel able to raise concerns regarding child protection failures internally. Staff can call: 0800 028 0285 – lines are available from 8:00am to 8:00pm, Monday to Friday, or email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk)

## 8 The role of the Designated Safeguarding Lead and Deputy Designated Safeguarding Lead

The Designated Safeguarding Lead (DSL) is the senior member of staff responsible for leading safeguarding in the school. The DSL **must** be a member of the school leadership team (SLT), Amy Rutherford. The DSL takes the lead responsibility for safeguarding and child protection in the

school (including online safety within which there is filtering and monitoring). and their job description explicitly reflects this.

#### 8.1 Deputy DSL

The school can appoint a number of Deputy DSLs. Their role is to support the DSL in their safeguarding role. Whilst the *activities* of the DSL can be delegated to DDSLs, the ultimate lead responsibility for child protection must remain with the DSL, and this lead responsibility must not be delegated. The Deputy DSLs are trained to the same level as the DSL and their duties of the Deputy DSLs are reflected explicitly in their job descriptions.

#### 8.2 Inter-agency working

The DSL and Deputy DSLs liaise with the local authority and work in partnership with other agencies in the best interests of children in the school. Safeguarding Partners and Child Death Review partner arrangements (the local authority; a clinical commissioning group for an area within the local authority; and the chief officer of police for an area (any part of which falls) within the local authority area) publish a local 'threshold' document which includes the process for the local early help assessment and the type and level of early help services to be provided, and DSLs (and their deputies) will be familiar with this document.

The DSL and any deputies should liaise with the three Safeguarding Partners and work with other agencies in line with Working Together to Safeguard Children.

'NPCC - When to call the police' should help DSLs understand when they should consider calling the Police and what to expect when they do. Under the Police and Criminal Evidence Act (PACE) (1984) – Code C, the DSL is aware of the requirement for children to have an 'Appropriate Adult' when in contact with Police officers who suspect them of an offence. PACE states that anyone who appears to be under 18, shall, in the absence of clear evidence that they are older, be treated as a child for the purposes of this Code and any other Code.

**The 'Appropriate Adult' means, in the case of a child must be:**

the parent, guardian or, if the juvenile is in the care of a local authority or voluntary organisation, a person representing that authority or organisation, a Social Worker of a local authority failing these, some other responsible adult aged 18 or over who is not:

- a. a Police Officer;
- b. employed by the Police;
- c. under the direction or control of the chief officer of a Police force; or
- d. a person who provides services under contractual arrangements (but without being employed by the chief officer of a Police force), to assist that force in relation to the discharge of its chief officer's functions.

Further information can be found in the Statutory guidance - PACE Code C 2019.

<https://www.gov.uk/government/publications/pace-code-c-2019/pace-code-c-2019-accessible>

### 8.3 Support for DSL

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, to take part in Strategy Discussions and inter-agency meetings, and/or to support other staff to do so, and to contribute to the assessment of children.

There are 4 key elements to the DSL role. They will:

- Manage referrals
- Work with others
- Train staff in relation to safeguarding
- Raise awareness of safeguarding within the school staff group

### 8.4 Manage referrals

The DSL is expected to:

- refer cases of suspected abuse to the local authority children's Social Care as required; and/or
- support staff who make referrals to local authority children's Social Care;
- refer cases to the Channel programme where there is a radicalisation concern as required, in collaboration with the school Prevent Lead and/or support staff who make referrals to the Channel programme;
- refer cases where a person is dismissed or has left due to risk/harm to a child to the Disclosure and Barring Service as required (in collaboration with HR team); and
- refer cases where a crime may have been committed to the Police as required;
- Refer children to external mental health agencies/signpost parents when there are concerns about a child's emotional wellbeing and/or mental health, in collaboration with the school Wellbeing Lead;
- Follow up and escalate referrals as needed, and make re-referrals if the child's situation does not improve.

### 8.5 Work with others

The DSL is expected to:

- act as a point of contact with the three Safeguarding Partners;
- liaise with the Headteacher to inform them of issues, especially ongoing enquiries under section 47 of the Children Act 1989 and Police investigations;
- as required, liaise with the "case manager" (in relation to allegations against adults) and the Designated Officer(s) at the local authority for child protection concerns in cases which concern a staff member;
- liaise with staff (especially pastoral support staff, Wellbeing/Mental Health Lead, school nurses, IT technicians, and SENCOs) on matters of safety and safeguarding (including online and digital safety) and when deciding whether to make a referral by liaising with relevant agencies; and
- act as a source of support, advice and expertise for all staff
- promote supportive engagement with parents and/or carers in safeguarding and the welfare of children, including where families may be facing challenging circumstances'
- Meet regularly with the Forfar Safeguarding Lead.

## 8.6 Training

The DSL (and any deputies) should undergo training to provide them with the knowledge and skills required to carry out their role, including inter-agency working. This training must be updated **at least every two years**.

The DSL and Prevent Lead should undertake additional Prevent awareness training to the government Prevent training that all school staff undertake *where locally available* e.g. WRAP.

The DSL must undertake Online Safety training on an annual and ongoing basis.

The DSL must undertake Safer Recruitment training every two years.

In addition to the formal training set out above, the DSLs knowledge and skills should be refreshed via informal updates (this might be via e-bulletins, meeting other DSLs, or simply taking time to read and digest safeguarding developments) at regular intervals, as required, and at least annually, to allow them to understand and keep up with any developments relevant to their role so they:

- understand the assessment process for providing early help and statutory intervention, including local criteria for local authority children's Social Care referral arrangements and thresholds documents;
- 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 school's safeguarding and child protection policy and procedures, especially new, part time staff, and agency staff;
- are alert to the specific needs of those subject to a child in need plan, those subject to child protection plans, those who are 'looked after' or who have been 'previously looked after', those with special educational needs, and young carers;
- learn how to maintain high aspirations for vulnerable children, promoting their educational outcomes by knowing the welfare, safeguarding and child protection issues experienced by them and the potential impact on their attendance, engagement and achievement
- understand how to support teaching staff to feel confident to provide additional academic support/reasonable adjustments for vulnerable children who need or have needed a Social Worker, recognising the lasting impact on educational outcomes, even when statutory agencies have ceased involvement
- understand relevant data protection legislation and regulations, especially the Data Protection Act 2018 and the General Data Protection Regulation
- understand the importance of information sharing, both within the school, and with the three Safeguarding Partners, other agencies, organisations and practitioners
- are able to keep detailed, accurate, secure written records of concerns and referrals;
- understand and support the school with regards to the requirements of the Prevent duty and are able to provide advice and support to staff on protecting children from the risk of radicalisation;
- are able to understand the unique risks associated with online safety and be confident that they have the relevant knowledge and up to date capability required to keep children safe whilst they are online at school, including knowledge of the school's filtering and monitoring systems and processes;

- can recognise the additional risks that children with SEN and disabilities (SEND) face online, for example, from online bullying, grooming and radicalisation and are confident they have the capability to support SEND children to stay safe online;
- can recognise the additional risks that children identifying at LGBTQ+ or gender identity issues (or perceived to be by others) face online, for example, from online bullying, grooming and radicalisation and are confident they have the capability to support these children to stay safe online;
- obtain access to resources and attend any relevant or refresher training courses; and
- encourage a culture of listening to children, having an understanding their views and taking account of their wishes and feelings, among all staff, in any measures the school may put in place to protect them.

