



THE HARMONY TRUST

Child Protection & Safeguarding Policy

This policy is for Carlyle Infant and Nursery Academy.

Reviewed July 2023

Document Control

Description	By Whom	Date
Established	TM	14.11.14
Latest Review	Debbie Beeston (Trust Head of Safeguarding) Sarah Curtis (Academy Leadership)	July 2022
Approved by Trustees	Anne Weinstock (Chair of Trustees)	October 2023
Next Full Review due		September 2024

Signed:

Date: 6.10.2023

Contents

Our Policy – Harmony Trust statement	5
Use of terms ‘victim’ and ‘alleged perpetrator’	7
1. Responsibilities	7
Trust Executive Leadership Team and Academy Leaders	7
Board of Trustees	8
Human Rights Act	9
Equality Act 2010	10
Public Sector Equality Duty	10
The Designated Safeguarding Lead	11
Carlyle Infant and Nursery Academy will:	16
All staff:	16
Staff training	17
2. Child Protection – early identification	18
Children potentially at greater risk of harm	19
Children who need a social worker (Child in Need and Child Protection plans)	19
Children who are absent from education	19
Elective Home Education (EHE)	20
Children requiring mental health support	20
Looked after children and previously looked after children	21
Children with SEN and disabilities or physical health issues	21
Other circumstances	21
Physical abuse	22
Emotional abuse	22
Sexual abuse	23
Neglect	23
3. Specific Safeguarding Issues	25
Most prevalent safeguarding issues at Carlyle Infant and Nursery	25
Domestic Abuse	25
Parental Mental Health	27
Parental Substance Misuse	29
Children and the court system	30
Online Safety	30
Private fostering – LA notification when identified	30
Preventing Radicalisation	31
The Prevent Duty	32
Other specific issues we remain vigilant to (in alphabetical order)	33
Child abduction and community safety incidents	33
Children who are absent from education	33
Children absent from education and children missing education	34
Child Sexual Exploitation (CSE) and Child Criminal Exploitation (CCE)	35
Children with family members in prison	36
County Lines	36
Cybercrime	37
Fabricated or Induced Illness/ Perplexing Presentations	38
Faith abuse	38
Female Genital Mutilation	38
Forced Marriage	39
So-called “Honour-based” abuse, including Female Genital Mutilation (FGM) and Forced Marriage	39

Homelessness	40
Modern Slavery and the National Referral Mechanism.....	40
Sexual violence and sexual harassment between children	41
4. Child-on-Child abuse.....	41
Bullying, including Cyber Bullying.....	44
Upskirting	45
The response to a report of sexual violence or sexual harassment	45
Sharing of Nudes & Semi-Nude Images and/or videos also known as Youth Produced Sexual Imagery/ Sexting.....	46
5. What staff should do if they have concerns about a child	46
Key Contact details	46
National Sources of Support	48
If a child makes a disclosure or staff have concerns:.....	48
Early Help	49
Referrals to Children's Social Care	50
Record Keeping	51
Whistleblowing	52
6. Opportunities to teach safeguarding within the curriculum	52
Relationships & Health Education (RHE)	52
Safeguarding in the EYFS	53
Childcare disqualification	53
7. Online Safety	54
Filters and monitoring on site	55
Information security and access management	56
Online safety at home	56
Safeguarding pupils and teachers online.....	57
Publishing photographs/ children's work on the Academy Website/ Social Media	57
Reviewing online safety	57
Reporting concerns	58
Harmful or upsetting content	58
Bullying or abuse online	58
Communicating with parents, carers and pupils	59
Virtual lessons and live streaming	59
Staff Training	59
8. Safe touch and The Use of Reasonable force	60
Safe touch.....	60
The Use of Reasonable Force	60
Positive Handling (Calming a Dysregulating Child)	61
9. Looked after children and Previously looked after children.....	62
Virtual School Heads	63
10. Information Sharing and Record Keeping	63
Confidentiality, record keeping and file retention	64
11. Safer Recruitment – These procedures are Trust-wide.....	65
Single Central Record	66
Agency and third-party staff (supply staff).....	67
Volunteers	67
Contractors.....	68
Trainee/ student teachers.....	68
Visitors.....	68

12. Allegations made against/ Concerns raised in relation to teachers, including supply teachers, other staff, volunteers and contractors	69
Supply teachers and all contracted staff.....	71
Organisations or individuals using school premises	71
Members and Trustees	71
Initial considerations	72
Supporting those involved	73
Confidentiality and Information sharing.....	74
Allegation outcomes	75
Following a criminal investigation or a prosecution.....	76
Returning to work	77
Managing the situation and exit arrangements	77
Record Keeping	78
Oversight and monitoring	78
Suspension	79
Specific actions following a criminal investigation or prosecution	80
Conclusion of the case	81
Unsubstantiated, unfounded, false or malicious allegations	81
Learning lessons.....	82
Non recent allegations.....	82
Concerns that do not meet the harm threshold.....	82
Low level concerns	82
What is a low-level concern?	83
Staff code of conduct and safeguarding policies	83
Sharing low level concerns	84
Recording low level concerns	84
References	85
Responding to low-level concerns	85
13. Child-on-child sexual violence and sexual harassment	85
Responding to reports of sexual violence and sexual harassment	87
Harmful sexual behaviour.....	89
Reporting concerns	91
Considering confidentiality and anonymity	93
Equality Impact Assessment	102
Data Protection Statement.....	102
Appendix 1: Professional Boundaries.....	103
Appendix 2A: Process following disclosure or suspicion of abuse or neglect	104
Appendix 2B: Flowchart following a referral to Children’s Social Care – taken from KCSIE 2023	105
Appendix 2C: Flowchart of the referral process to the initial Response Team at Derby City Council	106
Appendix 3 - Designated Safeguarding Lead – Flowchart for what to do if a Child Protection concern is received	107
Appendix 4A - Resolving Professional Disagreements and Escalating Complaints in Child Protection referrals - Derby.	108
Appendix 4B - Multi-Agency Dispute Resolution and Escalation Template -stages 3 & 4 - Derby	109
Appendix 5 - Information Sharing	111
Appendix 6 – Safeguarding Training Requirements	112

Appendix 7 How we record Child Protection-related incidents and other concerns/information	115
--------------------------------------------------------------------------------------------------	-----

This safeguarding policy should be provided to all staff – including temporary staff and volunteers/students – on induction. It includes the Child Protection Policy and the role of the Designated Safeguarding Lead.

All staff who work directly with children should also read at least part 1 of ‘Keeping Children Safe in Education’ September 2023. Staff who do not work directly with children should also read Annex A (a condensed version of Part one) as agreed by Trustees. These documents are provided at induction and annual refresher training.

At induction, all staff should receive;

- This policy (which includes procedures to deal with child-on-child abuse)
- The Academy Behaviour Policy
- The Academy Anti Bullying Policy
- The Staff Code of Conduct
- The safeguarding response to children who are absent from education, particularly on repeat occasions and/or prolonged periods
- The role of the designated safeguarding lead (including the identity of the DSL and any deputies and;
- The whistleblowing policy

These policies should be referred to during refresher training and sent out again when updated.

Our Policy – Harmony Trust statement

At the Harmony Trust we recognise that **safeguarding and promoting the welfare of children is everyone’s responsibility**. Everyone who comes into contact with children and their families has an important role to play in safeguarding children. Our staff aim to work effectively with Social Care, the Police, health and other services to promote the welfare of children and protect them from harm. At all times, we should ensure our approach is child-centred and consider what is in the **best interests** of the child and act accordingly. We recognise the additional barriers that exist when recognising abuse and neglect of children who have special educational needs and / or disabilities.

We will put into place clear policies, systems, and strategies to ensure the safeguarding and welfare of pupils especially those relating to Child Protection, behaviour and anti bullying, safer recruitment of staff, health and safety, harassment, and discrimination.

All those who work within the Trust, including Trust Directors and Trustees, will put the safeguarding of pupils as their highest priority to ensure that all children are free to learn without worry or fear of harm.

The Trust follows the procedure as laid down by the local Safeguarding Partners (Social Care, Police and health services) as relevant to each academy, respects issues of confidentiality and gives priority to working together with other agencies to protect children in our care.

This policy applies to all members of the trust and academy community: full time and part time staff, trustees, students and volunteers.

This policy is written in accordance with Government guidance including;

- Keeping Children Safe in Education-Sep 2023,
- Working Together to Safeguard Children –July 2018 (updated 1.7.22),
- What to do if you're worried a child is being abused March 2015,
- Sexual Violence and Sexual Harassment between Children in Schools and Colleges 2021,
- Information Sharing: Advice for Practitioners 2018,
- Preventing Children from radicalisation: the Prevent duty Aug 2015 (update April 2021), The Prevent duty: for schools and childcare providers,
- Disqualification Under the Childcare Act 2018,
- The statutory framework for the EYFS (2021),
- Guidance for safer working practices (February 2022) and;
- Locally through the Local Safeguarding Partner Policies and Procedures.

Staff have been involved in shaping this policy.

