

# **Safeguarding and Child Protection Policy and Procedures**

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**St Nicholas' School & Nursery**

September 2018

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## KEY SCHOOL CONTACTS

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<b>Mrs Anjana Shah (EYFS provision)</b>	Email: nursery.manager@stnicholasschool.org.uk Telephone (term time): 0208 205 7153 Mobile number (term time): 07508 732910 Out of hours/term contact number: 07508 732910
<b>Deputy Designated Safeguarding Lead (DDSL)</b>  Mrs Fazila Bhana	E mail: fazila.bhana@stnicholasschool.org.uk
<b>Head</b>  Mr Matt Donaldson	Email: head@stnicholasschool.org.uk  Telephone number: 0208 205 7153
<b>Board Level Lead for Safeguarding</b>  Mrs Michelle Fennelly	Email: michelle@inspiredlearninggroup.co.uk  Telephone number: 020 7127 9862

## KEY EXTERNAL CONTACTS

<b>Designated Officer(s) of the local authority</b>	<p>Mrs Yvonne Prince</p> <p>Telephone number: 020 8937 2090 / 07717 631 455</p> <p>Email: brent.lado@brent.gov.uk/yvonne.prince@brent.gov.uk</p>
<b>Brent Family Front Door</b>	<p>Brent Civic Centre</p> <p>Engineers Way</p> <p>Wembley</p> <p>HA9 0FJ</p> <p>Telephone number: 020 8937 4300</p> <p>Email:brent.lado@brent.gov.uk</p> <p>Out of hours emergency: 020 88635250</p>
<b>FGM reporting - non-emergency police contact number</b>	<p>101</p>
<b>Brent and Harrow Police Child Abuse Investigation Team</b>	<p>020 8733 3503 (24 hours)</p>
<b>Prevent partners and advice about extremism</b>	<p><b>Non-emergency DfE advice</b> 020 7340 7264 <a href="mailto:counter-extremism@education.gsi.gov.uk">counter-extremism@education.gsi.gov.uk</a></p>
<b>UK Safer Internet Centre</b>	<p>0344 381 4772</p> <p><a href="mailto:helpline@saferinternet.org.uk">helpline@saferinternet.org.uk</a></p>
<b>NSPCC whistleblowing helpline</b>	<p>NSPCC Weston House 42 Curtain Road London EC2A 3NH</p> <p>Telephone: 0800 028 0285 Email: <a href="mailto:help@nspcc.org.uk">help@nspcc.org.uk</a></p>

## 1 Aims

- 1.1 This is the safeguarding and child protection policy and procedures of St Nicholas' School and Nursery.
- 1.2 The aims of this policy are as follows:
  - 1.2.1 to actively promote and safeguard the welfare of children, staff and others who come into contact with the School;
  - 1.2.2 to have clear procedures in place for dealing with and referring concerns about the welfare of any individual and/or allegations of abuse;
  - 1.2.3 to raise the awareness of all staff of their safeguarding responsibilities and how to report concerns;
  - 1.2.4 to ensure staff are competent to carry out their responsibilities for safeguarding and promoting the welfare of children and others and feel supported in this role;
  - 1.2.5 to ensure consistent good safeguarding practice throughout the School.

## 2 Scope and application

- 2.1 This policy applies to the whole School including the Early Years Foundation Stage (EYFS).
- 2.2 This policy applies at all times including where pupils or staff are away from the School.
- 2.3 This policy applies to core School activities and to out of hours activities.
- 2.4 This policy is designed to address the specific obligations on the School to safeguard and promote the welfare of children, as defined below.

## 3 Regulatory framework

- 3.1 This policy has been prepared to meet the School's responsibilities under:
  - 3.1.1 Education (Independent School Standards) Regulations 2014;
  - 3.1.2 *Statutory framework for the Early Years Foundation Stage* (DfE, March 2017);
  - 3.1.3 Education and Skills Act 2008;
  - 3.1.4 Childcare Act 2006;
  - 3.1.5 Children and Social Work Act 2017;
  - 3.1.6 Data Protection Act 2018 and General Data Protection Regulation (GDPR);
  - 3.1.7 Equality Act 2010.
- 3.2 This policy has regard to the following guidance and advice:
  - 3.2.1 **Keeping children safe in education (DfE, September 2018) (KCSIE);**
  - 3.2.2 **Working together to safeguard children (HM Government, July 2018) (WTSC);**
  - 3.2.3 **Disqualification under the Childcare Act 2006 (DfE, 31 August 2018);**
  - 3.2.4 **Revised Prevent duty guidance for England and Wales (HM Government, July 2015);**

- 3.2.5 Channel duty guidance: protecting vulnerable people from being drawn into terrorism (HM Government, April 2015);
  - 3.2.6 Multi-agency statutory guidance on female genital mutilation (HM Government, April 2016);
  - 3.2.7 What to do if you're worried a child is being abused: advice for practitioners (HM Government, March 2015);
  - 3.2.8 Information sharing: advice for practitioners providing safeguarding services to children, young people, parents and carers (HM Government, July 2018);
  - 3.2.9 Sexting in schools and colleges: responding to incidents and safeguarding young people (UK Council for Child Internet Safety (UKCCIS), August 2016);
  - 3.2.10 Children missing education (DfE, September 2016);
  - 3.2.11 Child sexual exploitation: definition and a guide for practitioners local leaders and decision makers working to protect children from child sexual exploitation (DfE, February 2017);
  - 3.2.12 Sexual violence and sexual harassment between children in schools and colleges (DfE, May 2018);
  - 3.2.13 Searching, screening and confiscation: advice for schools (DfE, January 2018);
  - 3.2.14 Listening to and involving children and young people (DfE, January 2014);
  - 3.2.15 Safeguarding children (links to government guidance and resources);
  - 3.2.16 Brent Safeguarding Children Board referral / threshold procedures / guidance.
- 3.3 The following School policies and procedures are relevant to this policy:
- 3.3.1 staff code of conduct;
  - 3.3.2 staff acceptable use and social media policy;
  - 3.3.3 whistleblowing policy;
  - 3.3.4 safer recruitment policy;
  - 3.3.5 online safety policy;
  - 3.3.6 behaviour and discipline policy;
  - 3.3.7 anti-bullying policy;
  - 3.3.8 acceptable use policy for pupils;
  - 3.3.9 visitors and security policy;
  - 3.3.10 risk assessment policy for pupil welfare;
  - 3.3.11 missing pupil policy;
  - 3.3.12 policy on special educational needs and learning difficulties;
  - 3.3.13 disability policy;

3.3.14 health and safety policy.

#### 4 **Publication and availability**

- 4.1 This policy is published on the School website.
- 4.2 This policy is available in hard copy on request.
- 4.3 A copy of the policy is available for inspection from [• details] during the School day.
- 4.4 This policy can be made available in large print or other accessible format if required.
- 4.5 This policy and all policies referred to in it are also available to staff [• on the School's intranet].

#### 5 **Definitions**

- 5.1 Where the following words or phrases are used in this policy:
  - 5.1.1 References to **working days** mean Monday to Friday, when the School is open during term time. The dates of terms are published on the School's website. If referrals to an external agency are required outside term time, references to **working days** are to the days on which the relevant external agency is working;
  - 5.1.2 **Safeguarding** is promoting well-being and welfare by protecting the rights of adults to live in safety, free from abuse and neglect and safeguarding and promoting the welfare of children (as defined below).
  - 5.1.3 **Safeguarding and promoting the welfare of children** is defined in KCSIE as:
    - (a) protecting children from maltreatment;
    - (b) preventing impairment of children's health or development;
    - (c) ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and
    - (d) taking action to enable all children to have the best outcomes.
  - 5.1.4 **DSL** means the School's Designated Safeguarding Lead. References to the DSL include the Deputy DSL (**DDSL**) where the DSL is unavailable.
  - 5.1.5 Reference to **staff** includes all those who work for or on behalf of the School, regardless of their employment status, including contractors, volunteers and the Proprietor unless otherwise indicated.