### 8.7 Raise awareness

The DSL should:

- ensure the school’s safeguarding and child protection policies are known, understood and used appropriately;
- ensure that online safety training is provided as part of regular staff updates, including updating them around the school’s filtering and monitoring systems and processes
- ensure the school’s Safeguarding and Child Protection Policy is reviewed annually (as a minimum) and the procedures and implementation are updated and reviewed regularly, and work with the proprietor regarding this;
- ensure the Safeguarding and Child Protection Policy is available publicly and parents are aware of the fact that referrals to children’s Social Care or the Police about suspected abuse or neglect may be made and the role of the school in this;
- link with the local Safeguarding Partners to make sure staff are aware of any training opportunities and the latest local policies on local safeguarding arrangements.
- help promote educational outcomes by sharing the information about the welfare, safeguarding and child protection issues that children, including children with a Social Worker, are experiencing, or have experienced, with teachers and school leadership staff.

Their role could include ensuring that the school, and their staff, know who these children are, understand their academic progress and attainment and maintain a culture of high aspirations for this cohort; supporting teaching staff to identify the challenges that children in this group might face and the additional academic support and adjustments that they could make to best support these children.

### 8.8 Availability

During term time the DSL (or a deputy) will always be available (during school hours) for staff in the school to discuss any safeguarding concerns. Whilst generally speaking the DSL (or deputy) will normally be available in person, the Headteacher will define what “available” means and whether in exceptional circumstances availability via work phone and/or Microsoft Teams. It is the responsibility of the Headteacher and DSL to arrange adequate and appropriate cover arrangements for any out of hours/out of term activities.

## 9 Human Rights Act 1998

The Human Rights Act 1998 (HRA) sets out the fundamental rights and freedoms that everyone in the UK is entitled to and contains the Articles and protocols of the European Convention on Human

Rights (ECHR) (the Convention) that are deemed to apply in the UK. It compels public organisations to respect and protect an individual's human rights when they make individual decisions about them. Under the HRA, it is unlawful for schools to act in a way that is incompatible with the Convention. The specific convention rights applying to schools are:

- Article 3: the right to freedom from inhuman and degrading treatment (an absolute right)
- Article 8: the right to respect for private and family life (a qualified right) includes a duty to protect individuals' physical and psychological integrity
- Article 14: requires that all of the rights and freedoms set out in the Act must be protected and applied without discrimination and
- Protocol 1, Article 2: protects the right to education.

Being subjected to harassment, violence and or abuse, including that of a sexual nature, may breach any or all of these rights, depending on the nature of the conduct and the circumstances. Further information (including on absolute and qualified rights) can be found at [Human Rights | Equality and Human Rights Commission \(equalityhumanrights.com\)](https://www.equalityhumanrights.com).

### **Equality Act 2010**

According to the Equality Act, schools **must** not unlawfully discriminate against pupils because of their sex, race, disability, religion or belief, gender reassignment, pregnancy and maternity, or sexual orientation (protected characteristics).

Whilst all of the above protections are important, in the context of safeguarding, this guidance, and the **legal duties** placed on schools in relation to safeguarding and promoting the welfare of children, those with governance oversight should carefully consider how they are supporting their pupils and students with regard to particular protected characteristics - including disability, sex, sexual orientation, gender reassignment and race.

Provisions within the Equality Act allow schools to take positive action, where it can be shown that it is proportionate, to deal with particular disadvantages affecting pupils with a particular protected characteristic in order to meet their specific need, this includes a duty to make reasonable adjustments for disabled children and young people, including those with long term conditions.

### **Public Sector Equality Duty**

The Public Sector Equality Duty (PSED) is found within the Equality Act. The PSED places a general duty on schools to have, in the exercise of their functions, due regard to the need to eliminate unlawful discrimination, harassment and victimisation (and any other conduct prohibited under the Equality Act), to advance equality of opportunity and foster good relations between those who share a relevant protected characteristic and those who do not. The duty applies to all protected characteristics and means that whenever significant decisions are being made or policies developed, specific consideration must be given to the equality implications of these such as, for example, the need to eliminate unlawful behaviours that relate to them such as sexual violence and sexual harassment, misogyny/misandry and racism. This is one reason why good record-keeping and monitoring of all forms of abuse and harassment is essential.

## 10 Induction

At the point of induction, **all** new school employed staff, including those with governance oversight must be provided with, should read, and should be trained by the DSL in:

- KCSIE 2023 – Part One and Annex B (contact with children) and/or Annex A (no contact)
- The Safeguarding and Child Protection Policy and Procedure
- Online Safety (which, amongst other things, includes an understanding of the expectations, applicable roles, and responsibilities in relation to filtering and monitoring)
- Code of Conduct (including staff/pupil relationships and communications)
- Acceptable Use & Digital Safety Policy
- Social Media Policy
- Children Absent from Education and Attendance Policy
- Anti-Bullying Policy
- Behaviour Policy; and
- Preventing Extremism and Radicalisation Policy.

At the point of induction, new staff must be informed of the names and role of the Designated Safeguarding Lead and Deputies. Likewise, all agency/supply staff must be informed of those with these roles, and of the school processes for raising concerns about children or adults in the school.

## 11 Training and Teaching

### 11.1 All Staff training

**All staff employed in school** must receive **annual** safeguarding and child protection training from the DSL via a Safeguarding Refresher presentation, usually at the commencement of the academic year.

**This is in addition** to their Basic Safeguarding awareness training which must be updated every three years or less.

All staff will also receive safeguarding and child protection updates, including online safety, regularly throughout the year, provided by the DSL, in order to provide them with relevant skills and knowledge to safeguard children effectively, for example, learning about the topics in Annex B (KSCIE 2023).

**Agency/Supply teaching staff** must show evidence of Basic Safeguarding training undertaken within 2 years, prior to attending the school for the first time, and should receive a Safeguarding Induction prior to first contact with children which includes the school's approach to online safety and managing incidents of sexual violence /harassment.

**Peripatetic teachers** must show evidence of having undertaken Basic Safeguarding training within the last 2 years prior to attending the school for the first time and should receive a Safeguarding Induction prior to first contact with children which includes the school's approach to online safety and managing incidents of sexual violence /harassment.

### 11.2 Third-party contractors

It is good practice for those employed as third-party contractors who work regularly in school with the opportunity for contact with pupils to have Basic Safeguarding training, at a level appropriate to their role. This training should be arranged by their employers. All contractors should receive the safeguarding policy to read.

### 11.3 Teaching Children about safeguarding

The school is committed to proactively teaching children about safeguarding, including online safety, as part of our approach to offering a broad and balanced curriculum. Through ongoing work with the children, we aim to build resilience so that every child knows that we are a 'telling school' and that speaking up about any concern is valued and actively promoted. This includes raising a concern about themselves or about another.

Safeguarding is taught in the following way:

- There are talks to children about online safety, being safe in school and at the start of each term in subjects where there are significant safety issues such as PE and Science.
- There are references across the school to actions pupils can take if they feel unsafe. We have an online safety and acceptable use policy and we teach about safeguarding in relation to this and all other matters within our PSHE programme.

Relationships education is compulsory in all primary schools.

We teach about relationships in PSHE and include it within our assembly programme.

Relationships and sex education (RSE) is compulsory in all senior schools. We also teach this within our PSHE programme.

We actively promote the view that children should feel able to raise any concerns that they may have. This includes when they have a concern about another child.

We take the following measures to ensure that children know how to raise a concern:

- we introduce how to respond to concerns within assembly and as part of our introduction to the school
- notices are placed around school and in boarding houses to support and guide pupils about whom they can contact if they have a concern.
- There is a list of safeguarding leads in every classroom.