Here at the Harmony Trust, we define safeguarding as:

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

"Children" includes everyone under the age of 18.

It is not just about protecting children from deliberate harm or neglect. We recognise that it also relates to broader aspects of care:

- Children's health and safety and well-being, **including their mental health**
- Meeting the needs of children with SEN and disabilities
- The use of reasonable force
- Meeting the needs of children with medical conditions
- Providing first aid
- Ensuring that educational visits are safe
- Intimate care
- Children's emotional well-being
- Online safety
- School security

All staff within the Harmony Trust have a responsibility to provide a safe environment in which children can learn.

They also have a responsibility to identify children who may need extra help or who are suffering, or are likely to suffer, significant harm and to take appropriate action, working with other services as needed.

All staff should be prepared to identify children who may benefit from Early Help, discussing this with the Designated Safeguarding Lead and then supporting other agencies and professionals in an Early Help assessment.

Use of terms 'victim' and 'alleged perpetrator'

Throughout this policy the terms 'victim' is used in parts as per KCSIE 2023. Whilst the term 'victim' is a widely recognised and understood term, as a Trust we do recognise that not everyone who has been subjected to abuse considers themselves a victim or would want to be described in this way. We are therefore very conscious of this when managing any incident and will use any term with which the individual child is most comfortable. Where there has been an incident of child on child abuse, including sexual behaviours, we will use the phrase, **'the child/ren who has/have who have allegedly had inappropriate behaviour shown towards them by another child/ren.'**

In places, throughout this policy, the term **'alleged perpetrator/s'** and where appropriate 'perpetrator(s)' is used as per KCSIE 2023. Whilst the term 'alleged perpetrator' is a widely used and recognised term, we as a Trust are very aware that this is not the most appropriate phrase to use when speaking in front of children or about children, not least because in some cases the abusive behaviour will have been harmful to the alleged perpetrator as well. Where there has been an incident of child on child abuse, including sexual behaviours, we will use the phrase, **'the child/ren who has/have allegedly carried out the inappropriate behaviour towards another child/ren.'**

1. Responsibilities

Trust Executive Leadership Team and Academy Leaders

The Trust Executive Leadership and Academy Leadership Teams must fully support the role and responsibilities of the Designated Safeguarding Lead and ensure that:

- Staff are aware of policy and procedures
- Statutory responsibilities are met in relation to checking the backgrounds of staff who work with children and learners
- Volunteers are risk assessed and appropriately supervised
- Inter-agency procedures are known and followed in line with all statutory guidance including Keeping Children Safe in Education (2022), The statutory framework for EYFS (2021) and Working Together to Safeguard Children 2018.
- Time, training and resources are available for the designated teacher to carry out their role and responsibilities
- Staff have the skills, knowledge and understanding necessary to keep all children, including looked after children, safe.
- Children are safeguarded from potentially harmful and inappropriate online materials through filters, monitoring systems and an appropriate online safety & RHE curriculum.

Termly reports will be sent by the academies regarding safeguarding data.

Termly reports will be made to the Trust Executive Leadership Team and Safeguarding Trustee which will detail training and key issues. This will support the Leadership Team to meet their obligations including reviewing policy and procedures.

Board of Trustees

The Board of Trustees has responsibility for Child Protection and safeguarding. They should;

- Establish a culture of listening to children and taking account of their wishes and feelings, both in individual decisions and the development of services
- Make certain that a senior board level lead takes leadership responsibility for the organisation's safeguarding arrangements
- Appoint a Designated Professional Lead for safeguarding across the trust
- Ensure that the Safeguarding Policy is updated annually
- Put into place an effective Child Protection Policy for each academy together with a Staff Code of Conduct. In the Harmony Trust the Safeguarding Policy includes the Child Protection Policy.
- Ensure there are procedures in place to handle allegations of child-on-child abuse
- Ensure there are procedures in place to ensure all staff are confident in their understanding of the Prevent framework
- Ensure teachers understand their duties under FGM legislation
- Ensure there are appropriate safeguarding responses in place to children who go missing from education, particularly on repeat occasions, to help identify the risk of abuse and neglect, including sexual abuse or exploitation, and to prevent the risks of their going missing in future
- All Trustees must undertake regular, appropriate Safeguarding Training in order to ensure that they are able to both comply with trustee duties under legislation and so that the Trustees' strategic leadership responsibility for the Trust's/ Academies' wider safeguarding arrangements can be fulfilled.
- Make sure that at least one person on any appointment panel has undertaken Safer Recruitment training
- Ensure a member of the Board, is nominated to liaise with the Designated Officer from the Local Authority and partner agencies in the event of allegations of abuse made against the CEO (this is delegated to the CEO or their representative in the case of an allegation being made against a Principal / Executive Principal)
- Implement clear whistleblowing procedures, which are suitably referenced in staff training and codes of conduct, and a culture that enables issues about safeguarding and promoting the welfare of children to be addressed
- Employ Safer Recruitment practices for individuals whom the organisation will permit to work regularly with children, including policies on when to obtain a criminal record
- Provide appropriate supervision and support for staff, including undertaking safeguarding training
- Make certain that mechanisms are in place to enable staff to carry out their responsibilities for safeguarding and promoting the welfare of children
- Create an environment where staff feel able to raise concerns and feel supported in their safeguarding role
- Make certain that all staff receive a mandatory induction, which includes familiarisation with Child Protection responsibilities and procedures to be followed if anyone has any concerns about a child's safety or welfare, the Staff Code of Conduct and whistleblowing;

- Implement clear policies in line with those from the Local Safeguarding partnership for dealing with allegations against people who work with children. Such policies should make a clear distinction between an allegation, a concern about the quality of care or practice or a complaint.
(An allegation may relate to a person who works with children who has behaved in a way that has harmed a child, or may have harmed a child, possibly committed a criminal offence against or related to a child or behaved towards a child or children in a way that indicates they may pose a risk of harm to children. This may include behaviour which indicates they may not be suitable to work with children).
- Where the academy hires out/leases use of the academy facilities to organisations (for example to community groups, sports associations, and service providers to run community or extra-curricular activities) trustees should ensure that appropriate arrangements are in place to keep children safe. Where services or activities are provided separately by another body, trustees should ensure therefore that assurance is sought 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 to liaise with the academy 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. Trustees 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.

An annual report will be provided to Trustees which details training and supports Trustees to meet their obligations including reviewing policy and procedures. Detailed termly reports are made available to and scrutinised by the Safeguarding Trustee. Exception reports will be provided when appropriate. Trustees are aware of their obligations under the Human Rights Act 1998 21, the Equality Act 2010²², (including the Public Sector Equality Duty²³), and their local multi-agency safeguarding arrangements.

Human Rights Act

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)

Equality Act 2010

Schools and colleges have obligations under the Equality Act 2010 (the Equality Act).

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, Trustees 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 or students 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. A school could, for example, consider taking positive action to support girls if there was evidence they were being disproportionately subjected to sexual violence or sexual harassment.

Guidance to help schools understand how the Equality Act affects them and how to fulfil their duties under the act can be found at [Equality Act 2010: advice for schools - GOV.UK \(www.gov.uk\)](http://Equality Act 2010: advice for schools - GOV.UK (www.gov.uk)) For further information [Equality Act guidance | Equality and Human Rights Commission \(equalityhumanrights.com\)](http://Equality Act guidance | Equality and Human Rights Commission (equalityhumanrights.com))

Public Sector Equality Duty

The Public Sector Equality Duty (PSED) is found in the Equality Act. Compliance with the PSED is a legal requirement for state-funded schools, advice on this – including on specific duties, is set out in the advice linked in paragraph 90. 92.

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 (see para 87) 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

The PSED helps schools (which are subject to it) to focus on key issues of concern and how to improve pupil and student outcomes. Some pupils or students may be more at risk of harm from specific issues such as sexual violence, homophobic, biphobic or transphobic bullying or racial discrimination. Such concerns will differ between education settings, but it is important that Trustees and leaders are conscious of disproportionate vulnerabilities and integrate this into their safeguarding policies and procedures. For further information please see [Technical Guidance on the Public Sector Equality Duty: England | Equality and Human Rights Commission \(equalityhumanrights.com\)](#)

The Designated Safeguarding Lead

Every Academy has a Designated Safeguarding Lead and a deputy/ies who will provide support to staff members to carry out their safeguarding duties and who will liaise closely with other services such as Children's Social Care.

Carlyle Infant and Nursery Academy has a Designated Safeguarding Lead and Deputies who will provide support to staff members to carry out their safeguarding duties and who will liaise closely with other services such as Children's Social Care.

The Designated Safeguarding Leads for Carlyle Infant and Nursery Academy are; Sarah Curtis (DSL), Kelly Kerry, Sian Elliott, Mia Chera & Mel Squire (DDSLs)

The Assistant Director for Safeguarding, Estates and Compliance is Wendy May.

The Head of Safeguarding and Family Support is Debbie Beeston.

The role of the Designated Safeguarding Lead

The Designated Safeguarding Lead is a **Senior member of** staff, who has the appropriate authority and is 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 any inter-agency meetings and/or to support other staff to do so contribute to the assessment of children. The Executive Principal or Principal is responsible for ensuring that there is always cover for this important role.