#### 6 **Responsibility statement and allocation of tasks**

- 6.1 The Proprietor has overall responsibility for all matters which are the subject of this policy and has specific responsibilities as described in Part 2 of KCSIE.
- 6.2 The Proprietor has nominated a senior board level member to take leadership responsibility for the School's safeguarding arrangements. Contact details are set out in the School contacts list at the front of this policy.
- 6.3 To ensure the efficient discharge of its responsibilities under this policy, the Proprietor has allocated the following tasks:

<b>Task</b>	<b>Allocated to</b>	<b>When / frequency of review</b>
Keeping the policy up to date and compliant with the law and best practice	DSL (M. Donaldson)	Termly consideration, annual reviews.
Monitoring the implementation of the policy, relevant risk assessments and any action taken in response and evaluating effectiveness <sup>1</sup>	DSL (M. Donaldson)	As required, and at least termly
Maintaining up to date records of all information created in relation to the policy and its implementation as required by the GDPR	DSL & Deputies	As required, and at least termly
Seeking input from interested groups (such as pupils, staff, parents) to consider improvements to the School's processes under the policy	DSL & Deputies	As required, and at least annually – conversations undertaken in staff meetings.
Formal annual review	Proprietor	At least annually

## 6.4 Designated Safeguarding Lead

6.4.1 The Proprietor has appointed a senior member of staff of the School's leadership team to the role of the DSL. The DSL has the necessary status and authority to take lead responsibility for all aspects of safeguarding and child protection (including online safety) throughout the School.

6.4.2 The DSL has the time, funding, training, resources and support to enable him / her 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. The name and contact details of the DSL are set out in the School contacts list at the front of this policy. The main responsibilities of the DSL are set out in Appendix 4.<sup>2</sup>

6.4.4 If the DSL is unavailable the activities of the DSL will be carried out by the Deputy DSL. The Deputy DSL's details are also set out in the School contacts list at the front of this policy.

## 7 Safeguarding principles

7.1 The School will take reasonable steps to ensure that its pupils and others who come into contact with the School do not, as a result, come to harm or are exposed to abuse.

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<sup>1</sup> Please note that responsibilities for safeguarding across the School's operation should be clear and may be shared with others eg for trading activities or due diligence of hirers/contractors. This Policy should reflect the School's arrangements.

7.2 Abuse is a form of maltreatment. Somebody may abuse or neglect a person by inflicting harm, or by failing to act to prevent harm. Abuse can take place wholly online, or technology may be used to facilitate offline abuse.

7.3 Any safeguarding concern raised by any person will be taken seriously and action taken in accordance with the relevant School policies and procedures.

#### 7.4 **Specific duties in relation to children**

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

7.4.2 Every pupil should feel safe and protected from any form of abuse and neglect. The indicators of abuse and neglect and examples of specific safeguarding issues are set out in Appendix 1.

7.4.3 The School is committed to acting in the best interests of the child so as to safeguard and promote the welfare of children and young people. The School requires everyone who comes into contact with children and their families to share this commitment.

7.4.4 The School will:

- (a) follow the local inter-agency procedures of Brent Family Front Door;
- (b) be alert to signs of abuse both in the School and from outside and take steps to protect individuals from any form of abuse, whether from an adult or another child;
- (c) deal appropriately with every suspicion or complaint of abuse and support children who have been abused in accordance with his / her agreed child protection plan;
- (d) design and operate procedures which, so far as possible, ensure that staff and others who are innocent are not prejudiced by malicious, false, unsubstantiated or unfounded allegations;
- (e) prepare staff to identify children who may benefit from early help;
- (f) be alert to the needs of pupils with physical or mental health conditions, special educational needs or disabilities, where additional barriers can exist when detecting abuse or neglect;
- (g) encourage a culture of listening to pupils and taking account of their wishes and feelings in any measure put in place by the School to protect them;
- (h) operate robust and sensible health and safety procedures and operate clear and supportive policies on drugs, alcohol and substance misuse;
- (i) assess the risk of pupils being drawn into terrorism, including support for extremist ideas that are part of terrorist ideology, based on an understanding of the potential risk in the local area;
- (j) identify pupils who may be vulnerable to radicalisation, and know what to do when they are identified; and
- (k) consider and develop procedures to deal with any other safeguarding issues which may be specific to individual pupils in the School or in the local area.

#### 7.4.5 Contextual safeguarding

- (a) Safeguarding incidents and / or behaviours can be associated with factors outside the School and / or can occur between children outside the School.
- (b) All staff, including the DSL, should consider the context within which such incidents and / or behaviours occur, for example where wider environmental factors are present in a child's life that may be a threat to their safety and / or welfare.
- (c) Children's social care should be informed of all such information to allow any assessment process to consider all available evidence and the full context of any abuse.

7.5 Staff may follow the School's whistleblowing policy to raise concerns about poor or unsafe safeguarding practices at the School or potential failures by the School or its staff to properly fulfil its safeguarding responsibilities. Such concerns will be taken seriously. The NSPCC whistleblowing helpline is available for staff who do not feel able to raise concerns about child protection failures internally (see the front of this policy for the relevant contact details).

### 8 Responsibilities of staff in relation to safeguarding

8.1 Staff members should maintain an attitude of "**it could happen here**" where safeguarding is concerned. When concerned about the welfare of a pupil, staff members should always act in the **best** interests of the pupil.

8.2 All staff have a duty to:

- 8.2.1 report any concerns they may have about the safety and/or wellbeing of pupils;
- 8.2.2 report any concerns they may have about the safety and/or wellbeing of other persons associated with the School;
- 8.2.3 report any safeguarding concerns about staff or anyone else associated with the School.

8.3 The procedures for doing so are set out below. If staff are unsure about the process, they should not hesitate to speak to the DSL, senior leadership team or directly to children's social care or police in their absence for guidance.

### 9 What to do if staff have a concern about a pupil

9.1 If staff have **any concern** about a pupil's welfare, action should be taken **immediately**.

9.2 A concern about a child is not defined and should be interpreted broadly. It may relate to a recognition that a child would benefit from extra support, to an emerging problem or to a potentially unmet need or may reflect a concern that a child may be deemed to be "in need" or at "immediate risk of harm" as defined by the Children Act 1989.

9.3 The member of staff must report the concern to the **DSL** or the **DDSL** in the DSL's absence.

- 9.3.1 The contact details of the DSL and DDSL are set out in the contacts list at the front of this policy.
- 9.3.2 See Appendix 2 for guidance about what to do when receiving a disclosure and recording a concern.

9.4 If the concern involves an allegation against staff, this must be reported in accordance with the procedures set out in Appendix 3.

9.5 Teachers must report known cases of female genital mutilation (FGM) to the police. See Appendix 1 for further information about FGM and this reporting duty. All other staff should refer FGM concerns to the DSL.

#### 9.6 **What if the DSL is unavailable?**

9.6.1 The DSL or the DDSL should always be available to discuss safeguarding concerns and may be contacted on their mobile phones in relation to any safeguarding concerns out of School hours.<sup>3</sup>

9.6.2 If in exceptional circumstances the DSL and DDSL are unavailable, which may occur outside term time or school hours, staff must not delay taking action. Staff should speak to their line manager or a member of the senior leadership team and / or advice should be taken from children's social care. The contact details are set out at the front of this policy.

9.6.3 Where a child is suffering, or is likely to suffer from harm, a referral to children's social care should be made immediately. Staff should be aware of the process for making referrals direct to children's social care and / or the police in these circumstances. See section 12 below for details on making a referral.

9.6.4 Any action should be shared with the DSL or DDSL, or a member of the senior leadership team, as soon as is practically possible.

#### 9.7 **Action by the DSL**

9.7.1 On receipt of a report of a concern, the DSL will consider the appropriate course of action in accordance with Brent Family Front Door procedures and referral threshold document. Such action may include:

(a) managing any support for the pupil internally via the School's own pastoral support processes (seeking advice from children's social care where required);

(b) an early help assessment (see 10 below); or

(c) a referral for statutory services (see 12 below).

9.7.2 The views of the child will be taken into account when considering the appropriate course of action but will not be determinative.

9.7.3 If it is decided that a referral is not required, the DSL will keep the matter under review and give ongoing consideration to a referral if the pupil's situation does not appear to be improving.