The following resources, plus many more listed in Annex B of KCSIE 2023, are available for the school when teaching about safeguarding:

DfE advice for schools: teaching online safety in schools

UK Council for Internet Safety (UKCIS) guidance: Education for a connected world

UKCIS guidance: Sharing nudes and semi-nudes: advice for education settings working with children and young people

The UKCIS external visitor's guidance helps schools to ensure the maximum impact of any online safety sessions delivered by external visitors

National Crime Agency's CEOP education programme: Thinkuknow

Public Health England: Every Mind Matters

## 12 Online Safety

### 12.1 Technology

Technology often provides the platform that may facilitate harm. All staff should be aware of the unique risks associated with online safety, and that technology is a significant component in many safeguarding and wellbeing issues. DSLs are responsible for overseeing online safety in schools (including understanding the filtering and monitoring systems and processes in place). They should raise awareness in the staff group accordingly, including but not limited to, filtering and monitoring systems, cyber-bullying, child sexual exploitation, radicalisation and sexual predation.

## 12.2 Areas of risk

There are four main areas of risk:

**Content:** being exposed to illegal, inappropriate, or harmful material.

**Contact:** being subjected to harmful online interaction with other users.

**Conduct:** personal online behaviour that increases the likelihood of (or causes) harm; for example, the making, sending and receiving of explicit images, or online bullying.

**Commercial:** risks such as online gambling, inappropriate advertising, phishing, and or financial scams. If pupils, students or staff are at risk, please report it to the Anti-Phishing Working Group (<https://apwg.org/>).

More information around teaching online safety, can be found [here](#).

Whilst considering their responsibility to safeguard and promote the welfare of children and provide them with a safe environment in which to learn (whatever their age and stage of development), those with governance oversight at the school will be doing all that they reasonably can to limit children's exposure to the above risks from the school's IT system.

As part of this process, the school has appropriate filters and monitoring systems in place. These are reviewed centrally by the IT and cyber security departments who are responsible for ensuring schools have the appropriate level of security protection procedures in place in order to safeguard their systems, staff and learners. These teams review the effectiveness of these procedures annually to keep up with evolving cyber-crime technologies. The appropriateness of any filtering and monitoring systems will be informed in part, by the risk assessment required by the Prevent Duty (see Preventing Radicalisation and Extremism Policy).

Whilst it is essential schools ensure that appropriate filters and monitoring systems are in place, they should be careful that "over blocking" does not lead to unreasonable restrictions as to what children can be taught with regard to online teaching and safeguarding. The school will ensure that the leadership team and relevant staff have an awareness and understanding of the provisions in place and manage them effectively and know how to escalate concerns when identified. All staff should understand their role in preventing, identifying and responding to harm caused by its use.

The school will use parental communications to reinforce the importance of children being safe online. Parents may be supported to understand what systems the school uses to filter and monitor online use. The school will update parents regularly about what their children are being asked to do online in school, including the sites they will be asked to access, and with whom they may be interacting with online.

Many children have unlimited and unrestricted access to the internet via mobile phone networks (i.e. 3G, 4G and 5G). This access means some children, whilst at school, sexually harass their peers via their mobile and smart technology, share indecent images: consensually and non-consensually (often via large chat groups), and view and share pornography and other harmful content. Schools will always work with parents to support them to address their child's online activity as needed. At Horris Hill we do not allow any students to have mobile phones during the school day. Boarders have phones locked in school safe upon arrival. We remain vigilant for other devices that can access the internet such as Kindles, Apple Watches etc.

Additional information to support schools to keep their children safe online (including when they are online at home) is provided in Annex D of KCSIE (2023).

For a full and more detailed description of the school's filtering and monitoring systems, please see our Acceptable Use and Digital Safety Policy. All staff must be familiar with this policy.

Technology, and risks and harms related to it evolve and changes rapidly. The school will carry out an annual review of their approach to online safety.

Sharing of nudes/semi nudes imagery/videos (previously referred to as Youth Produced Sexual Imagery and/or 'sexting');

Whilst many professionals refer to the issue as 'sexting', there is no clear definition of 'sexting'. According to research, many professionals consider sexting to be 'sending or posting sexually suggestive images, including nude or semi-nude photographs, via mobiles or over the internet.' Yet, recent NSPCC research has revealed that when children are asked 'What does sexting mean to you?' they are more likely to interpret sexting as 'writing and sharing explicit messages with people they know.'<sup>1</sup> Similarly, a recent ChildLine survey has revealed that many parents think of sexting as flirty or sexual text messages, rather than images. A recent Ofsted review of sexual abuse in schools found that children are rarely using the term 'sexting'.

This policy only covers the sharing of sexual imagery by children. Possessing, creating, sharing and distributing sexual photos and videos of under-18s is illegal, and therefore causes the greatest complexity for schools (amongst other agencies) when responding. It also presents a range of risks which need careful management.

**Staff must not ever view or forward illegal images of a child. Should they receive such, then they should notify the DSL immediately.**

LGFL 'Undressed' provides schools advice about how to teach young children about being tricked into getting undressed online in a fun way without scaring them or explaining the motives of sex offenders.

What types of incidents are covered by this policy?

Yes:

- A child creates and shares sexual imagery of themselves with a peer (also under the age of 18).
- A child shares sexual imagery created by another child with a peer (also under the age of 18) or an adult.
- A child is in possession of sexual imagery created by another child.

No:

- The sharing of sexual imagery of children by adults as this constitutes child sexual abuse and schools should always inform the Police. Images of this kind should not be deleted from a child or adult's phone.
- Children sharing adult pornography or exchanging sexual texts which do not contain imagery<sup>2</sup>.
- Sexual imagery downloaded from the internet by a child<sup>3</sup>.

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<sup>1</sup> For the purposes of this policy, 'child', 'youth' and 'young person' refers to anyone under the age of 18; 'adult' refers to anyone aged 18 or over

<sup>2</sup> All such incidents should be responded to with reference to the school's Online Safety Policy, and in line with the school's Safeguarding Policy

<sup>3</sup> As above

- Sexual imagery downloaded from the internet by a child and shared with a peer (also under the age of 18) or an adult<sup>4</sup>.

### 12.3 Disclosure

All staff should understand, that even if there are no reports in their school it does not mean it is not happening, it may be the case that it is just not being reported. All members of staff (including non-teaching staff) should be aware of how to recognise and refer any disclosure of incidents involving the sharing of nudes/semi nudes, imagery/videos. Disclosure about can happen in a variety of ways. The child affected may inform a class teacher, the DSL in school, or any member of the school staff. They may report through an existing reporting structure, or a friend or parent may inform someone in school or a colleague or inform the Police directly. Any direct disclosure by a child should be taken very seriously. A child who discloses they are the subject of sexual imagery is likely to be embarrassed and worried about the consequences. It is likely that disclosure in school is a last resort, and they may have already tried to resolve the issue themselves.

### 12.4 Handling incidents

All incidents involving the sharing of nudes/semi-nude imagery/videos should be responded to in line with this policy. When an incident involving comes to a member of staff's attention:

- The incident should be referred to the DSL as soon as possible.
- The DSL should hold an initial review meeting with appropriate school staff.
- The DSL will follow the procedures and guidance set out in this guidance
- There should be interviews with the children involved (if appropriate, seek advice);
- Parents of each child should be informed at an early stage and involved in the process unless there is good reason to believe that involving parents would put the child at greater risk of harm and jeopardise any police/social care investigation; and
- At any point in the process, if there is a concern that a child has been harmed or is at risk of harm, a referral should be made to Children's Social Care and/or the Police immediately.