Whilst the activities of the Designated Safeguarding Lead can be delegated to appropriately trained Deputies, the ultimate **lead responsibility** for Child Protection, as set out above, remains with the Designated Safeguarding Lead; this responsibility should not be delegated.

Training, knowledge and skills for the Designated Safeguarding Lead and Deputies

The Designated Safeguarding Lead (and any deputies) undergo specific DSL training to provide them with the knowledge and skills required to carry out the role and this training is

updated at least every two years. See Appendix 6 for the training expectations and frequency of updates for DSLs/DDSLs

Training should provide Designated Safeguarding Leads with a good understanding of their own role, how to identify, understand and respond to specific needs that can increase the vulnerability of children, as well as specific harms that can put children at risk, the processes, procedures and responsibilities of other agencies, particularly children's social care, so they:

- 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;
- 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;
- Understand the importance of the role the Designated Safeguarding Lead has in providing information and support to children social care in order to safeguard and promote the welfare of children;
- Understand the lasting impact that adversity and trauma can have, including on children's behaviour, mental health and wellbeing, and what is needed in responding to this in promoting educational outcomes;
- Are alert to the specific needs of children in need, those with special educational needs and disabilities (SEND), those with relevant health conditions and young carers;
- Understand the importance of information sharing, both within the academy, and with the safeguarding partners, other agencies, organisations and practitioners;
- Understand and support the school or college 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 (including an understanding the filtering and monitoring systems and processes in place) 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 or college;
- Can recognise the additional risks that children with special educational needs and disabilities (SEND) face online, for example, from online bullying, grooming and radicalisation and are confident they have the capability to support children with SEND to stay safe online;
- Obtain access to resources and attend any relevant or refresher training courses; and,
- Encourage a culture of listening to children and taking account of their wishes and feelings, among all staff, in any measures the academy may put in place to protect them.

In addition to the formal training set out above, DSL/DDSL's knowledge and skills should be refreshed (this might be via e-bulletins, meeting other Designated Safeguarding Leads at Trust and LA DSL network meetings, 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.

Each Designated Safeguarding Lead should:

Manage Referrals

- Refer cases of suspected abuse and neglect to the LA Children's Social Care as required and support other staff involved in this
- Support staff who may need to make referrals to LA Social Care
- Gather information from relevant staff in order to support making a referral
- Refer cases to the Channel programme where there is a radicalisation concern
- Refer cases to the DBS where a person is dismissed or left due to risk / harm to a child
- Refer cases to the Police where a crime may have been committed.
- Press for re-referral if a child's situation doesn't appear to be improving or if there are continued fears that needs have not been addressed (see flowchart appendix 4A)

Work with others

- Act as a source of support, advice and expertise for all staff
- Act as a point of contact with the safeguarding partners
- Liaise with the principal to inform him or her of issues- especially ongoing enquiries under section 47 of the Children Act 1989 and police investigations. This should include being aware of the requirement for children to have an Appropriate Adult. Further information can be found in the Statutory guidance - PACE Code C 2019.
- As required, liaise with the "case manager" (as per Part four) and the local authority designated officer(s) (LADO) for child protection concerns in cases which concern a staff member
- Liaise with staff (especially teachers, pastoral support staff, school nurses, IT technicians, senior mental health leads and special educational needs coordinators (SENCO's), on matters of safety and safeguarding and welfare (including online and digital safety) and when deciding whether to make a referral by liaising with relevant agencies so that children's needs are considered holistically
- Liaise with the senior mental health lead and, where available, the mental health support team, where safeguarding concerns are linked to mental health
- Promote supportive engagement with parents and/or carers in safeguarding and promoting the welfare of children, including where families may be facing challenging circumstances
- Work with the headteacher and relevant strategic leads, taking lead responsibility for promoting educational outcomes by knowing the welfare, safeguarding and child protection issues that children in need are experiencing, or have experienced, and identifying the impact that these issues might be having on children's attendance, engagement and achievement at school. This includes:
 - Ensuring that the school knows who its cohort of children who have or have had a social worker are, understanding their academic progress and attainment, and maintaining a culture of high aspirations for this cohort, and
 - Supporting teaching staff to provide additional academic support or reasonable adjustments to help children who have or have had a social worker reach their potential, recognising that even when statutory social care intervention has ended, there is still a lasting impact on children's educational outcomes

Understand the views of children

It is important that children feel heard and understood. Therefore, Designated Safeguarding Leads should be supported in developing knowledge and skills to:

- Encourage a culture of listening to children and taking account of their wishes and feelings, among all staff, and in any measures the school or college may put in place to protect them; and
- Understand the difficulties that children may have in approaching staff about their circumstances and consider how to build trusted relationships which facilitate communication

Undertake and support staff training

- Attend Designated Safeguarding Lead training. This must be updated at least every two years (see KCSIE 2023 appendix B for information about what this should entail)
- Attend Prevent awareness training every 2 years and Prevent Lead Training for DSLs every 2 years
- Keep up to date with latest developments through meeting other Safeguarding Leads or reading relevant bulletins (at least annually)
- Understand the assessment process for Early Help and statutory intervention, including local criteria for action
- 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
- are alert to the specific needs of children in need, those with special educational needs and young carers
- 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;
- 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;
- Ensure that all staff coming into contact with children know what signs to look for that might indicate abuse and know what action they should take to report any concerns
- Make certain that staff know how they should react and the steps they should take if a child discloses information to them
- Make sure that staff also know how to any report concerns they might have about other staff

Keep records

- Keep detailed, accurate, secure written records of concerns and referrals. This should include;
 - 1) Clear and comprehensive summary of the concern

- 2) Details of how the concern was followed up and resolved
- 3) Any action taken, decisions reached and the outcome
- Pass on information when the child changes schools. Child Protection files should be passed on separately to the main file, ensuring secure transit. Confirmation of receipt should be obtained. The DSL has responsibility for ensuring relevant information is passed to a new school and this should be done within 5 days for in year transfers or within 5 days of the start of a new term.
- Ensure information sharing is appropriate and is in line with “Information sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers (Jul 18) and the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR)

Raise awareness

- Ensure that safeguarding policies and procedures are known, understood and used appropriately
- Ensure each member of staff has access to, and understands, the Trust’s safeguarding (including Child Protection) policy and procedures, especially new and part time staff
- Ensure each member of staff has access to, and understands, the Academy’s safeguarding Child Protection and Safeguarding Policy and Procedures, especially new and part time staff
- Ensure the Academy’s Safeguarding (including Child Protection) Policy is reviewed annually (in liaison with the Trust Head of Safeguarding)
- Ensure the Safeguarding (including Child Protection) Policy is available publicly and parents are aware of the fact referrals about suspected abuse and neglect may be made
- Link with the Local Safeguarding Partnership to make sure staff are aware of training opportunities and the latest local policies re safeguarding
- 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. Ensure that school 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.

Availability

- During term time, the safeguarding lead (or a Deputy) should always be available during school hours for staff to discuss safeguarding concerns. Generally, this should be in person but there may be exceptional circumstances where availability via telephone is acceptable
- The academy Principal and DSL must ensure there are appropriate cover arrangements for any out of hours / out of term activities

Holidays – School is not open to pupils during the holidays. Email contact can be made using the safeguarding e-mail address – safeguarding@carlyle.theharmonytrust.org
Any emergencies will be followed up by a member of the safeguarding team.

Carlyle Infant and Nursery Academy will:

- Ensure admission and attendance registers are accurate and procedures are followed regarding Children Missing in Education
- Provide termly data to the Trust including data covering the number of cause for concern forms raised, incidents reported to external agencies and the outcomes, accidents, behaviour and attendance so that this can be effectively monitored
- Provide termly information to the Trust to facilitate the completion of the termly report for ELT and Trustees
- Use the available data to monitor the effectiveness of the Child Protection Policy and evaluate whether mechanisms in place to enable staff to understand their responsibilities as described in *Keeping Children Safe in Education* (2022) are effective
- Report any issues and / or concerns that require immediate attention to the Assistant Director of Safeguarding/ Trust Head of Safeguarding/ Chief Executive as soon as is possible
- Make sure all relevant designated staff meet their responsibilities and ensure they are trained, including online safety training
- Monitor and evaluate all relevant policies at least annually to ensure they are up to date and meet the statutory requirements for safeguarding
- Use and apply the policy for Safer Recruitment for the Harmony Trust for all adults working with pupils in school
- Regularly revisit safeguarding procedures with all staff and provide necessary training as and when required
- Ensure that all children are aware of who they can talk to if they are worried or have concerns about their safety
- Take reasonable action to make sure the school site is safe and secure including by checking and monitoring visitors and anyone else using the school grounds
- Liaise with all relevant professionals including the Local Authority, Social Care, and Police
- Keep clear and accurate records of any safeguarding concerns and share them with the relevant agencies
- Where possible, admin staff will ensure that we have **more than one emergency contact number** for each child.
- Through assemblies, PSHE, Circle Time, RHE and online safety sessions, teach children how to keep themselves safe and show them how to deal sensibly with risk including when using modern technology