### 10 **Managing support for pupils internally**

10.1 The School has a framework for the identification, assessment, management and review of risk to pupil welfare so that appropriate action can be taken to reduce the risks identified. See section 21 and the School's risk assessment policy for pupil welfare.

- 10.2 A strong pastoral system means that children have a number of adults to whom they can comfortably talk to, whether it be class teachers, support or ancillary staff or the Headteacher.
- 10.3 PSHE lessons focus on the importance of children having opportunities to speak out and to discuss concerns with adults.
- 10.4 Staff are given opportunities to raise concerns either directly to the DSL, or in writing.
- 10.5 Additionally, weekly staff meetings involve opportunities for staff to raise observations, with the DSL determining next steps based on the comments made, allowing the School to cross reference across different areas of School life.
- 10.6 Staff have access to reporting sheets and templates for conducting conversations with pupils should they have need to record a conversation or report a concern.

## 11 Early help

- 11.1 Early help means providing support as soon as a problem emerges at any point in a child's life, from the foundation years through to the teenage years. The School understands that providing early help is more effective in promoting the welfare of children than reacting later.
- 11.2 The School's safeguarding training includes guidance about the early help process and prepares all staff to identify children who may benefit from early help. Staff are mindful of specific safeguarding issues and those pupils who may face additional safeguarding challenges. Staff should be particularly alert to the potential need for early help for a child who:
  - 11.2.1 is disabled and has specific additional needs;
  - 11.2.2 has special educational needs (whether or not they have a statutory education, health and care plan);
  - 11.2.3 is a young carer;
  - 11.2.4 is showing signs of being drawn in to anti-social or criminal behaviour, including gang involvement and association with organised crime groups;
  - 11.2.5 is frequently missing / goes missing from care or from home;
  - 11.2.6 is misusing drugs or alcohol themselves;
  - 11.2.7 is at risk of modern slavery, trafficking or exploitation;
  - 11.2.8 is in a family circumstance presenting challenges for the child, such as substance abuse, adult mental health problems or domestic abuse;
  - 11.2.9 is looked after or who has returned home to their family from care;
  - 11.2.10 is showing early signs of abuse and / or neglect;
  - 11.2.11 is at risk of being radicalised or exploited;
  - 11.2.12 is a privately fostered child.
- 11.3 A member of staff who considers that a pupil may benefit from early help should in the first instance discuss this with the DSL. The DSL will consider the appropriate action to take in accordance with the Brent family Front Door referral threshold document and will support

staff in liaising with other agencies and setting up an inter-agency assessment as appropriate.

- 11.4 If early help is appropriate, staff may be required to support other agencies and professionals in an early help assessment and will be supported by the DSL and carrying out this role. In some cases staff may be required to take a lead role.
- 11.5 The matter will be kept under review and consideration given to a referral to children's social care for assessment for statutory services if the pupil's situation appears to be getting worse, or does not appear to be improving.

## 12 Making a referral

12.1 **Where a child is suffering, or is likely to suffer from harm, a referral to children's social care (and if appropriate the police) should be made immediately.** The contact details for children's social care are set out at the front of this policy.

### 12.2 Statutory assessments

12.2.1 Children's social care may undertake a statutory assessment under the Children Act 1989 into the needs of the child. It is likely that the person making the referral will be asked to contribute to this process. Statutory assessments include:

- (a) **Children in need:** A child in need is 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. Children in need may be assessed under section 17 of the Children Act 1989.
- (b) **Children suffering or likely to suffer significant harm:** Local authorities have a duty to make enquiries 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.

12.3 Staff required to make a direct referral may find helpful the flowchart set out on page 13 of KCSIE and the flowcharts set out in Chapter 1 of WTSC for information about the likely actions and decisions required.

12.4 Staff will need to have access to certain information about the child and the safeguarding concern in order to make the referral. In general terms, this information will comprise:

12.4.1 personal details of the child including the child's developmental needs;

12.4.2 detailed information about the concern;

12.4.3 information about the child's family and siblings including the capacity of the child's parents or carers to meet the child's developmental needs and any external factors that may be undermining their capacity to parent.

12.5 If the referral is made by telephone, this should be followed up in writing.

12.6 If the referral is made by someone other than the DSL, the DSL should be informed of the referral as soon as possible.

12.7 Confirmation of the referral and details of the decision as to what course of action will be taken should be received from the local authority within one working day. If this is not received, the DSL (or the person that made the referral) should contact children's social care again.

12.8 Following a referral, if the child's situation does not appear to be improving, the local escalation procedures should be followed to ensure that the concerns have been addressed and that the child's situation improves.

### 13 Allegations against pupils - peer on peer abuse

13.1 Allegations against pupils should be reported in accordance with the procedures set out in this policy (see section 8 above). If harmful sexual behaviour is alleged to have occurred, the DSL will have regard to Part 5 KCSIE and take into account the local response of the police and children's social care to these issues. The views of the alleged victim will be taken into account but will not be determinative.

13.2 A pupil against whom an allegation of abuse has been made may be suspended from the School as a neutral measure during the investigation and the School's policy on behaviour, discipline and sanctions will apply. The School will take advice from children's social care and / or the police, as appropriate, on when and how to inform the pupil and his / her parents about the allegations and how investigation of such allegations will be conducted. The School will carry out risk assessments and take all appropriate action to ensure the safety and welfare and continued education of all pupils including the pupil or pupils accused of abuse.

13.3 If it is necessary for a pupil to be interviewed by the police in relation to allegations of abuse, the School will ensure that, subject to the advice of relevant agencies, the pupil's parents are informed as soon as possible and that the pupil is supported during the interview by an appropriate adult.

13.4 All those involved in such allegations will be treated as being at risk and in need of support and the safeguarding procedures in accordance with this policy will be followed. Appropriate support will be provided to all pupils involved, including support from external services as necessary. The School will seek advice from external agencies on the type and level of support for the victim, as well consulting the School's Behaviour Policy and Exclusion Policy for the perpetrator along with advice from external agencies.

### 14 What to do if staff have a concern about someone else's welfare

14.1 Staff who have concerns about the welfare of others or any other safeguarding issue not expressly covered by this policy, should report them.

14.2 In the absence of an express procedure about reporting, they should report such concerns to their line manager in the first instance.

### 15 Allegations against staff

15.1 The School has procedures for dealing with allegations against staff:

15.1.1 The procedures in this policy apply to staff who pose a risk of harm to children and aim to strike a balance between the need to protect children from abuse and the need to protect staff from malicious, false, unsubstantiated or unfounded allegations. These procedures are set out in Appendix 3 and follow Part 4 of KCSIE.

15.1.2 The School will follow its employment procedures for dealing with any other concern raised about staff, involving external agencies as appropriate.

15.2 Detailed guidance is provided to staff to ensure that all staff are clear on the rules of conduct and the expectations of the School in relation to contact with pupils, parents, colleagues and any other person who comes into contact with the School. This guidance is contained in the

Employment Manual and includes details of additional safeguarding arrangements where staff engage in one-to-one teaching and meetings with pupils.

## **16 Informing parents**

16.1 Parents will normally be kept informed as appropriate of any action to be taken under these procedures. However, there may be circumstances when the DSL will need to consult the Head, the Designated Officer(s), children's social care, the police and / or the pupil before discussing details with parents.

16.2 In all cases, the DSL will be guided by the Brent Family Front Door referral threshold document.

16.3 See also Appendix 3 for details about the disclosure of information where an allegation has been made against a member of staff.

## **17 Additional reporting**

17.1 In addition to the reporting requirements explained above, the School will consider whether it is required to report safeguarding incidents to any other regulatory body or organisation, including but not limited to:

### **17.1.1 Health and Safety Executive**

- (a) The School is legally required under RIDDOR to report certain incidents to the Health and Safety Executive. Please see the School's Health and Safety Policy.

### **17.1.2 Insurers**

- (a) The School will consider whether it is necessary to report a safeguarding incident to the relevant insurers and / or brokers. It may be necessary to report to a number of insurers as there may be concurrent cover under existing and historic policies.
- (b) Care should be taken to ensure this is done before renewal to ensure that the school complies with its duties under the Insurance Act 2015. If the School is in any doubt with regard to the correct insurer and / or policy and / or if it is unable to locate the relevant insurer, professional advice should be sought.