## 13 Private fostering

### 13.1 What is private fostering?

Private fostering is when a child or young person under 16 years old (or 18 if they have a disability) is looked after for 28 days or more by someone who is not a close relative, legal guardian or person with parental responsibility. Close relatives *only* include parents, step-parents, aunts, uncles and grandparents. It is not private fostering if the child is 'looked after' by the Local Authority (also known as 'in care' and which includes placement in residential care, with an approved foster carer or a 'kinship' carer). Private fostering occurs in *all* cultures, including British culture, and children may be privately fostered at any age.

Examples of private fostering situations include:

- children and young people living apart from their families for a variety of reasons e.g. a parent is ill, has had to temporarily move for work or there has been conflict, separation or divorce;
- children whose parents work or study elsewhere in the UK or overseas;
- children sent to this country by their parents for education and health care;
- young people living with the family of a boyfriend or girlfriend; and
- children on holiday exchanges.

People become private foster carers for all sorts of reasons. Private foster carers can be a family friend, or someone who is willing to care for the child of a family they do not know, for example host

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<sup>4</sup> As above

families supplied by a Guardianship Organisation. If a host family is going to be caring for a child for 28 days or longer, they are classed as private foster carers and the Local Authority must be notified.

### 13.2 Why does your Local Authority Children's Services need to know?

By law, the Local Authority must be informed about all private fostering situations. The child's parents, private foster carers and anyone else involved in the arrangement or who becomes aware of the arrangement, e.g. guardianship agencies, schools or health professionals are *legally required* to inform Children's Services. Children's Services have a legal duty<sup>5</sup> to make sure all private fostering arrangements are safe for the child. Once informed of the arrangement, they will check the suitability of private foster carers, make regular visits to the child and ensure advice, help and support is available when needed. Where a member of staff becomes aware that a pupil may be in a private fostering arrangement, s/he should raise this with the DSL. Where Children's Social Care are not already aware of the circumstances, the DSL should make a referral to them.

### 13.3 Timescales for informing the Local Authority

The child is not yet living with the private foster carers	Within 6 weeks beforehand
The child will move in with the private foster carers within 6 weeks	Immediately
The child is already living with the private foster carers.	Immediately

## 14 Looked After Children (and Previously Looked After Children)

The most common reason for children becoming looked after is as a result of abuse and/or neglect. A child who is being 'looked after' by their Local Authority is usually known as a 'Child in Care' or a 'Looked After Child'. They might be living with foster parents or at home with their parents under an Interim Care Order granted to social care, or in residential children's homes, or other residential settings like schools or secure units.

A child who is *adopted* is **not** a Looked After Child. Occasionally, children are placed into Local Authority foster care under an Interim Care Order when an adoption breaks down and the adoptive parents relinquish the child. Once a Full Care Order is agreed, the child remains on long term foster care. The adoptive parents may or may not have continued contact with the child, depending on the situation and the emotional impact on the child.

An Interim Care Order will remain in place until care proceedings are concluded (within 26 weeks in most authorities). At the conclusion of care proceedings in any situation, the child will either stay in long term foster care (under a Full Care Order) until they reach the age of 18 years, return to their parents (usually under a Supervision Order), reside with other family members/friends (usually under a Special Guardianship Order), or in some cases be adopted. In all of the latter situations, it is most usual for parents to have agreed contact arrangements with their child, most commonly three times per year.

A child may also have been placed in care voluntarily by their parents who are struggling to manage their children's behaviour, or meet their child's needs due to their own illnesses or disabilities (under section 20, Children Act 1989). In these cases, rehabilitation will always be the aim, but if this is not

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<sup>5</sup> Section 67(1) of the Children Act 1989 amended by the children Act 2004) and the Children (Private Arrangements for Fostering) Regulations 2005

possible, the Local Authority will apply for an Interim Care Order and finally a Full Care Order. Usually, these parents will have continued contact with their child.

As a result of their experiences both before and during care, Looked After Children are at greater risk than their peers; they are, for example, four times more likely than their peers to have a mental health difficulty. Providing a secure, caring environment and enabling such children to develop strong, trusting and stable relationships with professionals is critical to their safety and wellbeing. A previously looked after child also potentially remains vulnerable and all staff should have the skills, knowledge and understanding to keep previously looked after children safe. When dealing with looked after children and previously looked after children, it is important that all agencies work together and prompt action is taken when necessary to safeguard these children, who are a particularly vulnerable group.

The Designated Teacher for Looked After Children (and 'previously' Looked After Children), in collaboration with the DSL is responsible for:

- a) ensuring that any looked after child are adequately supported by staff in school
- b) has contact details of the child's social worker and the name and contact details of the Virtual School Head for children in care
- c) ensures that relevant staff members have sufficient information about the child's looked after legal status and care arrangements;
- d) works with the Virtual School Head to discuss how staff can best support and promote the educational progress and achievement of Looked After Children and previously looked after children in the school and meet the needs in the looked after child's Personal Education Plan; and
- e) attends Looked After Children reviews and other meetings they are required to attend.

Statutory guidance: Designated teacher for looked-after and previously looked after children contains further information on the role and responsibilities of the designated teacher.

## 15 Host families

### 15.1 When might this happen?

Schools often make arrangements for children to take part in exchange visits, either to other parts of the UK or abroad. Exchanges can benefit learning across a range of subjects. Foreign visits can enrich the languages curriculum and provide exciting opportunities for pupils to develop their confidence and expertise in the use of other languages.

### 15.2 What is the responsibility of the school?

Schools have a duty to safeguard and promote children's welfare as outlined in this policy. This extends to considering their safety and how best to minimise risk of harm to those children during any exchange visit the school arranges, and when organising for the care and accommodation of a child with a host family (known as homestays) as part of the exchange.

### 15.3 Suitability of adults in UK host families for homestay arranged by the school

When arranging a homestay, schools should consider the suitability of the adults in the respective families who will be responsible for the visiting child during the stay.

In circumstances where a school arranges for a visiting child to be provided with care and accommodation in the UK (including where they engage a company to make those arrangements) in the home of a family to which the child is not related (including where a person has parental responsibility for the visiting child), the responsible adults will be engaging in 'regulated activity' for

the period of the stay. In such cases and where the school has the power to terminate such a homestay, the school or college would be the regulated activity provider.

A regulated activity provider commits a criminal offence if it knows, or has reason to believe that, an individual is barred by the Disclosure and Barring Service (DBS) from engaging in regulated activity but allows that individual to carry out any form of regulated activity.

15.4 Private arrangements

Where the child's parent(s) or a student arranges their own homestay themselves, this would be a private arrangement, therefore the school would not be the regulated activity provider. Where it is a private arrangement, the school is not entitled to obtain a standard or enhanced DBS check.

15.5 Background checking for adults in homestay arrangements

When a school arranges a homestay, it should consider what intelligence/information will best inform its assessment of the suitability of the adults in those families who will be responsible for the visiting child during the stay. It will be for the school or college to use their professional judgement to decide what it considers will be most relevant. However, to help inform that assessment, schools and colleges should obtain, as a minimum, a DBS enhanced certificate with barred list information. This check will not only establish whether the adults are barred from engaging in regulated activity relating to children, but where criminal record information is disclosed, it will also allow the school or college to consider, alongside all other intelligence that it has obtained, whether the adult would be a suitable host for a child.

15.6 Volunteer DBS check

DBS enhanced certificates with barred list information for volunteer roles can be obtained free of charge. In respect of an adult who provides UK homestay and receives no remuneration in respect of the stay or where schools reimburse families only for expenses incurred, to enable a DBS application to be considered as a volunteer role, the 'Position Applied For' field will need to make clear that the position is unpaid.

In addition to those engaging in regulated activity, schools are free to decide whether they consider it necessary to obtain a DBS enhanced certificate in respect of anyone aged 16 or over in the household where the child will be staying.