All staff:

- Understand that safeguarding is everyone's responsibility and act immediately if they have **any concerns** about a child's welfare or safety
- Should receive appropriate safeguarding and child-protection training, including online safety which, amongst other things, includes an understanding of the expectations, applicable roles and responsibilities in relation to filtering and monitoring.
- Have a responsibility to provide a safe environment in which children can learn
- Should be prepared to identify children who can benefit from Early Help and be aware of their local Early Help processes

- Must ensure they are aware of systems which support safeguarding, including the Children Protection procedures, the Staff Code of Conduct and the role of the Designated Safeguarding Lead
- Know who the Designated Safeguarding Lead and the Deputies are within the academy where they currently work
- Know and follow the Trust's Safeguarding and Child Protection procedures – knowing what to do if a child discloses abuse or neglect
- Know how to make a referral to Children's Social Care
- Be able to reassure victims that they are being taken seriously and that they will be supported and kept safe. A victim should never be given the impression that they are creating a problem by reporting any form of abuse and/or neglect. A victim should never be made to feel ashamed for making a report.
- 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.
- Attend meetings and training as requested by the Designated Safeguarding Lead
- Monitor any vulnerable child who is in their care and implement any Child Protection Plan for a child who is on a multi-agency Child Protection Plan or who is defined as a Child in Need
- Ensure that they do not treat any child they know to have been abused differently from other pupils
- Have an awareness of the possible indicators of abuse
- Keep any sensitive information which has been shared with them confidential
- Uphold the Staff Code of Conduct (See Annex 1 and full code of conduct)
- Are up to date with online safety through online safety training and the Trust Online Safety Policy

Staff training

All staff members should be aware of systems within our academy and the Trust which support safeguarding, and these should be explained as part of staff induction.

This includes:

- the Trust Child Protection and Safeguarding Policy plus the individual academy annex
- the academy Behaviour Policy
- the academy Anti Bullying Policy
- the Trust code of conduct
- the IT acceptable use agreement (AUA)
- the role of the Designated Safeguarding Lead in the academy and across the Trust
- the policy regarding restraint (positive handling policy)
- the safeguarding response to children who go missing from education
- the whistleblowing policy
- the online safety policy
- the trust policy for looked after and post looked after children
- the intimate care and nappy changing policy
- the use of social media policy

All staff members should also receive appropriate Child Protection training which is updated every two years. Safeguarding and Child Protection updates (e.g., email, e-bulletins and staff meetings), should be provided as required, and at least annually.

All staff members should be aware of the signs of abuse and neglect so that they are able to identify cases of children who may be in need of help or protection.

All staff should be aware of their local Early Help process and understand their role in it.

All staff should be aware of the process for making referrals to Children's Social Care

All staff should reassure victims that they are being taken seriously and that they will be supported and kept safe. Staff should ensure that a victim is never given the impression that they are creating a problem by reporting any form of abuse and/or neglect.

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. Staff must speak to the DSL (or a deputy DSL) if they have concerns about a child.

Staff members working with children are advised to maintain an attitude of 'it could happen here' where safeguarding is concerned

Where contractors or third-party organisations have staff working on academy premises regularly, the principal/ DSL must ensure that the staff coming to work on site have had appropriate child protection and safeguarding training for their role. Where such staff have not had appropriate training before working on site, the principal/DSL MUST ensure that training is undertaken or provided for these staff.

All contractors and third-party organisations MUST have completed a Single Central Record Confirmation Check Form sharing what checks and training are provided for their employees, before their employees work on a Harmony Trust Site. This is checked as part of the SCR half termly audits.

2. Child Protection – early identification

All staff should be aware that abuse, neglect 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.

Abuse or neglect may occur by somebody 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 (e.g., via the internet). An adult or adults or another child or children may abuse them. The Harmony Trust recognises that child-on-child abuse can occur, and this must be dealt with as a safeguarding matter.

All staff should be aware that safeguarding incidents and/or behaviours can be associated with factors outside the school and/or can occur between children outside of these environments. All staff, but especially the Designated Safeguarding Lead (and Deputies) should consider whether children are at risk of abuse or exploitation in situations outside their families. Extra-familial harms take a variety of different forms and children can be

vulnerable to multiple harms including (but not limited to) sexual exploitation, criminal exploitation, and serious youth violence.

All staff should be aware that technology is a significant component in many safeguarding and wellbeing issues. Children are at risk of abuse online as well as face to face. In many cases abuse will take place concurrently via online channels and in daily life.

Children potentially at greater risk of harm

All children could be at risk of harm, and we should be vigilant to this. However, some groups of pupils appear to be more vulnerable. These include (this is not an exhaustive list:)

Children who need a social worker (Child in Need and Child Protection plans)

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.

Children who are absent from education

Children being absent from education for prolonged periods and/or on repeat occasions, can act as a vital warning sign to a range of safeguarding issues, including neglect, sexual abuse, and child sexual and criminal exploitation – particularly county lines. All academies follow the clear protocols regarding persistently absent and children missing education (see CME procedures, page 31) and it is important that the academy staff consider any potential abuse, and in the case of absent pupils help to 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 local authority children's social care and need a social worker (such as a child who is a child in need or who has a child protection plan, or is a looked after child), where being absent from education may increase known safeguarding risks within the family or in the community.

Further information and support includes:

- 1) Guidance on school attendance - Working together to improve school attendance - GOV.UK (www.gov.uk)
- 2) Information regarding schools' duties regarding children missing education - Children missing education - GOV.UK (www.gov.uk)
- 3) General information and advice for schools - Missing Children and Adults strategy - GOV.UK (www.gov.uk)

Elective Home Education (EHE)

Many home educated children have an overwhelmingly positive learning experience. Parents' decisions to home educate should be made with the child's best education at the heart of the 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.

Since September 2016 the Education Regulations 2006 were amended so that schools must inform their LA of all deletions from their admission register when a child is taken off roll.

It is recommended that when a parent/ carer has expressed their intention to remove a child from school with a view to educating at home, that LAs, schools and other key professionals work together to co-ordinate a meeting with parents/ carers where possible. Ideally this should be done before a final decision has been made, to ensure that 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.

Children requiring mental health support

We have an important role to play in supporting the mental health and wellbeing of our pupils.

All staff should also be aware that mental health problems can, in some cases, be an indicator that a child has suffered or is at risk of suffering abuse, neglect or exploitation.

Only appropriately trained 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 Designated Safeguarding Lead or a Deputy.

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 staff are aware of how these children's experiences, can impact on their mental health, behaviour and education.

More information can be found in the Mental health and behaviour in schools' guidance. [Mental health and behaviour in schools \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/614442/mental-health-and-behaviour-in-schools-guidance.pdf)

We ensure there are clear systems and processes in place for identifying possible mental health problems, including routes to escalate and clear referral and accountability systems. We work with other agencies to help identify children in need of extra mental health support.

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. The Trustees should ensure that staff have the skills, knowledge and understanding to keep looked after children safe.

A previously looked after child potentially remains vulnerable and all staff should have the skills, knowledge and understanding to keep previously looked after children safe.

Please see section 9 of this policy.

Children with SEN and disabilities or physical health issues

Children with SEN or disabilities (SEND) or certain health conditions can face additional safeguarding challenges. For example:

- Assumptions that indicators of possible abuse such as behaviour, mood or injury relate to disability without further exploration.
- Being more prone to peer group isolation or bullying (including prejudice-based bullying) than other children
- The potential for children with SEND or certain medical conditions to be disproportionately impacted by behaviours such as bullying without outwardly showing signs.
- Communication barriers which make the disclosing of abuse much more difficult
- Children with SEND may find it more difficult to access the safeguarding curriculum and / or may need additional support to understand healthy relationships, safe touch, etc.
- Children with SEND, particularly traits of Autism Spectrum Disorder (ASD) could be more at risk of being radicalised.

In addition to regular safeguards, additional measures are in place. Please see the intimate care policy and other academy-specific guidance relating to individual needs. Where required, additional pastoral support is in place to support SEN pupils.

SEN pupils may require extra pastoral support and attention. Further information can be found in

- 1) [SEND code of practice: 0 to 25 years - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/send-code-of-practice-0-to-25-years)
- 2) [Supporting pupils with medical conditions at school - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/supporting-pupils-with-medical-conditions-at-school)
- 3) [Find your local IAS service \(councilfordisabledchildren.org.uk\)](https://councilfordisabledchildren.org.uk/)
- 4) [Welcome to our website! | Mencap](#)

Other circumstances

Findings from serious case reviews/ Child Safeguarding Practice Reviews suggest that children who live in circumstances where there is domestic abuse, substance misuse and adult mental health issues (the 'toxic trio' or 'cumulative risk of harm') may be more vulnerable and extra vigilance should be paid to these children.

Pupils who have been permanently excluded may also be at greater risk of harm.

Children who are young carers may also be at risk when the level of care given and responsibility to the person in need of care becomes excessive or inappropriate for that child, risking impacts on his or her emotional or physical well-being, educational achievement or life chances.