## **18 Safer recruitment and supervision of staff**

18.1 The School is committed to practising safer recruitment in checking the suitability of staff (including staff employed by another organisation). See the School's separate safer recruitment policy.

18.2 The School maintains a single central register of appointments for all staff.

18.3 Staff connected to the School's early years and later years provisions are under an ongoing duty to inform the School if their circumstances change which would mean they meet any of the criteria for disqualification under the Childcare Act 2006. Staff should refer to the School's safer recruitment policy for further information about this duty and to their contract of employment in respect of their ongoing duty to update the School.

18.4 The School's protocol for ensuring that visiting speakers are suitable and appropriately supervised is set out in the School's separate [• Visitors and Security Policy].

## 19 Use of mobile technology

- 19.1 The School's policy on the use of mobile technology, including phones and cameras, in the School, is as follows:
- 19.1.1 the School's acceptable use policy for pupils which sets out the expectations on pupils from Reception to Year 6. In the EYFS setting, pupils are not permitted to bring mobile phones or any mobile device with a camera facility onto the premises;
  - 19.1.2 all staff (including staff in the EYFS setting) should use mobile devices and cameras in accordance with the guidance set out in the Employment Manual;
  - 19.1.3 parents of all pupils (including parents of pupils in the EYFS setting) may bring mobile devices onto the premises but may only take photographs during events such as plays, concerts or sporting events for personal use. Parents should be reminded that the publication of such images (including on personal social networking sites even where access to the image may be limited) may be unlawful.
- 19.2 The School's approach to online safety is set out in the School's e-safety Policy.

## 20 Training

- 20.1 The School ensures that regular guidance and training is arranged on induction and at regular intervals thereafter so that staff understand what is expected of them by this policy and have the necessary knowledge and skills to carry out their roles.
- 20.2 The level and frequency of training depends on role of the individual member of staff.
- 20.3 The School maintains written records of all staff training.
- 20.4 All training will be carried out in accordance with Brent Family Front Door procedures where possible.

### 20.5 Induction

- 20.5.1 All staff, including temporary staff and volunteers, will be provided with induction training that includes:
- (a) this policy;
  - (b) the role, identity and contact details of the DSL and his / her Deputy;
  - (c) the behaviour and discipline policy for pupils;
  - (d) the staff code of conduct including the whistleblowing policy, staff social media policy and acceptable use policy;
  - (e) the safeguarding response to children who go missing from education;
  - (f) the School's approach to online safety;
  - (g) safeguarding training in accordance with Brent Family Front Door procedures including guidance on managing a report of peer-on-peer harmful sexual behaviour;
  - (h) a copy of Part 1 and, where appropriate, Annex A of KCSIE; and
  - (i) appropriate Prevent duty training.

## 20.6 Safeguarding training

- 20.6.1 All staff including the Head will receive a copy of this policy and Part 1 and where appropriate, Annex A of KCSIE, and will be required to confirm that they have read and understand these.
- 20.6.2 The Head and all staff members will undertake appropriate safeguarding training which will be updated every year and following consultation with Brent Family Front Door. In addition, all staff members will receive safeguarding and child protection updates and informal circumstantial training during staff meetings on a regular basis and at least annually.
- 20.6.3 Staff development training will also include training on online safety, searching pupils for prohibited and banned items, and Prevent duty training assessed as appropriate for them by the School.
- 20.6.4 Additionally, the School will make an assessment of the appropriate level and focus for staff training and responsiveness to specific safeguarding concerns such as radicalisation, harmful sexual behaviour, child sexual exploitation, female genital mutilation, cyberbullying and mental health and to ensure that staff have the skills, knowledge and understanding to keep looked after children safe<sup>4</sup>.
- 20.6.5 The Board Level Lead for Safeguarding will receive additional appropriate training to enable him to fulfil his safeguarding responsibilities.
- 20.6.6 The School has mechanisms in place to assist staff to understand and discharge their role and responsibilities and to ensure that they have the relevant knowledge, skills and experience to safeguard children effectively, including staff meetings and professional development reviews. This includes information on how staff can report concerns occurring out of hours/out of term time and should, where appropriate, refer to the School's risk assessment for out of hours/out of term safeguarding arrangements.

## 20.7 Designated Safeguarding Lead (DSL)

- 20.7.1 The DSL and Deputy DSL will undertake training to provide them with the knowledge and skills required to carry out the role. This training includes Prevent awareness training and will be updated at least every two years.
- 20.7.2 In addition, their knowledge and skills will be refreshed at regular intervals, at least annually, to allow them to understand and keep up with any developments relevant to their role. For further details about the training of the DSL, see Appendix 4.
- 20.7.3 Prevent duty training will be consistent with Home Office Workshop to Raise Awareness of Prevent (**WRAP**) training if available.

## 20.8 Teaching pupils about safeguarding

- 20.8.1 The School teaches pupils about safeguarding through the curriculum and PSHE. This includes guidance on adjusting behaviour to reduce risks, particularly online, building resilience to protect themselves and their peers, fostering healthy and respectful relationships with others and providing information about who they should turn to for help.

- 20.8.2 Pupils are taught about harmful sexual behaviours, including sexual violence and sexual harassment, through PSHE education appropriate to their age and stage of development.
- 20.8.3 Pupils are given the opportunity to talk about safeguarding issues within the classroom environment and are made aware of the processes by which any concerns they have can be raised, including the processes for reporting a concern about a friend or peer, and how any report will be handled. The School's concerns and complaints procedure for pupils sets out in writing what pupils should do if they have a worry or complaint.
- 20.8.4 The safe use of technology is a focus in all areas of the curriculum and key ICT safety messages are reinforced as part of assemblies and tutorial / pastoral activities. The School has appropriate filters and monitoring systems in place (see the e-safety policy) and is mindful that this should not lead to unnecessary restrictions on learning.

## **21 Risk assessment**

- 21.1 Where a concern about a pupil's welfare is identified, the risks to that pupil's welfare will be assessed and appropriate action will be taken to reduce the risks identified.
- 21.2 The format of risk assessment may vary and may be included as part of the School's overall response to a welfare issue, including the use of individual pupil welfare plans (such as behaviour, healthcare and education plans, as appropriate). Regardless of the form used, the School's approach to promoting pupil welfare will be systematic and pupil focused.
- 21.3 The Head has overall responsibility for ensuring that matters which affect pupil welfare are adequately risk assessed and for ensuring that the relevant findings are implemented, monitored and evaluated.
- 21.4 Day to day responsibility to carry out risk assessments under this policy will be delegated to the DSL who has been properly trained in, and tasked with, carrying out the particular assessment.

## **22 Monitoring and review**

- 22.1 The DSL will ensure that the procedures set out in this policy and the implementation of these procedures are updated and reviewed regularly, working with the Proprietor as necessary and seeking contributions from staff. The DSL will update the Senior Management Team regularly on the operation of the School's safeguarding arrangements.
- 22.2 Any safeguarding incidents at the School will be followed by a review of these procedures by the DSL and a report made to the Proprietor. Where an incident involves a member of staff, the Designated Officer(s) will be asked to assist in this review to determine whether any improvements can be made to the School's procedures. Any deficiencies or weaknesses in regard to safeguarding arrangements at any time will be remedied without delay.
- 22.3 The Proprietor will undertake an annual review of this policy and the School's safeguarding procedures, including an update and review of the effectiveness of procedures and their implementation and the effectiveness of inter-agency working.
- 22.4 The DSL will prepare a written report commissioned by the Proprietor. The written report should address how the School ensures that this policy is kept up to date; staff training on safeguarding; referral information; issues and themes which may have emerged in the School and how these have been handled; and the contribution the School is making to

multi-agency working in individual cases or local discussions on safeguarding matters. The Proprietor should also consider independent corroboration, such as:

22.4.1 inspection of records or feedback from external agencies including the Designated Officer(s);

22.4.2 reports of ISI inspections;

22.4.3 the outcome of any relevant parental complaints; and

22.4.4 press reports.