15.7 Suitability of adults in host families abroad

It is not possible for schools and colleges to obtain criminal information from the DBS about adults who provide homestays abroad. Schools should liaise with partner schools abroad, to establish a shared understanding of, and agreement to, the arrangements in place for the visit. They should use their professional judgement to satisfy themselves that the arrangements are appropriate and sufficient to safeguard effectively every child who will take part in the exchange. Parents should be aware of the agreed arrangement. Schools are free to decide whether they consider it necessary to contact the relevant foreign embassy or High Commission of the country in question to discuss what checks may be possible in respect of those providing homestay outside of the UK.

The school should produce a written risk assessment outlining the approach taken and indicating the reasons for specific decisions.

15.8 During the visit

Pupils should understand who to contact during a homestay should an emergency occur, or a situation arise which makes them feel uncomfortable.

#### 15.9 Additional action for extended homestays

Where a period of UK homestay lasts 28 days or more, for a child aged under 16 years of age (under 18 years of age if the child has disabilities), this may amount to Private Fostering under the Children Act 1989. In these cases, the school should notify the local authority of the arrangements. Private fostering legislation places a duty on local authorities to satisfy themselves that the welfare of a child who is being, or proposed to be, privately fostered in their area is being or will be satisfactorily safeguarded and promoted. By notifying the local authority, the school and college will be assisting the local authority in discharging its duty. See section on Private Fostering.

#### 15.10 Sponsored International students (Tier 4 child visas)

Mia Suggitt acts as a sponsor for international students who have Tier 4 visas. The United Kingdom Visas and Immigration (UKVI) has a duty to ensure that all sponsors discharge their responsibility to act in accordance with the immigration rules. As a school we are responsible for ensuring that these students are appropriately cared for and that any safeguarding concerns are addressed.

Prior to the child arriving into the school, it will be important for the DSL to have knowledge of the child's circumstances, including who has parental responsibility, the child's care arrangements and contact details for the carer/Private Foster carer in the UK. If the student does not arrive within ten working days of the enrolment period, we must report this to UKVI.

Once the child has arrived safely, the UKVI School Champion, in collaboration with the DSL, will aim to ensure that their needs are met, including pastoral need, and they will liaise with the child's parents and carers for the ongoing needs of the child.

It is a requirement of the UK Visas & Immigration (part of the Home Office), that schools demonstrate how they track attendance of this group of potentially vulnerable children.

Changes in circumstances must also be reported immediately. These can include:

- a. a change in where a student studies;
- b. a change in the student's course;
- c. a change in a student's registered address;
- d. a change in whom the student lives with (e.g. from parent to private foster care); or
- e. any other circumstance that suggests that they are breaking the conditions of their permission to stay in the UK.

Schools should be proactive in determining whether there has been any change in a sponsored international student's circumstances. The school should liaise with the parent(s)/guardians of all sponsored international students every term to check whether:

- a. the student and their parent/guardian's address has changed; or
- b. the student's childcare arrangements have changed (e.g. moved from living with their parents to a private foster care arrangement).

## 16 Child on child abuse

All staff should be alert to the risk of child-on-child abuse and understand their role in preventing, identifying and responding to it. All staff should understand, that even if there are no reports in their school it does not mean it is not happening, it may be the case that it is just not being reported. Staff should know that children are capable of abusing their peers and other children, and that abuse can occur in intimate personal relationships between peers and other children. They should never dismiss abusive behaviour as a normal part of growing up, 'banter' or 'just having a laugh' and should not develop high thresholds before taking action. Abuse is abuse and child on child abuse must be taken as seriously as abuse by an adult.

### 16.1 What is child on child abuse?

Child on child abuse is any form of abuse perpetrated by a child towards another child. It can take many different forms, including, but not limited to:

- serious bullying (including cyber-bullying)<sup>6</sup>
- relationship abuse<sup>7</sup>
- domestic violence<sup>8</sup>
- child sexual exploitation<sup>9</sup>
- youth and serious youth violence<sup>10</sup>
- 'upskirting' (see below), harmful sexual behaviour<sup>11</sup> (see below)
- gender-based violence<sup>12</sup>
- causing someone to engage in sexual activity without consent, such as forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party;
- sexual violence (such as rape, assault by penetration and sexual assault; this may include an online element which facilitates, threatens and/or encourages sexual violence);
- sexual harassment (including sexual comments, remarks, jokes and online sexual harassment, which may be standalone or part of a broader pattern of abuse)
- consensual and non-consensual sharing of nudes and semi nudes images and or videos (previously known as sexting or youth produced sexual imagery);

These categories of abuse rarely take place in isolation and often indicate wider safeguarding concerns. For example, a teenage girl may be in a sexually exploitative relationship with a teenage boy who is himself being physically abused by a family member or by older boys. Equally, while children who abuse may have power over those who they are abusing, they may be simultaneously powerless to others. Staff should be aware that there may be multiple perpetrators and/or victims, and not consider that only one child abuses another in isolation.

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<sup>6</sup> Please see the school's Anti-Bullying Policy.

<sup>7</sup> <https://www.disrespectnobody.co.uk/relationship-abuse/what-is-relationship-abuse/>

<sup>8</sup> This type of abuse relates to abuse between children aged 16 and 17 who are or have been intimate partners or family members. The abuse includes but is not limited to psychological, physical, sexual, financial and emotional.

<sup>9</sup> This is a form of sexual abuse where children are sexually exploited for money, power or status. This abuse can be perpetrated by other children or by adults. It can involve violent, humiliating and degrading sexual assaults. In some cases, children are persuaded or forced into exchanging sexual activity for money, drugs, gifts, affection or status. Consent cannot be given, even where a child may believe they are voluntarily engaging in sexual activity with the person who is exploiting them. Child sexual exploitation does not always involve physical contact and can happen online.

<sup>10</sup> Serious youth violence is any of the most serious offences where the victim is aged 19 or below, including murder, manslaughter, rape, wounding with intent and causing grievous bodily harm. Youth violence also includes assault with injury offences.

<sup>11</sup> This is any sexual behaviour by a child or young person which is outside of developmentally "normative" parameters. This can (but does not always) include abusive behaviour such as sexual assaults.

<sup>12</sup> This is violence that is directed against one gender as a result of their gender.

Sharing nudes/semi nudes via imagery/videos can, but does not always, constitute abusive behaviour (see above). All incidents should be responded to in accordance with this policy.

#### 16.2 Protected Characteristics

Child on child abuse is often motivated by prejudice against particular groups, for example, on grounds of race, religion, gender, sexual orientation, gender identity, special educational needs and/or disability, or because a child is adopted or has caring responsibilities. It might be motivated by actual differences between children, or perceived differences. All incidents of child-on-child abuse, both physical and emotional, on the basis of **protected characteristics** is taken extremely seriously.

#### 16.3 What role does gender and sexual orientation play?

Children of all gender identities and sexual orientations can both perpetrate and be the victim of child-on-child abuse, but this often manifests itself differently; some may seem to be at greater risk of sexual assault and/or exploitation, whereas others seem to be at greater risk of physical gang-related violence and serious youth violence. The fact that a child or a young person may be LGBTQ+ or having/perceived as having gender identity issues is not in itself an inherent risk factor for harm. However, these children can be targeted by other children. In some cases, a child who is perceived by other children to be LGBTQ+ (whether they are or not) can be just as vulnerable as children who identify as LGBTQ+. Risks can be compounded where children lack a trusted adult with whom they can be open. The school will endeavour to reduce the additional barriers faced and provide a safe space for this group of vulnerable children to speak out or share their concerns with trusted members of staff.

Jade Vidler, our Head of Boarding and Pastoral helps support awareness of LGBTQ+ issues within our PSHE programme and in assemblies around inclusion.