Types of abuse are:

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.

Physical abuse can happen in any family, but children may be more at risk if their parents have problems with drugs, alcohol and mental health or if they live in a home where domestic abuse happens. This is known as the “toxic trio”, or “cumulative risk of harm” and these three areas are known to be key indicators of increased risk of harm to children and young people.

Babies and disabled children also have a higher risk of suffering physical abuse. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.

Physical abuse can also occur outside of the family environment.

The following signs may be indicators of physical abuse

- Children with frequent injuries, particularly where the injury is not consistent with the explanation
- Children with unexplained or unusual fractures or broken bones
- Children with unexplained bruises or cuts, burns or scalds, or bite marks.

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 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.

The following signs may be indicators of emotional abuse

- Children who are excessively withdrawn, fearful, or anxious about doing something wrong
- Parents or carers who withdraw their attention from their child, giving the child the 'cold shoulder'
- Parents or carers blaming their problems on their child
- Parents or carers who humiliate their child, for example, by name-calling or making negative comparisons
- Seeing or hearing the ill treatment of another (exposure to domestic abuse is always considered as a safeguarding matter)

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 (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse. The sexual abuse of children by other children is a specific safeguarding issue in education.

The following signs may be indicators of sexual abuse

- Children who display knowledge or interest in sexual acts inappropriate to their age
- Children who use sexual language or have sexual knowledge that you wouldn't expect them to have
- Children who ask others to behave sexually or play sexual games
- Children with physical sexual health problems, including soreness in the genital and anal areas, sexually transmitted infections or underage pregnancy

Neglect

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 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 caregivers)
- Or ensure access to appropriate medical care or treatment.

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

Children who are neglected often also suffer from other types of abuse.

It is important that staff remain alert and do not miss opportunities to take timely action. However, while you may be concerned about a child, neglect is not always straightforward to identify.

Neglect may occur if a parent becomes physically or mentally unable to care for a child. A parent may have an addiction to alcohol or drugs, which could impair their ability to keep a child safe or result in them prioritising buying drugs or alcohol over food, clothing or warmth for the child. Neglect may occur during pregnancy as a result of maternal drug or alcohol abuse

The following signs may be indicators of neglect:

- Children who are living in a home that is dirty or unsafe
- Children who are left hungry or appear unkempt
- Children who are left without adequate clothing, e.g., not having a winter coat
- Children who are living in dangerous conditions, e.g., around drugs, alcohol or violence
- Children who are often angry, aggressive or self-harm
- Children who fail to receive basic health care
- Parents who fail to seek medical treatment when their children are ill or are injured

Knowing what to look for is vital to the early identification of abuse and neglect.

Some of the following signs *might* also be indicators of abuse or neglect:

- Children whose behaviour changes – they may become aggressive, challenging, disruptive, withdrawn or clingy, or they might have difficulty sleeping or start wetting the bed
- Children with clothes which are ill-fitting and/or dirty
- Children with consistently poor hygiene
- Children who make strong efforts to avoid specific family members or friends, without an obvious reason
- Children who don't want to change clothes in front of others or participate in physical activities
- Children who are having problems at school, e.g., a sudden lack of concentration and learning or they appear to be tired and hungry
- Children who talk about being left home alone, with inappropriate carers or with strangers
- Children who reach developmental milestones, such as learning to speak or walk, late, with no medical reason
- Children who are regularly missing from school or education
- Children who are reluctant to go home after school
- Children with poor school attendance and punctuality or who are consistently late being picked up
- Parents who are dismissive and non-responsive to staff concerns
- Parents who collect their children from school when drunk, or under the influence of drugs
- Children who drink alcohol regularly from an early age
- Children who are concerned for younger siblings without explaining why

- Children who talk about running away
- Children who shy away from being touched or flinch at sudden movements

3. Specific Safeguarding Issues

There are many other specific safeguarding issues which staff must be aware of and act upon if they have concerns. These issues may manifest themselves via child-on-child abuse. This is most likely to include, but is not limited to:

- bullying (including cyber bullying),
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm
- sexual violence and sexual harassment
- sexting (also known as youth produced sexual imagery)
- initiation / hazing type violence and rituals

Some specific areas are highlighted below. These are the types of safeguarding concern we may see more regularly but this is not exhaustive, and staff must raise any concerns they have with the Designated Safeguarding Lead. Details about other types of specific safeguarding issues and support mechanisms available can be found in Annex B of KCSIE 2023

Most prevalent safeguarding issues at Carlyle Infant and Nursery

Domestic Abuse

The Domestic Abuse Act 2021 received Royal Assent on 29 April 2021. The Act introduces the first ever statutory definition of domestic abuse and recognises the impact of domestic abuse on children, as victims in their own right, if they see, hear or experience the effects of abuse.

The statutory definition of domestic abuse, based on the previous cross-government definition, ensures that different types of relationships are captured, including ex-partners and family members.

The definition captures a range of different abusive behaviours, including physical, emotional and economic abuse and coercive and controlling behaviour. 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).

The cross-government definition of domestic violence and abuse is any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of sex or sexuality. The abuse can encompass, but is not limited to

- psychological
- physical

- sexual
- financial
- emotional

All children can witness and be adversely affected by domestic abuse in the context of their home life where domestic abuse occurs between family members. Exposure to domestic abuse and/or violence can have a serious, long lasting emotional and psychological impact on children and young people. In some cases, a child may blame themselves for the abuse or may have had to leave the family home as a result.

If there are any concerns that a child is living in a household where domestic abuse / violence occurs, the Designated Safeguarding Lead must be informed.

Stopping Domestic Abuse Together (SDAT)

The Derby Stopping Domestic Abuse Together (SDAT) is led by Derbyshire Constabulary; SDAT is an initiative that enhances communication between the police and schools where a child is at risk from domestic abuse.

The purpose of the information sharing is to ensure schools have more information to support the safeguarding of children. By knowing that the child has had this experience, the school is in a better position to understand and be supportive of the child's needs and possible behaviours, SDAT will complement existing safeguarding procedures.

SDAT aims to ensure that appropriate school staff are made aware at the earliest possible stage in order to provide relevant and tailored support to children and young people in a way that means that they feel safe and included.

SDAT does not replace or supersede existing protocols, or singularly address child welfare. The process should always be followed in conjunction with current safeguarding procedures and practitioners' guidelines and is designed to reinforce safeguarding and ensure children's well-being is of paramount importance

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.

Additional advice on identifying children who are affected by domestic abuse and how they can be helped is available at:

- [NSPCC- UK domestic-abuse Signs Symptoms Effects](#)
- [Refuge what is domestic violence/effects of domestic violence on children](#)
- [Safelives: young people and domestic abuse.](#)
- [Domestic abuse: specialist sources of support - GOV.UK \(www.gov.uk\)](#) (includes information for adult victims, young people facing abuse in their own relationships and parents experiencing child to parent violence/abuse)

- [Home: Operation Encompass](#) (includes information for schools on the impact of domestic abuse on children)

Parental Mental Health

The mental health and wellbeing of children and adults in a family are closely or intrinsically linked. If a parent is unwell, this **may** have an impact on their ability to manage the challenges of daily life, but this is not **always** the case. Although reference is made to 'parental mental health', the issues and risks could be equally applicable to other carers, family members, and household residents who may not be a biological parent to a child but nevertheless have care of or significant contact with a child.

It should not be assumed that all parents with mental health issues pose a risk to their children. Many parents with mental health issues are able to give their children safe and loving care. There are, however, situations where children are at risk due to the nature of the parent's mental illness and its impact on their parenting. Often a comprehensive assessment, collaborative working, and careful planning will help minimise any potential impact on the child.

Definitions

When we talk about mental health issues, we mean conditions like:

- Depression
- Anxiety disorders
- Schizophrenia
- Bipolar disorder
- And personality disorders

The use of mental health 'language' in everyday situations can lead to misunderstandings; for example, describing someone's behaviour as 'psychotic' or manic' when the behaviours may simply be unusual. It is therefore very important to be as clear as possible about the exact nature of parental mental health problems in order to inform assessment, decision-making and the management of risks associated with parental mental health concerns.

For the purposes of clarity:

- The phrase 'people with mental health problems' emphasises and acknowledges that the person is a person first, not a psychiatric diagnosis, and, although many people experience mental distress, and this may be a 'problem', they do not necessarily have a mental illness.
- The term 'people with a mental illness' is a narrower definition and is often used by psychological and psychiatric services. By placing the emphasis on the word 'illness', it acknowledges the need for medical treatment, which may include medication or other treatment options such as Talking Therapies.

The experience of mental health problems or mental illness may be occasional, recurring or enduring, and symptoms and associated behaviours may fluctuate. It is always recommended to establish factual information about a parent's mental health as early as possible. If there is any suggestion of a significant mental health problem, it is advised that

clarification be sought via medical colleagues to ensure that all those working with a family have a shared understanding.

An affected parent may not have insight into this and so be unaware that their child may be in need of or would benefit from additional help or is at risk of or experiencing harm.