22.5 The Proprietor will review the report, this policy and the implementation of its procedures and consider the proposed amendments to the policy before giving the revised policy its final approval. Detailed minutes recording the review by the Proprietor will be made.

## **23 Record keeping**

23.1 All concerns, discussions and decisions made and the reasons for those decisions should be recorded in writing.

23.2 The records created in accordance with this policy may contain personal data. The School has a number of privacy notices which explain how the School will use personal data for the benefit of pupils and parents. The privacy notices are published on the School's website. In addition, staff must ensure that they follow the School's data protection policies and procedures when handling personal data created in connection with this policy. This includes the School's data protection policy.

23.3 All records created in accordance with this policy are managed in accordance with the School's policies that apply to the retention and destruction of records.

23.4 Insofar as pupil records are concerned:

23.4.1 Staff must record all concerns about a pupil on the School's pro forma record which is available to staff from the School Office, staff room and electronic copies available on the School server. Guidance on record keeping is set out in Appendix 2.

23.4.2 The DSL will open a child protection file following a report to him / her of a child protection concern about a pupil. The DSL will record all discussions with both colleagues and external agencies, decisions made and the reasons for them and detail of the action taken.

## **23.5 Information sharing and multi-agency working**

23.5.1 The School will treat all safeguarding information with an appropriate level of confidentiality, only involving others where appropriate. The School will always act in order to safeguard and promote the welfare of others.

23.5.2 The School understands that information sharing is essential for effective safeguarding and promoting the welfare of children and young people. Fears about sharing information will not stand in the way of the need to promote the welfare, and protect the safety, of pupils, which is always the School's paramount concern. The School understands that the GDPR and Data Protection Act 2018 provide a framework to ensure that personal information is shared appropriately.

23.5.3 The School will co-operate with children's social care, and where appropriate the police, to ensure that all relevant information is shared for the purposes of early

help assessments, and assessments and child protection investigations under the Children Act 1989.

23.5.4 Where allegations have been made against staff, the School will consult with the Designated Officer(s) and, where appropriate, the police and children's social care to agree the information that should be disclosed and to whom.

23.5.5 While the School will share information with those involved where and when it is appropriate to do so, they may be unable to for reasons of data protection and confidentiality, for example because to do so may pose a risk of harm to others or because it has been prohibited by external agencies.

## 24 **Version control**

Date of adoption of this policy	September 2018
Date of last review of this policy	September 2018
Date for next review of this policy	September 2019
Policy owner (SMT)	M. Donaldson
Policy owner (Proprietor)	M. Fennelly A. Mehta

## Appendix 1 Indicators of abuse

### 1 Types of abuse

- 1.1 Part 1 of KCSIE defines the following indicators of abuse and neglect, however, staff should be aware that abuse, neglect and safeguarding issues are rarely standalone events that can be covered by one definition or label and in most cases, multiple issues will overlap with one another.
- 1.2 **Abuse:** a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others. Abuse can take place wholly online, or technology may be used to facilitate offline abuse. They may be abused by an adult or adults or by another child or children.
- 1.3 **Physical abuse:** a form of abuse which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.
- 1.4 **Emotional abuse:** the persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or "making fun" of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child's developmental capability as well as overprotection and limitation of exploration and learning, or preventing the child from participating in normal social interaction. It may involve seeing or hearing the ill treatment of another. It may involve serious bullying (including cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, although it may occur alone.
- 1.5 **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.
- 1.6 **Neglect:** the persistent failure to meet a child's basic physical and / or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy, for example, as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to: provide adequate food, clothing and shelter (including exclusion from home or abandonment); protect a child from physical and emotional harm or

danger; ensure adequate supervision (including the use of inadequate care-givers); or ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

## 2 Signs of abuse

- 2.1 Possible signs of abuse include, but are not limited to:
  - 2.1.1 the pupil says he / she has been abused or asks a question or makes a comment which gives rise to that inference;
  - 2.1.2 there is no reasonable or consistent explanation for a pupil's injury, the injury is unusual in kind or location or there have been a number of injuries and there is a pattern to the injuries;
  - 2.1.3 the pupil's behaviour stands out from the group as either being extreme model behaviour or extremely challenging behaviour, or there is a sudden or significant change in the pupil's behaviour;
  - 2.1.4 the pupil asks to drop subjects with a particular teacher and seems reluctant to discuss the reasons;
  - 2.1.5 the pupil's development is delayed, the pupil loses or gains weight or there is deterioration in the pupil's general well-being;
  - 2.1.6 the pupil appears neglected, e.g. dirty, hungry, inadequately clothed;
  - 2.1.7 the pupil is reluctant to go home, or has been openly rejected by his / her parents or carers; and
  - 2.1.8 inappropriate behaviour displayed by other members of staff or any other person working with children, for example inappropriate sexual comments; excessive one-to-one attention beyond the requirements of their usual role or responsibilities; or inappropriate sharing of images.
- 2.2 The Brent Family Front Door can provide advice on the signs of abuse and the DfE advice [What to do if you're worried a child is being abused \(March 2015\)](#) provides advice in identifying child abuse. The [NSPCC website](#) is also a good source of information and advice.

## 3 Specific safeguarding issues

- 3.1 Statutory guidance acknowledges the following as specific safeguarding issues:
  - 3.1.1 children and the court system;
  - 3.1.2 children missing from education (see section 3.3 below);
  - 3.1.3 children with family members in prison;
  - 3.1.4 child sexual exploitation (see section 3.4 below);
  - 3.1.5 child criminal exploitation: county lines;
  - 3.1.6 domestic abuse;
  - 3.1.7 homelessness;
  - 3.1.8 so-called 'honour-based' violence (see section 3.5 below);

- 3.1.9 preventing radicalisation (see section 3.6 below);
  - 3.1.10 peer on peer abuse (see section 3.7 below);
  - 3.1.11 sexual violence and sexual harassment between children in schools and colleges (see section 3.8 below).
- 3.2 Further advice and links to guidance on these specific safeguarding issues can be found in Annex A of KCSIE 2018. Staff should be particularly aware of the safeguarding issues set out below.
- 3.3 **Children missing education**
- 3.3.1 Children going missing, particularly repeatedly, can act as a vital warning sign of a range of safeguarding possibilities. School attendance registers are carefully monitored to identify any trends. Action should be taken in accordance with this policy if any absence of a pupil from the School gives rise to a concern about his / her welfare.
  - 3.3.2 Where reasonably possible the School will hold more than one emergency contact for each pupil.
  - 3.3.3 The School shall inform the local authority of any pupil who is going to be added to or deleted from the School's admission register at non-standard transition points in accordance with the requirements of the Education (Pupil Registration) (England) Regulations 2006 (as amended).
  - 3.3.4 This will assist the local authority to:
    - (a) fulfil its duty to identify children of compulsory school age who are missing from education; and
    - (b) follow up with any child who might be in danger of not receiving an education and who might be at risk of abuse, neglect or radicalisation.
  - 3.3.5 The School shall inform the local authority of any pupil who:
    - (a) fails to attend School regularly; or
    - (b) has been absent without the School's permission for a continuous period of ten school days or more, at such intervals as are agreed between the School and the local authority (or in default of such agreement, at intervals determined by the Secretary of State).
- 3.4 **Child sexual exploitation (CSE)**
- 3.4.1 Child sexual exploitation is a form of sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity:
    - (a) in exchange for something the victim needs or wants; and / or
    - (b) for the financial advantage or increased status of the perpetrator or facilitator.

The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology.

### 3.5 Honour-based violence

3.5.1 All forms of so called honour-based violence are abuse (regardless of motivation) and should be handled and escalated as such. Abuse committed in the context of preserving "honour" often involves additional risk factors such as a wider network of family or community pressure and the possibility of multiple perpetrators which should be taken into account when deciding what safeguarding action to take. Staff should speak to the DSL if they have any doubts.

3.5.2 If appropriate, the DSL will activate local safeguarding procedures, using existing national and local protocols for multiagency liaison with police and children's social care.

#### 3.5.3 Female genital mutilation (FGM)

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

(b) There is a range of potential indicators that a child or young person may be at risk of FGM. Guidance on the warning signs that FGM may be about to take place, or may have already taken place, can be found on pages 38-41 of the [Multi-agency statutory guidance on FGM \(HM Government, April 2016\)](#) (pages 59-61 focus on the role of schools).