#### 16.4 When does behaviour become abusive?

It can be difficult to distinguish between abusive behaviour, which should be dealt with in accordance with the procedure set out below, and behaviour which does not constitute abuse.

Factors which may indicate that behaviour is abusive include:

- a) where it is repeated over time and/or where the perpetrator (s) intended to cause serious harm;
  - b) where there is an element of coercion or pre-planning; and
  - c) where there is an imbalance of power, for example, as a result of age, size, social status or wealth.
- This list is not exhaustive, and staff should always use their professional judgment and discuss any concerns with the DSL.

#### 16.5 How can I identify victims of child-on-child abuse?

Identifying child on child abuse can be achieved by being alert to children's well-being and to general signs of abuse. Signs that a child(ren) may be suffering from child-on-child abuse overlap with those relating to other types of abuse – see indicators of abuse, earlier in this document.

Signs can include:

- a) failing to attend school, disengaging from classes, or struggling to carry out school related tasks to the standard you would ordinarily expect
- b) physical injuries
- c) having difficulties with their mental health and/or emotional wellbeing
- d) becoming withdrawn, shy, experiencing headaches, stomach aches, anxiety, panic attacks, suffering from nightmares or lack of sleep or sleeping too much
- e) drugs and/or alcohol use

- f) changes in appearance and/or starting to act in a way that is not appropriate for the child's age including sexualised behaviours
- g) change in health needs, including sexually transmitted infections and unwanted pregnancy

This list is not exhaustive and the presence of one or more of these signs does not necessarily indicate abuse.

16.6 Are some children particularly susceptible/vulnerable to abusing or being abused by another child?  
Any child can be affected by child-on-child abuse and staff should be alert to signs of such abuse amongst all children. Research suggests that:

- a) Child on child abuse is more prevalent amongst children aged 10 and older, although it also affects younger children, including by way of harmful sexual behaviour.
- b) children who are particularly vulnerable to abuse or to abusing others include those who have (i) witnessed or experienced abuse or violence themselves; (ii) suffered from the loss of a close family member or friend; or (iii) experienced considerable disruption in their lives.
- c) as stated above, children with protected characteristics, but especially those with SEN/D and those who identify as LGBTQ+ or gender identity issues are particularly vulnerable to both abuse and child on child abuse, often in the form of bullying (both direct and online).

16.7 How prevalent is child on child abuse?

Recent research suggests that child on child abuse is one of the most common forms of abuse affecting children in the UK. All staff should understand, that **even if there are no reports in their school it does not mean it is not happening, it may be the case that it is just not being reported.** Staff should therefore assume that child on child abuse is occurring and act accordingly.

16.8 What should I do if I suspect either that a child(ren) may be being abused, or that a child(ren) may be abusing others?

If a member of staff thinks for whatever reason that a child(ren) may be at risk of abuse from another child or young person, or a group of perpetrators, or that a child(ren) may be abusing others, the member of staff should report their concern **verbally** to the DSL **without delay** in accordance with this policy, recording their concern after this. If a child(ren), whether they are the alleged victim or perpetrator is in immediate danger, or at risk of harm, a referral to Children's Social Care and/or the Police should be made immediately. Both perpetrators and victims should have a referral.

16.9 How will the DSL respond to concerns of child on child abuse?

In some situations, a child will make a direct disclosure of child-on-child abuse, or their peers may report something has occurred. Alternatively, a staff member may raise a concern having witnessed or been told about an incident. The DSL will discuss the behaviour with the member of staff raising the concern and will in all situations, take any immediate steps to ensure the safety of the victim(s) or any other child(ren) including the perpetrator. Where the DSL considers or suspects that the behaviour might constitute abuse, Children's Social Care will be contacted immediately and, in any event, within 24 hours of the DSL becoming aware of it. The DSL will discuss the incident with Children's Social Care and agree on a course of action, which may include (a) taking any steps to ensure the safety and wellbeing of any children affected; (b) further investigation; (c) referral to other agencies such as the Police (where a crime may have been committed), CAMHS, a specialist harmful sexual behaviour team and/or youth offending services.

Any response should be decided in conjunction with Children's Social Care and other relevant agencies and should investigate the incident and the wider context and assess and mitigate the risk posed by the perpetrator(s) to the victim(s) and to other children.

A written Risk Assessment must be completed after initial practical steps are completed. The risk and needs assessment (including for a report of sexual harassment and sexual violence) should consider:

- the victim, especially their protection and support
- whether there may have been other victims
- the alleged perpetrator(s)
- all the other children, (and, if appropriate, adult students and staff) at the school, especially any actions that are appropriate to protect them from the alleged perpetrator(s), or from future harms, and
- the time and location of the incident, and any action required to make the location safer (see below)

Next steps:

- whilst the school establishes the facts of the case and starts the process of liaising with children's Social Care and the Police, the alleged perpetrator(s) should be removed from any classes they share with the victim. The school should also carefully consider how best to keep the victim and alleged perpetrator(s) a reasonable distance apart on school premises (including during any before or after school-based activities) and on transport to and from the school, where appropriate. These actions are in the best interests of all children involved and should not be perceived to be a judgment on the guilt of the alleged perpetrator(s).
- consider that the abuse may indicate wider safeguarding concerns for any of the children involved;
- treat all children (whether perpetrator or victim) as being at risk - while the perpetrator may pose a significant risk of harm to other children, they may also have considerable unmet needs and be at risk of harm themselves;
- take into account the complexity of child on child abuse and of children's experiences and consider the interplay between power, choice and consent. While children may appear to be making choices, if those choices are limited, they are not consenting;
- take appropriate action in respect of the perpetrator – any action should address the abuse, the causes of it, attitudes underlying it and the support that may be needed if the perpetrator is at risk. Factors to consider include: the risk the perpetrator(s) poses and will continue to pose to other children, their own unmet needs, the severity of the abuse and the causes of it. Disciplinary action i.e. sanctions, in line with the Behaviour Policy may be appropriate, including (a) to ensure that the perpetrator takes responsibility for and realises the seriousness of his or her behaviour; (b) to demonstrate to the perpetrator and others that abuse can never be tolerated; and (c) to ensure the safety and wellbeing of the victim and other children in the school. Permanent exclusion will only be considered as a last resort and only where necessary to ensure the safety and wellbeing of the victim(s) and other children in the school;
- provide on-going support to victim(s) including by (a) ensuring their immediate safety; (b) responding promptly and appropriately to the abuse; (c) assessing and addressing any unmet needs; (d) following the procedures set out in this Safeguarding Policy (including where the child is in need of early help or statutory intervention); (e) monitoring the child's wellbeing closely and ensuring that s/he receives on-going support from all relevant staff members within the school; (f) engaging with the child's parents and any external agencies to ensure that the child's needs are met in the long-term; and
- consider the lessons that can be learnt from the abuse and put in place measures to reduce the risk of such abuse recurring. This may include, for example: gender and equalities work, work around school safety, security and supervision, awareness raising for staff, students

and parents about a particular form of abuse, training for staff on handling certain types of incidents or abuse.

16.10 How does the school raise awareness of, and reduce the risk, of child-on-child abuse?

Staff are trained on the nature, prevalence, and effect of child-on-child abuse, and how to prevent, identify and respond to it. The school actively seeks to prevent all forms of child-on-child abuse by educating students and staff, challenging the attitudes that underlie such abuse, encouraging a culture of tolerance and respect amongst all members of the school community, and responding to all cases of child-on-child abuse and any cases of bullying or cyber-bullying promptly and appropriately.