The impact of parental health issues on the individual and their family will depend on many factors including:

- Individual differences: people with the same diagnosis can experience very different symptoms and behave in different ways. Impairment can change over time.
- The effects of medication and talking therapies: while the aim is to bring about positive health benefits for the affected individual, sometimes changes to medication or the consequences of therapy can trigger a worsening of symptoms in the short-term.
- The cumulative effect of other risk factors (e.g., domestic abuse, drug and alcohol use, housing problems, financial problems, discrimination and stigma).
- The presence or lack of protective factors and resources (e.g., family network, isolation, community resources and other sources of support).
- The impact of life events (e.g., hospital admission, traumatic experiences, child protection conferences, moving house, physical health problems).

Whether or not a parent has a formal diagnosis e.g., depression, bi-polar disorder, schizophrenia, it is important to understand how they experience their mental health problem. This will help us understand how it affects their role as a parent and the impact it may have on their children and family life.

Where to find help

Other organisations providing support to children and families include:

- Mind
information and support as well as helplines for people experiencing mental health problems and their friends and families.
- Rethink Mental Illness
Advice as well as services and support for people affected by mental illness and their friends and families.
- Samaritans
Round-the-clock confidential support to people going through a tough time.
- SANE
Emotional support to people affected by mental health problems and their families and friends.

There is also useful advice on the Childline website for children worried about supporting a family member with a mental health issue.

If staff have any concerns regarding this, they should inform the DSL immediately.

Parental Substance Misuse

Most parents or carers who drink alcohol or use drugs do it in moderation and are not a risk to their children. But if their drinking or drug use becomes harmful, this is **substance misuse**, and it can stop them from providing safe care for their children.

Definitions

- Substance misuse – is when someone's drinking or drug use becomes harmful or dependent.
- Harmful - when someone puts themselves or others in danger. For example, by putting the parent or carer at risk of illness, psychological problems or physical accidents.
- Dependent drinking or drug use is when someone craves alcohol or drugs and continues to use them even though it causes them social, health or financial problems.

How does substance misuse affect children?

Living in a household where a parent or carers misuse substances does not mean a child will experience abuse, but it can be a risk. Substance misuse can have negative effects on children at different stages of their lives.

- In pregnancy, drinking and drug use can put babies at risk of birth defects, premature birth, being born underweight and withdrawal symptoms
- In later years, substance misuse can put children at risk of:
 - Physical and emotional abuse or neglect
 - Behavioural and emotional problems
 - Having to care for their parents or siblings
 - Poor attendance at school and lower outcomes
 - Experiencing poverty
 - Being exposed to drugs or criminal activity
 - Being separated from parents

Where to find help

It is important that parents and carers can get support if they are concerned about their drinking or drug use.

Some organisations who can provide support to children and families include

- We Are With You
Free and confidential support to people experiencing issues with drugs, alcohol or mental health.
- Adfam
Advice and support for families affected by drugs and alcohol.
- Alcoholics Anonymous
Help and emotional support through AA meetings for people experiencing problems with alcohol.
- FRANK
Friendly, confidential advice on drugs and details of local and national services.

There is also useful advice on the Childline website for children worried about their parent's drinking.

This is not an exhaustive list. Other areas of specific concern may include

- Child abduction or community safety incidents
- Children missing from home or care
- Gender-based violence
- Bullying including Hate crimes, Racism, disability, homophobic or transphobic abuse
- Relationship abuse

If staff have any concerns about children, it is important to speak to the Designated Safeguarding Lead.

Annex B of KCSIE 2023 has links to additional advice and support for specific safeguarding concerns.

Children and the court system

Children are sometimes required to give evidence in criminal courts, either for crimes committed against them or for crimes they have witnessed. There are two age appropriate guides to support children [5-11-year olds](#) and [12-17 year olds](#) (see KCSIE 2022)

The guides explain each step of the process, support and special measures that are available. There are diagrams illustrating the courtroom structure and the use of video links is explained.

Making child arrangements via the family courts following separation can be stressful and entrench conflict in families. This can be stressful for children. The Ministry of Justice has launched an [child arrangements information tool](#) with clear and concise information on the dispute resolution service. This may be useful for some parents and carers.

Online Safety

Please see section 7 – Online Safety for more information.

Private fostering – LA notification when identified

Privately fostered children are a diverse and potentially vulnerable group.

Private fostering occurs when a child under the age of 16 (under 18 for children with a disability) is provided with care and accommodation by a person who is not a parent, person with parental responsibility for them or a relative in their own home.

A child is not privately fostered if the person caring for and accommodating them has done so for less than 28 days and does not intend to do so for longer. Such arrangements may

come to the attention of school staff through the normal course of their interaction, and promotion of learning activities, with children.

Where the arrangements come to the attention of the academy (and the academy is not involved in the arrangements), the Designated Safeguarding Lead should then notify the local authority to allow the local authority to check the arrangement is suitable and safe for the child. Where the academy is involved (whether or not directly) in arranging for a child to be fostered privately, the Designated Safeguarding Lead **must** notify local authorities of the arrangement as soon as possible after the arrangement has been made. Notifications **must** contain the information specified in Schedule 1 of The Children (Private Arrangements for Fostering) Regulations 2005 and **must** be made in writing.

Comprehensive guidance on private fostering can be found here: [Children Act 1989: private fostering - GOV.UK \(www.gov.uk\)](http://www.gov.uk/government/publications/children-act-1989-private-fostering)

If staff become aware of, or suspect a private fostering arrangement, they must report it to the Designated Safeguarding Lead who will refer to Social Care.

Preventing Radicalisation

We recognise that children are vulnerable to extremist ideology and radicalisation and are committed to protecting children against this as part of our academy's wider safeguarding duties. This includes concerns relating to:

- **Extremism** - the vocal or active opposition to our fundamental values, including democracy, the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs. This also includes calling for the death of members of the armed forces.
- **Radicalisation** - refers to the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups.
- **Terrorism** - is an action that endangers or causes serious violence to a person/people; causes serious damage to property; or seriously interferes or disrupts an electronic system. The use or threat **must** be designed to influence the government or to intimidate the public and is made for the purpose of advancing a political, religious or ideological cause.

We recognise the need to prevent people from being drawn into terrorism and take our 'Prevent' duty seriously. This includes ensuring that a senior member of staff in each academy has accessed 'Prevent' training (either online or through Local Authority training).

There is no single way of identifying an individual who is likely to be susceptible to an extremist ideology. It can happen in many different ways and settings and like Child Sexual Exploitation and County Lines it may involve a child or young person being groomed by someone with more power or status. 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 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. Staff should

use their professional judgement in identifying children who might be at risk of radicalisation and act proportionately.

Reasonable checks, for example for links with extremism, should be carried out on all visitors who are intending to work with children, and/or staff or to address assemblies.

This might include:

- DBS or barred list checks (where relevant to do so)
- Obtaining references from other schools
- Clear plan of what the discussion will involve (having the presentation in advance where relevant)
- Making sure the presentation will be in a language understood by members of staff
- Ensuring staff know they can stop a discussion at any time

The Prevent Duty

As an academy we are subject to a duty under section 26 of the Counterterrorism and Security Act 2015 (the CTSA 2015), in the exercise of our functions, to have “due regard¹ to the need to prevent people from being drawn into terrorism”.² This duty is known as the Prevent duty.

The Prevent duty is part of our wider safeguarding obligations. Designated Safeguarding Leads and other senior leaders in schools should familiarise themselves with the revised [Prevent duty guidance: for England and Wales](#), especially paragraphs 57-76, which are specifically concerned with schools (and also covers childcare). The guidance is set out in terms of four general themes:

- risk assessment,
- working in partnership,
- staff training, and
- IT policies.

Channel

Channel is a voluntary, confidential support programme which focuses on providing support at an early stage to people who are identified as being vulnerable to radicalisation. Prevent referrals may be passed to a multi-agency Channel panel, which will discuss the individual referred to determine whether they are vulnerable to being drawn into terrorism and consider the appropriate support required. A representative from the school may be asked to attend the Channel panel to help with this assessment. An individual’s engagement with the programme is entirely voluntary at all stages.

Educate Against Hate,

Educate Against Hate, is a government website designed to support school teachers and leaders to help them safeguard their students from radicalisation and extremism. The platform provides free information and resources to help school staff identify and address the risks, as well as build resilience to radicalisation.

For advice specific to further education, the Education and Training Foundation (ETF) hosts the Prevent for FE and Training. This hosts a range of free, sector specific resources to support further education settings comply with the Prevent duty. This includes the Prevent Awareness e-learning, which offers an introduction to the duty, and the Prevent Referral e-learning, which is designed to support staff to make robust, informed and proportionate referrals.

The ETF Online Learning environment provides online training modules for practitioners, leaders and managers, support staff and governors/Board members outlining their roles and responsibilities under the duty.

Other specific issues we remain vigilant to (in alphabetical order)

Child abduction and community safety incidents

Child abduction is the unauthorised removal or retention of a minor from a parent or anyone with legal responsibility for the child. Child abduction can be committed by parents or other family members; by people known but not related to the victim (such as neighbours, friends and acquaintances); and by strangers.