(c) All staff must be aware of the requirement for teachers to report to the police where they discover (either through disclosure by the victim or visual evidence) that FGM appears to have been carried out on a girl under 18. The report should be made orally by calling 101, the single non-emergency number. Those failing to report such cases will face disciplinary sanctions. It will be rare for teachers to see visual evidence, and they should not be examining pupils. Unless the teacher has a good reason not to, they should still consider and discuss any such case with the DSL and involve children's social care as appropriate.

(d) If the teacher is unsure whether this reporting duty applies, they must refer the matter to the DSL in accordance with this policy. See the Home Office guidance [Mandatory reporting of female genital mutilation - procedural information \(December 2016\)](#) for further details about the duty.

(e) Guidance published by the [Department for Health](#) also provides useful information and support for health professionals which will be taken into account by the School's medical staff.

#### 3.5.4 Forced marriage

(a) Forcing a person into marriage is a crime in England and Wales. A forced marriage is one entered into without the full and free

consent of one or both parties and where violence, threats or any other form or coercion is used to cause a person to enter into a marriage. Threats can be physical or emotional and psychological. A lack of full and free consent can be where a person does not consent or where they cannot consent (if they have learning disabilities, for example). Nevertheless, some communities use religion and culture as a way to coerce a person into marriage.

- (b) Guidance on the warning signs that forced marriage may be about to take place, or may have already taken place, can be found on pages 13-14 of the [Multi-agency guidelines: handling case of forced marriage \(HM Government, June 2014\)](#).
- (c) Staff should speak to the DSL if they have any concerns. Pages 32-36 of the [Multi-agency guidelines: handling case of forced marriage](#) focus on the role of schools in detecting and reporting forced marriage and the Forced Marriage Unit can be contacted on 020 7008 0151 or [fmufco.gov.uk](mailto:fmufco.gov.uk) for advice and information.

### 3.6 Radicalisation and the Prevent duty

- 3.6.1 The School has a legal duty to have due regard to the need to prevent people from being drawn into terrorism.
- 3.6.2 The School aims to build pupils' resilience to radicalisation by promoting fundamental British values and enabling them to challenge extremist views. Being drawn into terrorism includes not just violent extremism but also non-violent extremism, which can create an atmosphere conducive to terrorism and can popularise views which terrorists exploit. The School is committed to providing a safe space in which children, young people and staff can understand and discuss sensitive topics, including terrorism and the extremist ideas that are part of terrorist ideology, understand the risks associated with terrorism and develop the knowledge and skills to be able to challenge extremist arguments.
- 3.6.3 The School has adopted the government's definitions for the purposes of compliance with the Prevent duty:

**Extremism:** *"vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. We also include in our definition of extremism calls for the death of members of our armed forces, whether in this country or overseas"*

**Radicalisation:** *"the process by which a person comes to support terrorism and forms of extremist ideologies associated with terrorist groups."*
- 3.6.4 There is no single way of identifying an individual who 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. Radicalisation can occur through many different methods (such as social media) and settings (such as the internet).
- 3.6.5 It is possible to protect vulnerable people from extremist ideology and intervene to prevent those at risk of radicalisation from being radicalised. As with managing 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. School staff should use their professional judgement in identifying children who might be at risk of radicalisation and act proportionately which may include the DSL making a referral to the Channel programme, having consulted [Channel duty guidance: protecting vulnerable people from being drawn into terrorism \(HM Government, April 2015\)](#).

- 3.6.6 The DfE and Home Office's briefing note [The use of social media for online radicalisation \(July 2015\)](#) includes information on how social media is used to radicalise young people and guidance on protecting pupils at risk.

### 3.7 Peer on peer abuse

- 3.7.1 The conduct of pupils towards each other will, in most instances, be covered by the School's behaviour and discipline policies. However, some behaviour by a pupil towards another may be of such a nature that safeguarding concerns are raised.
- 3.7.2 Safeguarding issues can manifest themselves via peer on peer abuse. This includes, but is not limited to:
- (a) bullying (including cyber-bullying);
  - (b) physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm;
  - (c) harmful sexual behaviour (see 3.7.3 below);
  - (d) sexting (also known as youth produced sexual imagery); and
  - (e) initiation / hazing type violence and rituals.
- 3.7.3 Harmful sexual behaviour is an umbrella term that includes sexual violence and sexual harassment. The School recognises that problematic, abusive and violent sexual behaviours are inappropriate and may cause developmental damage. Harmful sexual behaviour can occur online and offline (both physical and verbal) and the School recognises the gendered nature such behaviour can take. See also 3.8 below. Harmful sexual behaviour, like all peer on peer abuse, is never acceptable and will be taken seriously.
- 3.7.4 The School takes steps to minimise the risk of all types of peer-on-peer abuse. The School has robust anti-bullying procedures in place (see the School's anti-bullying policy) and pupils are taught at all stages of the School about acceptable behaviour and how to keep themselves safe. Risk assessments are carried out and kept under review. Appropriate action is taken to protect pupils identified as being at risk including the particular vulnerabilities of those with a special educational need or disability (see the School's risk assessment policy for pupil welfare).
- 3.7.5 Abusive behaviour by pupils must be taken seriously. Behaviour should not be dismissed as being normal between young people, as "banter" or simply "part of growing up". Behaviour such as initiation violence or any form of sexual violence or sexual harassment is not acceptable.

### 3.8 Sexual violence and sexual harassment between children

- 3.8.1 Sexual violence and sexual harassment can occur between two or more children of any age or sex. They can occur through a group of children sexually assaulting or sexually harassing a single child or group of children.
- 3.8.2 Children who are victims of sexual violence and sexual harassment are likely to find the experience stressful and distressing. This will, in all likelihood, adversely affect their educational attainment. Sexual violence and sexual harassment exist on a continuum and may overlap, they can occur online and offline (both physical and verbal) and are never acceptable. The School will respond to allegations seriously and all victims will be offered appropriate support.
- 3.8.3 The School is aware of the importance of:
- (a) making it clear to pupils that sexual violence and sexual harassment is not acceptable, will never be tolerated and is not an inevitable part of growing up;
  - (b) not tolerating or dismissing sexual violence or sexual harassment as "banter", "part of growing up", "just having a laugh" or "boys being boys"; and
  - (c) challenging behaviours (which are potentially criminal in nature), such as grabbing bottoms, breasts and genitalia, flicking bras and lifting up skirts. Dismissing or tolerating such behaviours risks normalising them.
- 3.8.4 References to **sexual violence** are references to sexual offences under the Sexual Offences Act 2003, specifically rape, assault by penetration and sexual assault.
- 3.8.5 References to **sexual harassment** mean "unwanted conduct of a sexual nature" that can occur online and offline. In the context of child on child sexual harassment, it is likely to: violate a child's dignity; and / or make them feel intimidated, degraded or humiliated; and / or create a hostile, offensive or sexualised environment.
- 3.8.6 The DfE guidance [Sexual violence and sexual harassment between children in schools and colleges](#) provides further detailed advice.