Children are educated about the nature and prevalence of child-on-child abuse, they are told what to do if they witness or are victims of such abuse, the effect that it can have on the victims and the possible reasons for it, including vulnerability of the perpetrator. They are regularly informed about the school's approach to such issues, including its zero-tolerance policy towards all forms of bullying and child on child abuse, including sexual violence and sexual harassment (see below).

## 17 Sexual Violence and Sexual Harassment between Children

Child on child abuse can include two specific forms, known as Sexual Violence and Sexual Harassment.

Sexual violence and sexual harassment exist on a continuum and may overlap; they can occur online and face-to-face (both physically and verbally) and are never acceptable.

Children who are victims of sexual violence and sexual harassment wherever it happens, may find the experience stressful and distressing. This will, in all likelihood, adversely affect their educational attainment and will be exacerbated if the alleged perpetrator(s) attends the same school.

It is important that schools consider sexual harassment in broad terms. Sexual harassment creates a culture that, if not challenged, can normalise inappropriate behaviours and provide an environment that may lead to sexual violence.

Any response to sexual harassment and/or sexual violence should fall within, and be consistent with, the school's wider approach to child on child abuse (see above) whether the concerns of child-on-child sexual violence and sexual harassment, including those that have happened outside of the school premises, and or online. Where the report includes an online element, staff should be aware of searching, screening and confiscation advice (for schools) and UKCIS Sharing nudes and semi-nudes: advice for education settings working with children and young people.

**Staff must NEVER view or forward illegal images of a child.** Should they receive such, then they should notify the DSL immediately. In some cases, it may be more appropriate to confiscate any devices to preserve any evidence and hand them to the police for inspection.

17.1 Sexual Violence includes sexual offences which fall under the Sexual Offences Act 2003:

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. (Schools should be aware that sexual assault covers a very wide range of behaviour so a single act of kissing someone without consent or touching someone's bottom/breasts/genitalia without consent, can still constitute sexual assault.)

All staff should be aware of the indicators which may signal children are at risk from or are involved with serious violent crime. These may include;

- increased absence from school
- a change in friendships or relationships with older individuals or groups
- a significant decline in performance
- signs of self-harm or a significant change in wellbeing, or
- signs of assault or unexplained injuries

Unexplained gifts or new possessions could also indicate that children have been approached by, or are involved with, individuals associated with criminal networks or gangs and may be at risk of criminal exploitation

17.2 Sexual Harassment refers to 'unwanted conduct of a sexual nature'.

This can occur *online* (including, but not limited to non-consensual sharing of images, making sexual comments on social media) and *offline* (including but not limited to making sexual comments, sexual taunting or 'jokes' and physical contact, for example, brushing against someone deliberately or interfering with their clothes).

17.3 Upskirting

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

17.4 Who perpetrates sexual violence and/or harassment

Sexual Violence and Sexual Harassment can:

- occur between any two children, or a group of children against one individual or group;
- be perpetrated by a child of any age against a child of any age;
- be perpetrated by a child of any sexual orientation against a child of any sexual orientation;
- include behaviours that exist on an often progressive continuum and may overlap;
- be online and offline (physical or verbal)
- can take place within intimate personal relationships between children

Any report of sexual violence or sexual harassment must be taken seriously, and staff should be aware it is more likely that girls will be the victims of sexual violence and sexual harassment and more likely it will be perpetrated by boys. However, staff must always have an open mind.

Children with Special Educational Needs (SEN) are potentially more vulnerable, and there may be barriers in recognising abuse in this group of children. In addition, children who are perceived by

their peers to be LGBTQ+ or identify themselves as LGBTQ+ and similarly those with gender identity issues may potentially be more vulnerable (see above).

Sexual violence and sexual harassment can happen anywhere, and all staff working in the school are advised to maintain an attitude of 'it could happen here', assume that it is happening, and act accordingly.

All staff should understand, that even if there are no reports in their school it does not mean it is not happening, it may be the case that it is just not being reported.

Staff should consider the importance of understanding intra familial harms and any necessary support for siblings following incidents involving sexual harassment and/or violence.

#### 17.5 Handling incidents involving sexual violence and/or sexual harassment

**All** staff must be trained to manage a report or SV and/or SH. Local authority policies will dictate exactly how reports should be managed. However, effective safeguarding practice includes:

- if possible, managing reports with two members of staff present, (preferably one of them being the DSL/DDSL)
- careful management and handling of reports that include an online element.

It may be appropriate to make notes during the report (especially if a second member of staff is present). However, if making notes, staff should be conscious of the need to remain engaged with the child and not appear distracted by the note taking. Either way, it is essential a written record is made **only recording the facts** as the child presents them.

Schools should be aware that notes of such reports could become part of a statutory assessment by local authority children's social care and/or part of a criminal investigation by the Police.

The basic safeguarding principle is:

- if a child is at risk of harm, is in immediate danger, or has been harmed, a referral should be made to local authority children's social care, and
- rape, assault by penetration and sexual assaults are crimes and should be reported to the Police.

Parents or carers should normally be informed (unless this would put the victim at greater risk). There are four likely scenarios that schools will need to manage:

##### 1. Internally:

For example, for one-off incidents of sexual harassment, the school may take the view that the children concerned are not in need of early help or that referrals need to be made to statutory services and that it would be appropriate to handle the incident internally, perhaps through utilising their Behaviour Policy and by providing pastoral support. Whatever the response, it should be underpinned by the principle that there is a zero-tolerance approach to sexual violence and sexual harassment, and it is never acceptable and will not be tolerated. All concerns, discussions, decisions, and reasons for decisions must be recorded (written or electronic).

##### 2. Those requiring Early Help:

In line with the above, the school may decide that the children involved do not require referral to statutory services but may benefit from early help. Early help means providing support as soon as a problem emerges, at any point in a child's life. Providing early help is more effective in promoting the welfare of children than reacting later. Early help can be particularly useful to

address non-violent Harmful Sexual Behaviours (HSB) and may prevent escalation of sexual violence.

3. Those where Social Care will need to be informed and involved:

Where a child has been harmed, is at risk of harm, or is in immediate danger, schools should make a referral to local children's Social Care. At the point of referral schools will generally inform parents or carers, unless there are compelling reasons not to (if informing a parent or carer is going to put the child at additional risk). Any such decision should be made with the support of children's Social Care. If a referral is made, Social Care will then make enquiries to determine whether any of the children involved are in need of protection or other services. Schools should not wait for the outcome (or even the start) of a Social Care investigation before protecting the victim and other children in the school.

4. Those where a criminal offence is likely to have occurred and the Police will be needed:

The DSL will lead the school's response to any incident. However, schools are not alone in dealing with sexual violence and sexual harassment. Local authority children's Social Care and the Police will be important partners where it is thought that a crime might have been committed. Referrals to the Police will often be a natural progression of making a referral to Social Care and will generally run in parallel.

It is important for the DSL to explain to any child involved that the law is in place to protect children and young people rather than criminalise them, and this should be explained in such a way that avoids alarming or distressing them.

Where a report of rape, assault by penetration or sexual assault is made, or upskirting the starting point is that this should be passed on to the Police. Whilst the age of criminal responsibility is ten, if the alleged perpetrator(s) is under ten, the starting principle of reporting to the Police remains. The following advice may help schools decide when to engage the Police and what to expect of them when they do:

When to call the Police:

Note the need to have an 'Appropriate Adult present when Police are communicating with a vulnerable child as part of any criminal investigation under PACE.

At this stage, schools will generally inform parents or carers unless there are compelling reasons not to, for example, if informing a parent or carer is likely to put a child at additional risk. In circumstances where parents or carers have not been informed, it will be especially important that the school is supporting the child in any decision they take. This should be with the support of children's Social Care and any appropriate specialist agencies. The school must record all their actions clearly and advice taken from external agencies. Please refer to KCSIE 2023 for information regarding bail conditions.