Other community safety incidents in the vicinity of the academy can raise concerns amongst children and parents, for example, people loitering nearby or unknown adults engaging children in conversation.

As children get older and are granted more independence (for example, as they start walking to school on their own) it is important they are given practical advice on how to keep themselves safe. This is part of our PSHE/ RHE curriculum.

It is important that lessons focus on building children's confidence and abilities rather than simply warning them about all strangers. Further information is available at: www.actionagainstabduction.org and www.clevernevergoes.org.

Children who are absent from education

Carlyle Infant and Nursery Academy

Attendance officer: Mel Squire

Senior leader Attendance Champion: Sarah Curtsi

LA CME contact

E-mail - cme@derby.gov.uk Telephone: 01332 641448 Education Welfare Service, Locality 3/4 Ashtree House, The Council House, Corporation Street, Derby, DE1 2FS

All staff should be aware that children being absent from school, particularly repeatedly and/or for prolonged periods, and children missing education can act as a vital warning sign of a range of safeguarding possibilities. This may include abuse and neglect, which may include sexual abuse or exploitation and child criminal exploitation. It may indicate mental health problems, risk of substance abuse, risk of travelling to conflict zones, risk of female genital mutilation or risk of forced marriage. Early intervention is necessary to identify the existence of any underlying safeguarding risk and to help prevent the risks of a child going missing in future. Staff should be aware of their school's unauthorised absence and children missing from education procedures.

All academies in the Harmony Trust must inform their Local Authority of any pupil who is going to be deleted from the admission register in year or at a non-standard transition point. This is led by the Principal or Head of Academy and is delegated to individual academy attendance leads.

This should be done as soon as the grounds for deletion are met, but no later than deleting the pupil's name from the register.

Children absent from education and children missing education

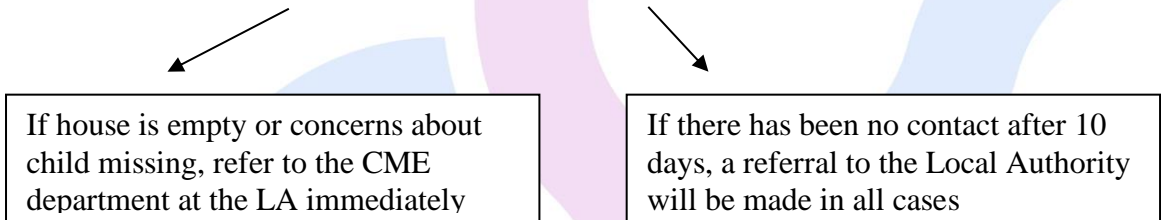
All academies within the Trust must inform the Local Authority of any pupil who fails to attend school regularly or has been absent without the school's permission / without the school acknowledging a pre-planned period of extended leave for a continuous period of 10 school days or more, at such intervals as are agreed between the school and the Local Authority.

Our procedures for identifying a child missing in education are linked to our general attendance procedures:

These are:

Day 1 of absence – 1st day contact phone call (if concerns and no contact then a home visit on day 1)

Day 3 of absence – Home visit if no contact made.



If house is empty or concerns about child missing, refer to the CME department at the LA immediately

If there has been no contact after 10 days, a referral to the Local Authority will be made in all cases

During the time of absence, school makes repeated attempts to contact the family by letter and telephone. This is recorded.

If children have been placed on roll but does not arrive, we refer to the CME department.

A CME referral can be made at any point a concern is raised. It does not have to wait 10 days.

All referrals go to cme@derby.gov.uk or telephone 01332 641448

Children are not removed from the attendance register until confirmed by the Local Authority.

- We are conscious that some individuals are particularly vulnerable, and all absence is followed up immediately for those groups (and reported to Children's Social Care where appropriate).

Child Sexual Exploitation (CSE) and Child Criminal Exploitation (CCE)

Different forms of harm often overlap, and perpetrators may subject children and young people to multiple forms of abuse, such as criminal exploitation (including county lines) and sexual exploitation.

In some cases, the exploitation or abuse will be in exchange for something the victim needs or wants (for example, money, gifts or affection), and/or will be to the financial benefit or other advantage, such as increased status, of the perpetrator or facilitator.

Children can be exploited by adult males or females, as individuals or in groups. They may also be exploited by other children, who themselves may be experiencing exploitation – where this is the case, it is important that the child perpetrator is also recognised as a victim.

Whilst the age of the child may be a contributing factor for an imbalance of power, there are a range of other factors that could make a child more vulnerable to exploitation, including gender, sexual identity, cognitive ability, learning difficulties, communication ability, physical strength, status, and access to economic or other resources.

Some of the following can be indicators of both child criminal and sexual exploitation where children:

- Appear with unexplained gifts, money or new possessions;
- Associate with other children involved in exploitation;
- Suffer from changes in emotional well-being;
- Misuse drugs and alcohol;
- Go missing for periods of time or regularly come home late; and
- Regularly miss school or education or do not take part in education.

Children who have been exploited will need additional support to help maintain them in education.

CSE 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.

Some additional specific indicators that may be present in CSE are children who:

- Have older boyfriends or girlfriends; and
- Suffer from sexually transmitted infections, display sexual behaviours beyond expected sexual development or become pregnant.

Further information on signs of a child's involvement in sexual exploitation is available in Home Office guidance: Child sexual exploitation: guide for practitioners

Children with family members in prison

Approximately 200,000 children have a parent sent to prison each year. These children are at risk of poor outcomes including poverty, stigma, isolation and poor mental health. Staff concerned about the impact of a family member's imprisonment can find useful information from NICCO (National Information Centre on Children of offenders) designed to support professionals working with offenders and their children, to help mitigate negative consequences for those children.

County Lines

County lines is a term used to describe gangs and organised criminal networks involved in exporting illegal drugs using dedicated mobile phone lines or other form of "deal line". This activity can happen locally as well as across the UK - no specified distance of travel is required. Children and vulnerable adults are exploited to move, store and sell drugs and money. Offenders will often use coercion, intimidation, violence (including sexual violence) and weapons to ensure compliance of victims.

Children can be targeted and recruited into county lines in a number of locations including schools (mainstream and special), further and higher educational institutions, pupil referral units, children's homes and care homes.

Children are also increasingly being targeted and recruited online using social media. Children can easily become trapped by this type of exploitation as county lines gangs can manufacture drug debts which need to be worked off or threaten serious violence and kidnap towards victims (and their families) if they attempt to leave the county lines network.

A number of the indicators for CSE and CCE as detailed above may be applicable to where children are involved in county lines. Some additional specific indicators that may be present where a child is criminally exploited through involvement in county lines are children who:

- Go missing and are subsequently found in areas away from their home;
- Have been the victim or have allegedly carried out the serious violence (e.g., knife crime);

- Are involved in receiving requests for drugs via a phone line, moving drugs, handing over and collecting money for drugs;
- Are exposed to techniques such as 'plugging', where drugs are concealed internally to avoid detection;
- Are found in accommodation that they have no connection with, often called a 'trap house or cuckooing' or hotel room where there is drug activity;
- Owe a 'debt bond' to their exploiters;
- Have their bank accounts used to facilitate drug dealing. Further information on the signs of a child's involvement in county lines is available in guidance published by the Home Office

Cybercrime

Cybercrime is criminal activity committed using computers and/or the internet. It is broadly categorised as either 'cyber-enabled' (crimes that can happen off-line but are enabled at scale and at speed on-line) or 'cyber dependent' (crimes that can be committed only by using a computer). Cyber-dependent crimes include;

- Unauthorised access to computers (illegal 'hacking'), for example accessing a school's computer network to look for test paper answers or change grades awarded;
- Denial of Service (Dos or DDoS) attacks or 'booting'. These are attempts to make a computer, network or website unavailable by overwhelming it with internet traffic from multiple sources; and,
- Making, supplying or obtaining malware (malicious software) such as viruses, spyware, ransomware, botnets and Remote Access Trojans with the intent to commit further offence, including those above.

Children with particular skill and interest in computing and technology may inadvertently or deliberately stray into cyber-dependent crime.

If there are concerns about a child in this area, the Designated Safeguarding Lead (or a deputy), should consider referring into the **Cyber Choices** programme. This is a nationwide police programme supported by the Home Office and led by the National Crime Agency, working with regional and local policing. It aims to intervene where young people are at risk of committing, or being drawn into, low level cyber-dependent offences and divert them to a more positive use of their skills and interests.

Note that **Cyber Choices** does not currently cover 'cyber-enabled' crime such as fraud, purchasing of illegal drugs on-line and child sexual abuse and exploitation, nor other areas of concern such as on-line bullying or general on-line safety.

Additional advice can be found at: Cyber Choices, 'NPCC- When to call the Police' and National Cyber Security Centre - NCSC.GOV.UK

Fabricated or Induced Illness/ Perplexing Presentations

There are three main ways of the carer fabricating or inducing illness in a child. These are not mutually exclusive and can include:

- Fabrication of signs and symptoms. This may include fabrication of past medical history;
- Fabrication of signs and symptoms and falsification of hospital charts and records, and specimens of bodily fluids. This may also include falsification of letters and documents;
- Induction of illness by a variety of means.