### 3.9 Sexting

- 3.9.1 "Sexting" means the taking and sending or posting of images or videos of a sexual or indecent nature, usually through mobile picture messages or webcams over the internet.
- 3.9.2 The School treats all incidences of sexting as safeguarding matters to be actioned in accordance with this policy.
- 3.9.3 Members of staff should not view sexual imagery which is reported to them, or copy, print or share the images under any circumstances. In referring any incident of sexting, members of staff should describe the content of the images as reported to them.
- 3.9.4 The DSL may in exceptional circumstances view images with the prior approval of the Head and only where:

- (a) it is the only way to make a decision whether to involve other agencies, as there is insufficient information available as to its contents;
  - (b) it is necessary to report the image to a website or agency to have it taken down; or
  - (c) a pupil has reported the image directly to a member of staff in circumstances where viewing the image is unavoidable.
- 3.9.5 Where viewing an image is unavoidable:
- (a) viewing should take place on School premises wherever possible;
  - (b) the image should be viewed by a person of the same sex as the person alleged to be shown in the image (where this is known);
  - (c) a senior member of staff should be present to monitor and support the person viewing the image. This member of staff should not view the image;
  - (d) full details of the viewing must be recorded in the School's safeguarding records, including who was present, the date and time, the nature of the image and the reasons for viewing it;
  - (e) any member of staff who views an indecent image should be given appropriate support.
- 3.9.6 If any devices need to be confiscated (whether in order to view the image(s) or to pass evidence to the appropriate authority), they should be turned off and locked away securely until they are required.
- 3.9.7 If an electronic device that is prohibited by the school rules has been seized and the member of staff has reasonable grounds to suspect that it contains evidence in relation to an offence, or that it contains a pornographic image of a child or an extreme pornographic image, the device will be given to the police.
- 3.9.8 If external agencies do not need to be involved, the School must consider the deletion of any images. Pupils should be asked to delete images themselves and to confirm that this is done. Members of staff should not search devices to delete images.
- 3.9.9 If images have been shared online and cannot now be deleted by the person who shared them, the School should consider reporting the images to the relevant web host or service provider (if an option is provided), or contacting the Internet Watch Foundation or ChildLine (if the website does not provide this option).
- 3.9.10 Where a pupil receives unwanted images, the School should advise the pupil and his / her parents of options that may be available to block the sender or to change the pupil's mobile phone number or email address.
- 3.9.11 The UK Council for Child Internet Safety's advice note [Sexting in schools and colleges: responding to incidents and safeguarding young people \(August 2016\)](#) contains details of support agencies and provides further information for schools on how to responding to incidents of sexting.

- 3.9.12 The College of Policing has also produced a briefing note **Police action in response to youth produced sexual imagery ("sexting") (November 2016)** which provides information on how police forces treat instances of sexting by young persons.

#### **4 Special educational needs and disabilities**

- 4.1 The School welcomes pupils with special educational needs and disabilities and will do all that is reasonable to ensure that the School's curriculum, ethos, culture, policies, procedures and premises are made accessible to everyone. See the School's policy on special educational needs and learning difficulties and disability policy.
- 4.2 Additional barriers can exist when detecting the abuse or neglect of pupils with a special educational need or disability creating additional safeguarding challenges for those involved in safeguarding and promoting the welfare of this group of children. The School is mindful in particular that:
- 4.2.1 assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the pupil's special educational need or disability without further exploration;
  - 4.2.2 pupils with a special education need or disability can be disproportionately impacted by bullying without outwardly showing any signs; and
  - 4.2.3 there may be communication barriers which are difficult to overcome to identify whether action under this policy is required.

#### **5 Looked after children and previously looked after children**

- 5.1 The Proprietor ensures that staff have the skills, knowledge and understanding to keep looked after children safe and the information they need in relation to a child's looked after legal status, for example:
- 5.1.1 whether they are looked after under voluntary arrangements with consent of parents or on an interim or full care order;
  - 5.1.2 contact arrangements with birth parents or those with parental responsibility;
  - 5.1.3 information about a child's care arrangements and the levels of authority delegated to the carer by the authority looking after him/her.
- 5.2 The DSL maintains these details, including contact details of the child's social worker.

#### **6 Care leavers**

- 6.1 The DSL maintains details of the local authority personal advisor appointed to guide and support care leavers and liaises with them as necessary regarding any issues of concern.

## Appendix 2 Concerns about a child - guidance for staff

### 1 Receiving a disclosure

- 1.1 Listen carefully and keep an open mind. Do not take a decision as to whether or not the abuse has taken place.
- 1.2 Do not ask leading questions, i.e. a question which suggests its own answer.
- 1.3 Reassure the pupil but not give a guarantee of absolute confidentiality. Explain the need to pass on the information in accordance with this policy so that the correct action can be taken.
- 1.4 Keep a sufficient written record of the conversation (see 2 below). All other evidence, for example, scribbled notes, mobile phones containing text messages, clothing, computers, must be kept securely with the written record.
- 1.5 Pass on the record when reporting the concern in accordance with this policy.

### 2 Recording a concern

- 2.1 Staff must record all concerns in writing.
- 2.2 Records should be factual and signed and dated, with the name of the signatory clearly printed in writing. Records should include:
  - 2.2.1 the pupil's details: name; date of birth; address and family details;
  - 2.2.2 date and time of the event / concern / conversation;
  - 2.2.3 the action taken and by whom;
  - 2.2.4 the name and position of the person making the record.
- 2.3 The School has a pro forma record which should be completed and passed on when reporting the matter in accordance with this policy. This pro forma is available [• details]. The record can be completed after an initial discussion with the DSL and completed with the DSL where appropriate.

### 3 Receiving a report of harmful sexual behaviour

- 3.1 Additional guidance about how to manage a report of harmful sexual behaviour is provided in Part 5 KCSIE. This includes the following advice:
  - 3.1.1 Only record the facts as the child presents them.
  - 3.1.2 Where the report includes an online element, do not view or forward illegal images of a child. See paragraph 3.9 of Appendix 1 above and the UK Council for Child Internet Safety's advice note [Sexting in schools and colleges: responding to incidents and safeguarding young people \(August 2016\)](#) for advice about what to do when viewing an image is unavoidable.
  - 3.1.3 Manage reports with another member of staff present (preferably the DSL or DDSL), if possible.
  - 3.1.4 Inform the DSL as soon as practically possible if the DSL is not involved in the initial report.

#### 4 **Use of reasonable force**

- 4.1 There are circumstances when it would be appropriate for staff to use reasonable force to safeguard pupils. 'Reasonable' in these circumstances means using no more force than is needed.
- 4.2 Staff should refer to Appendix 3 of the School's behaviour and discipline policy and the staff code of conduct for more detailed guidance about the use of reasonable force.

## Appendix 3 Dealing with allegations against staff

### 1 The School's procedures

- 1.1 The School's procedures for dealing with allegations made against staff will be used where the member of staff has:
  - 1.1.1 behaved in a way that has harmed a child, or may have harmed a child;
  - 1.1.2 possibly committed a criminal offence against or related to a child; or
  - 1.1.3 behaved towards a child or children in a way that indicates he or she would pose a risk of harm if he or she work regularly or closely with children.
- 1.2 Any allegations not meeting this criteria will be dealt with in accordance with the Brent Family Front Door procedures. Advice from the Designated Officer will be sought in borderline cases.
- 1.3 All such allegations must be dealt with as a priority without delay.
- 1.4 The local authority has designated a particular officer, or team of officers, to be involved in the management and oversight of allegations against people that work with children (Designated Officer(s)). The Designated Officer(s) will be informed immediately and in any event within one working day of all allegations that come to the School's attention and appear to meet the criteria in paragraph 1.1 above.
- 1.5 Allegations against a teacher who is no longer teaching and historical allegations will be referred to the police.

### 2 Reporting an allegation

- 2.1 Where an allegation or complaint is made against any member of staff (other than the Head), including the DSL, the matter should be reported immediately to the Head. The allegation will be discussed immediately with the Designated Officer(s) before further action is taken. Where appropriate, the Head will consult with the DSL.
- 2.2 Where an allegation or complaint is made against the Head, the matter should be reported immediately to the Board Level Lead for Safeguarding, without first notifying the Head. The allegation will be discussed immediately with the Designated Officer(s) before further action is taken.
- 2.3 Where an allegation is made against the Proprietor, the allegation should be reported directly to the Designated Officer(s) immediately with no internal investigation.
- 2.4 If it is not possible to report to the Head or Board Level Lead for Safeguarding in the circumstances set out above, a report should be made immediately to the DSL. The DSL will take action in accordance with these procedures and will as soon as possible inform the Head or, where appropriate, the Board Level Lead for Safeguarding.
- 2.5 The person taking action in accordance with the procedures in this Appendix is known as the **Case Manager**.