Voice of the child

Ultimately, the DSL will need to balance the victim's wishes against their duty to protect the victim and other children. The victim may ask the school not to tell anyone about the sexual violence or sexual harassment. If the DSL/DDSL decide to go ahead and make a referral to local authority children's social care and/or a report to the Police against the victim's wishes, this should be handled extremely carefully. There are no easy or definitive answers when a victim makes this request. The reasons should be explained to the victim and appropriate specialist support should be offered.

Schools should do all they reasonably can to protect the anonymity of any children involved in any report of sexual violence or sexual harassment. Amongst other things, this will mean carefully considering, based on the nature of the report, which staff should know about the report and any support that will be put in place for the children involved.

#### 17.6 Our approach to Sexual Violence and Sexual Harassment

The school will apply the principles set out in the above document when considering their approach to sexual violence and sexual harassment between children. In this school we will:

- not accept or tolerate sexual violence and sexual harassment
- not downplay or consider that these types of behaviours are ‘banter’, an ‘inevitable part of growing up’ or hold the view that ‘boys will be boys’, knowing that to do so may normalise inappropriate behaviours may create an unsafe culture where children feel less able to come forward with concerns
- encourage early intervention to avoid potential escalation
- challenge inappropriate physical behaviour (potentially criminal in nature), such as grabbing bottoms, breasts and genitalia, pulling down trousers, flicking bras and lifting up skirts
- challenge inappropriate verbal behaviour, such as making sexist comments, innuendo or taunting
- align with their Behaviour Policy with regards to imposing sanctions for inappropriate behaviour, including sexual harassment and/or sexual violence
- embed training and education on these issues within a strong pastoral system
- adopt a planned *and sequenced* RSE programme across the whole curriculum including age-appropriate content around: consent, gender roles, stereotyping and equality, healthy relationships, and power imbalances in relationships
- develop and encourage forums that enable children to talk about issues openly
- have clear and accessible systems in place for children to confidently report abuse, knowing their concerns will be treated seriously
- act in the best interests of all children involved, reassure victims that they are being taken seriously and that they will be supported and kept safe. A victim will never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment.
- manage any disclosure, either from the child who has suffered abuse or from other children, giving the victim(s) as much control as is reasonably possible over decisions regarding how any investigation will be progressed and any support that they will be offered. This will however need to be balanced with the school’s duty and responsibilities to protect them and other children
- carry out a risk and needs assessment for children affected by sexual violence or sexual harassment, including both the victim and alleged perpetrator- this may be informed by risk assessments completed by external services
- engage with both the victim’s and the alleged perpetrator’s parents or carers when there has been a report of sexual violence (in the case of sexual harassment this might not be necessary or proportional and should be considered on a case-by-case basis). The exception to this rule is if there is a reason to believe informing a parent or carer will put a child at additional risk.

#### 17.7 Support and sanction for the perpetrator

Taking disciplinary action and still providing appropriate support are not mutually exclusive actions. They can, and should, occur at the same time. Our approach will be to implement preventative and/or forward-looking action to safeguard the victim.

It may also be that the perpetrator requires safeguarding, especially where there are concerns that a perpetrator themselves may have been a victim of abuse. It is important that the perpetrator(s) is/are also given the correct support to try to stop them re-offending and to address any underlying

trauma that may be causing this behaviour. Addressing inappropriate behaviour can be an important intervention that helps prevent problematic, abusive and/or violent behaviour in the future.

The school may sanction (in line with the Behaviour Policy), any pupils whose conduct falls below the standard which could be reasonably expected of them, and disciplinary action may be taken whilst other investigations by the Police and/or local authority children's social care are ongoing. The fact that another body is investigating or has investigated an incident does not in itself prevent a school from coming to its own conclusion, on the balance of probabilities, about what happened, and imposing a penalty accordingly. This is a matter for the school and will be carefully considered on a case-by-case basis.

That said, the school will consider if, by taking any action, it would prejudice an investigation and/or any subsequent prosecution. Careful liaison with the Police and/or local authority children's social care will help the school make a determination. It will also be important to consider whether there are circumstances that make it unreasonable or irrational for the school to reach its own view about what happened while an independent investigation is considering the same facts.

#### 17.8 Resources

The [HSB toolkit](#) The Lucy Faithfull Foundation is designed for parents, carers, family members and professionals, to help everyone play their part in keeping children safe. It has links to useful information, resources, and support as well as practical tips to prevent harmful sexual behaviour and provide safe environments for families.

The [Preventing harmful sexual behaviour in children - Stop It Now](#) provides a guide for parents, carers and professionals to help everyone do their part in keeping children safe, they also run a free confidential helpline.

The Anti-Bullying Alliance has developed [guidance](#) and [training for schools](#) about [Sexual and Sexist bullying](#).

Schools should also consider the potential impact of social media in facilitating the spreading of rumours and exposing victims' identities. The principles described in [Childnet's cyberbullying guidance](#) could be helpful.

Additional information on confidentiality and information sharing is available at [Safeguarding Practitioners Information Sharing Advice](#)

#### 18 [Signposting to further information](#)

Annex B of KCSIE contains further guidance on a range of specific safeguarding issues, some of which are above. This section must be read by all staff that work directly with children and those with governance oversight for the school.

Any person that has a concern about a child within the school must follow the procedures outlined within this document.

If staff have any concerns about a child's welfare and/or safety, they should act on them immediately. Where a child is suffering, or is likely to suffer from harm, it is important that a referral to Children's Social Care (and if appropriate the Police) is made immediately.

Annex B of KCSIE contains guidance on the following issues:

- Child abduction and community safety incidents
- Children and the court system
- Children missing from education
- Children with family members in prison
- Child Criminal Exploitation (CCE)
- Child Sexual Exploitation (CSE)
- County lines
- Modern Slavery and the National Referral Mechanism
- Cybercrime
- Domestic abuse
- Homelessness
- Honour-based abuse
- FGM
- Forced marriage
- Preventing radicalisation
- The Prevent duty
- Channel
- Child on child abuse
- Sexual violence and sexual harassment between children in schools
- Upskirting
- 

## 19 Organisations or Individuals Letting School Premises

Schools have a duty to ensure that appropriate arrangements are in place to keep children safe when allowing outside organisations to use their facilities. If the activity is being run by the school, or overseen by the school, then this policy and the school's procedures apply. If not, and the school is renting out their space to an organisation or individual, then the school must seek assurance that the body concerned has appropriate safeguarding and child protection policies and procedures in place (including inspecting these as needed) **and** ensure that there are arrangements in place for the provider to liaise with the school on these matters where appropriate. This applies regardless of whether or not the children who attend any of these services or activities are children on the school roll. Guidance around keeping children safe in out of school settings can be found here. This document details the safeguarding arrangements that schools should expect these providers to have in place, and schools must check that any hirers have met this guidance.

Should the organisation wishing to use the school premises not have any safeguarding policies or procedures in place, then the organisation must not be allowed to let the facilities. The school should also ensure safeguarding requirements are included in any transfer of control agreement (i.e. lease or hire agreement), as a condition of use and occupation of the premises; and that failure to comply with this would lead to termination of the agreement.

Schools may receive an allegation relating to an incident that happened when an individual or organisation was hiring their school premises for the purposes of running activities for children (for example community groups, sports associations, or service providers that run extra-curricular activities). As with any safeguarding allegation, schools should follow their safeguarding policies and procedures, including informing the local authority Designated Officer.