### 3 Disclosure of information

- 3.1 The Case Manager will inform the accused person of the allegation as soon as possible after the Designated Officer(s) has been consulted.
- 3.2 The parents or carers of the child / children involved will be informed of the allegation as soon as possible if they do not already know of it. They may also be kept informed of the progress of the case, including the outcome of any disciplinary process. The timing and extent of disclosures, and the terms on which they are made, will be dependent upon and subject to the laws on confidence and data protection and the advice of external agencies.
- 3.3 Where the Designated Officer(s) advises that a strategy discussion is needed, or the police or children's social care need to be involved, the Case Manager will not inform the accused or the parents or carers until these agencies have been consulted and it has been agreed what information can be disclosed.
- 3.4 The reporting restrictions preventing the identification of a teacher who is the subject of such an allegation in certain circumstances will be observed.

#### **4 Further action to be taken by the School**

- 4.1 A school has a duty of care towards its employees and as such, it must ensure that effective support is provided for anyone facing an allegation. The School will take action in accordance with Part 4 of KCSIE and the School's employment procedures.
- 4.2 **Early Years Foundation Stage (EYFS)**
  - 4.2.1 The School will inform Ofsted of any allegations of serious harm or abuse by any person living, working or looking after children on the premises of the EYFS provision (whether that allegation relates to harm or abuse committed on the premises or elsewhere), and will provide details of the action taken in respect of those allegations.
  - 4.2.2 These notifications will be made as soon as reasonably practicable, but in any event within 14 days of the allegations being made.

#### **5 Ceasing to use staff**

- 5.1 If the School ceases to use the services of a member of staff because they are unsuitable to work with children, a settlement agreement will not be used and a referral to the Disclosure and Barring Service (**DBS**) will be made promptly if the criteria for a referral are met. Any such incidents will be followed by a review of the safeguarding procedures within the School, with a report being presented to the Proprietor without delay. The School may also need to consider a referral to the DBS if a member of staff is suspended, or deployed to another area of work that is not regulated activity.
- 5.2 If a member of staff tenders his or her resignation, or ceases to provide his or her services at a time when child protection concerns exist in relation to that person, those concerns will still be followed up by the School in accordance with this policy and a referral to the DBS will be made promptly if the criteria for referral are met.
- 5.3 Separate consideration will be given as to whether a referral to the Teaching Regulation Authority (**TRA**) should be made where a teacher has been dismissed, or would have been dismissed had he / she not resigned, because of unacceptable professional conduct, conduct that may bring the profession into disrepute, or a

conviction at any time for a relevant offence. An interim referral to the TRA may also be considered and made if appropriate.

## **6 Malicious allegations**

- 6.1 Where an allegation by a pupil is shown to have been deliberately invented or malicious, the Head will consider whether to take disciplinary action in accordance with the School's behaviour and discipline policy.
- 6.2 Where a parent has made a deliberately invented or malicious allegation the Head will consider whether to require that parent to withdraw their child or children from the School on the basis that they have treated the School or a member of staff unreasonably.
- 6.3 Whether or not the person making the allegation is a pupil or a parent (or other member of the public), the School reserves the right to contact the police to determine whether any action might be appropriate.

## **7 Record keeping**

- 7.1 Details of allegations found to be malicious will be removed from personnel records.
- 7.2 For all other allegations, full details will be recorded on the confidential personnel file of the person accused.
- 7.3 An allegation proven to be false, unsubstantiated or malicious will not be referred to in employer references. In accordance with KCSIE, a history of repeated concerns or allegations which have all been found to be false, unsubstantiated or malicious will also not be included in any reference.
- 7.4 The School will retain all safeguarding records and relevant personnel records for so long as reasonably required.<sup>5</sup>

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<sup>5</sup> In accordance with the terms of reference of the Independent Inquiry into Child Sexual Abuse all Schools are required to retain information which relates to allegations (substantiated or not) of organisations and individuals who may have been involved in, or have knowledge of child sexual abuse or child sexual exploitation; allegations (substantiated or not) of individuals having engaged in sexual activity with, or having a sexual interest in, children; institutional failures to protect children from sexual abuse or other exploitation.

## **Appendix 4 Responsibilities of the Designated Safeguarding Lead (DSL)**

- 1 The name and contact details of the DSL and Deputy DSL are set out in the contacts list at the front of this policy.
- 2 In accordance with Annex B of KCSIE, the main responsibilities of the DSL are:

### **2.1 Managing referrals**

#### **2.1.1 The DSL is expected to:**

- (a) refer cases of suspected abuse to the local authority children's social care as required;
- (b) support staff who make referrals to the local authority children's social care;
- (c) refer cases to the Channel programme where there is a radicalisation concern as required;
- (d) support staff who make referrals to the Channel programme;
- (e) refer cases where a person is dismissed or has left due to risk / harm to a child to the Disclosure and Barring Service (**DBS**) as required; and
- (f) refer cases where a crime may have been committed to the police as required.

### **2.2 Work with others**

#### **2.2.1 The DSL is expected to:**

- (a) liaise with the Head to inform him / her of issues especially ongoing enquiries under section 47 of the Children Act 1989 and police investigations;
- (b) as required, liaise with the Case Manager (see Appendix 3 of this policy) and the designated officer(s) at the local authority for child protection concerns in cases which concern a staff member;
- (c) liaise with staff (especially pastoral support staff, school nurses, IT technicians and SENCOs/named person with oversight for SEN) on matters of safety and safeguarding (including online and digital safety) and when deciding whether to make a referral by liaising with relevant agencies;
- (d) act as a source of support, advice and expertise for staff.

### **2.3 Raise awareness**

#### **2.3.1 The DSL should:**

- (a) ensure the School's child protection and safeguarding policies and processes are known, understood and used appropriately;
- (b) ensure this policy is reviewed annually (as a minimum) and the procedures and implementation are updated and reviewed regularly, and work with the Proprietor regarding this;

- (c) ensure this policy is available publicly and parents are aware that referrals about suspected abuse or neglect may be made and the role of the School in this;
- (d) link with the Local Safeguarding Children Board to make sure staff are aware of any training opportunities and the latest local policies on local safeguarding arrangements.

## 2.4 Child protection file

- 2.4.1 Where children leave the School the DSL shall ensure their child protection file is copied for any new school or college as soon as possible. This will be transferred separately from the main pupil file, ensuring secure transit and confirmation of receipt will be obtained.
- 2.4.2 In addition, the DSL will consider if it is appropriate to share any information with the new school or college in advance of a child leaving.
- 2.4.3 On receiving a child protection file, the DSL will ensure that key staff are aware as required, including the SENCO / named person with oversight for SEN.

## 2.5 Prevent

- 2.5.1 In accordance with the *Prevent duty guidance for England and Wales* and *Channel duty guidance: protecting vulnerable people from being drawn into terrorism* (HM Government, July 2015) the DSL has, in addition, the following responsibilities:
  - (a) acting as the first point of contact for parents, pupils, teaching and non-teaching staff and external agencies in all matters relating to the Prevent duty;
  - (b) co-ordinating Prevent duty procedures in the School;
  - (c) liaising with local prevent co-ordinators, the police and local authorities and through existing multi-agency forums, including referrals to the Channel Police Practitioner and / or the police where indicated;
  - (d) undergoing WRAP or other appropriate training;
  - (e) maintaining ongoing training programme for all school employees including induction training for all new employees and keeping records of staff training; and
  - (f) monitoring the keeping, confidentiality and storage of records in relation to the Prevent duty.

## 2.6 Training

- 2.6.1 The DSL and the Deputy DSL have undertaken training to provide them with the knowledge and skills required to carry out the role. This training includes Prevent duty awareness training and will be updated at least every two years. In addition, their knowledge and skills will be refreshed at regular intervals, at least annually, to allow them to understand and keep up with any developments relevant to their role so they:

- (a) understand the assessment process for providing early help and statutory intervention, including local criteria for action and local authority children's social care referral arrangements;
- (b) 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;
- (c) ensure each member of staff has access to and understands the School's child protection and safeguarding policy and procedures, especially new and part-time staff;
- (d) are alert to the specific needs of children in need, those with special educational needs and young carers;
- (e) are able to keep detailed, accurate, secure written records of concerns and referrals;
- (f) understand and support the School with regard 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;
- (g) 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;
- (h) 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;
- (i) obtain access to resources and attend any relevant or refresher training courses;
- (j) encourage a culture of listening to children and taking account of their wishes and feelings, among all staff, in any measures the School may put in place to protect them.