If staff are concerned about fabrication or induced illness, they must report this to the Designated Lead who will make the relevant referrals.

There is a different response required for concerns about fabricated or induced illness as parents should not be contacted prior to a Children's Social Care referral.

Faith abuse

Faith abuse is child abuse linked to faith or belief. This includes abuse which has occurred in relation to

- belief in concepts of witchcraft and spirit possession
- belief in demons or the devil acting through children or leading them astray (traditionally seen in some Christian beliefs)
- belief in the evil eye or djinns (traditionally known in some Islamic faith contexts) and dakini (in the Hindu context)
- ritual or muti murders where the killing of children is believed to bring supernatural benefits, or the use of their body parts is believed to produce potent magical remedies
- belief in magic or witchcraft to create fear in children to make them more compliant when they are being trafficked for domestic slavery or sexual exploitation

This is not an exhaustive list.

If staff are concerned about faith abuse they must report this to the Designated Safeguarding Lead who will make the relevant referrals. KCSIE 2022 page 154 has a link to additional advice and support; <https://www.gov.uk/government/publications/national-action-plan-to-tackle-child-abuse-linked-to-faith-or-belief>

Female Genital Mutilation

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

Section 5B of the Female Genital Mutilation Act 2003 (as inserted by section 74 of the Serious Crime Act 2015) places a statutory duty has been placed upon **teachers** and regulated health and Social Care professionals to report to the Police where they discover that FGM appears to have been carried out on a girl under 18. Those failing to report such cases may face disciplinary sanctions. It will be rare for teachers to see visual evidence, and they should **not** be examining pupils or students, but the same definition of what is meant

by “to discover that an act of FGM appears to have been carried out” is used for all professionals to whom this mandatory reporting duty applies. Information on when and how to make a report can be found at: [Mandatory reporting of female genital mutilation procedural information](#).

Any staff member who believes a girl may have experienced, or could be at risk of, FGM (as opposed to ‘discovers that it has been carried out’) must report this to the DSL in line with the Academy’s Child Protection arrangements.

Forced Marriage

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 of coercion is used to cause a person to enter into 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 cannot consent (if they have learning difficulties for example). Nevertheless, some perpetrators use perceived cultural practices as a way to coerce a person into marriage. Schools and colleges can play an important role in safeguarding children from forced marriage.

If staff are concerned that a forced marriage is to occur, they must speak to the Designated Safeguarding Lead and should contact the Forced Marriage Unit for advice and information.

The Forced Marriage Unit <https://www.gov.uk/guidance/forced-marriage> has published [statutory guidance](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1061641/Forced_marriage_guidance_17.03.22_FINAL.pdf) to support schools/agencies in this area.
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1061641/Forced_marriage_guidance_17.03.22_FINAL.pdf
Forced marriage unit: Contact: 020 7008 0151 or email fmu@fco.gov.uk.

Since February 2023 it is a crime to carry out any conduct whose purpose is to cause a child to marry before their eighteenth birthday, even if violence, threats or another form of coercion are not used. This also applies to non-binding, unofficial ‘marriages’ as well as legal marriages.

So-called “Honour-based” abuse, including Female Genital Mutilation (FGM) and Forced Marriage

So-called “honour-based” abuse (HBA) encompasses crimes which have been committed to protect or defend the honour of the family and/or the community and includes Female Genital Mutilation, forced marriage and practices such as breast ironing. Abuse committed in the context of preserving “honour” often involves a wider network of family or community pressure and can include multiple perpetrators. It is important to be aware of the dynamic and additional risk factors when deciding what form of safeguarding action to take. All forms of HBA are abuse (regardless of the motivation) and should be handled and escalated as such. Professionals in all agencies, and individuals and groups in relevant communities, need to be alert to the possibility of a child being at risk of HBA, or already having suffered HBA. If there are any concerns staff should speak to the Designated Safeguarding Lead.

If staff have a concern regarding a child that might be at risk of HBA or who has suffered from HBA, they should speak to the Designated Safeguarding Lead (or Deputy). As appropriate, they will activate local safeguarding procedures, using existing national and local protocols for multi-agency liaison with Police and Children's Social Care. Where FGM has taken place, since 31 October 2015 there has been a mandatory reporting duty placed on teachers that requires a different approach (see following section).

Homelessness

Being homeless or being at risk of becoming homeless presents a real risk to a child's welfare. The Designated Safeguarding Lead (and any Deputies) should be aware of contact details and referral routes into the Local Housing Authority so they can raise/progress concerns at the earliest opportunity. Indicators that a family may be at risk of homelessness include household debt, rent arrears, domestic abuse and anti-social behaviour, as well as the family being asked to leave a property. Whilst referrals and/or discussion with the Local Housing Authority should be progressed as appropriate, this does not, and should not, replace a referral into Children's Social Care where a child has been harmed or is at risk of harm.

The Homelessness Reduction Act 2017 places a new legal duty on English councils so that everyone who is homeless or at risk of homelessness will have access to meaningful help including an assessment of their needs and circumstances, the development of a personalised housing plan, and work to help them retain their accommodation or find a new place to live. The following factsheets usefully summarise the new duties: [Homeless Reduction Act Factsheets](#). The new duties shift focus to early intervention and encourage those at risk to seek support as soon as possible, before they are facing a homelessness crisis.

In most cases we will be considering homelessness in the context of children who live with their families, and intervention will be on that basis.

Modern Slavery and the National Referral Mechanism

Modern slavery encompasses human trafficking and slavery, servitude and forced or compulsory labour. Exploitation can take many forms, including sexual exploitation, forced labour, slavery, servitude, forced criminality and the removal of organs.

Further information on the signs that someone may be a victim of modern slavery, the support available to victims and how to refer them to the NRM is available in the Modern Slavery Statutory Guidance. Modern slavery: how to identify and support victims - GOV.UK (www.gov.uk)

Please see the Trust Modern slavery policy for more information.

Sexual violence and sexual harassment between children

It is important that staff should respond to all signs, reports and concerns of child-on-child sexual violence and sexual harassment, including those that have happened outside of the school premises, and/or online.

Sexual violence and sexual harassment can occur between two or more children of **any age and sex**, from primary through to secondary stage and into colleges. It can occur through a group of children sexually assaulting or sexually harassing a single child or group of children. It can also occur outside of the academy premises, and or online.

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. All staff working with children are advised to maintain an attitude of **'it could happen here'**.

Addressing inappropriate behaviour (even if it appears to be relatively innocuous) **can** be an important intervention that helps prevent problematic, abusive and/or violent behaviour in the future.

Children who have allegedly had inappropriate sexual type of behaviour shown towards them, wherever it happens, will likely find the experience stressful and distressing. This will, in all likelihood, adversely affect their educational attainment and will be exacerbated if the child who has allegedly carried out the inappropriate behaviour towards another child (ren) attends the same academy.

We should remain aware that safeguarding incidents and/or behaviours can be associated with factors outside the academy, including intimate personal relationships even at Primary school level.

It is essential that all victims are reassured that they are being taken seriously and that they will be supported and kept safe. A victim should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor should they ever be made to feel ashamed for making a report

It is important that all children who disclose sexual harassment or violence are taken seriously and offered appropriate support.

Please see section 13 of this policy for more detailed guidance and support.

4. Child-on-Child abuse

Carlisle Infant and Nursery Academy staff recognise that children are capable of abusing other children. Abuse is abuse and such behaviour will not be tolerated or passed off as "banter" or "part of growing up". It can happen both inside and outside of school/college and online. It is important that all staff recognise the indicators and signs of abuse and know how to identify it and respond to reports.

It is equally important that all staff understand, that even if there are no reports of child-on-child abuse in our academy, it does not mean it is not happening, it may be the case that it

is just not being reported. As such it is important if staff have **any** concerns regarding child-on-child abuse they should speak to the academy designated safeguarding lead (or deputy).

All staff should be clear as to the academy's procedures with regards to child-on-child abuse. Child on child abuse is most likely to include, but may not be limited to:

- bullying (including cyberbullying, prejudice-based and discriminatory bullying);
- abuse in intimate personal relationships between peers;
- physical abuse which can include hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm;
- sexual violence, such as rape, assault by penetration and sexual assault;
- sexual harassment, such as sexual comments, remarks, jokes and online sexual harassment;
- non-consensual sharing of nudes and semi nudes images and/or videos;
- 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;
- upskirting, which typically involves taking a picture under a person's clothing without their permission, with the intention of viewing their genitals or buttocks to obtain sexual gratification or cause the child/ren who has/have allegedly had inappropriate sexual type of behaviour shown towards them humiliation, distress or alarm; and
- initiation/hazing type violence and rituals (this could include activities involving harassment, abuse or humiliation used as a way of initiating a person into a group and may also include an online element).

There may be gender-specific issues which can be prevalent when dealing with child-on-child abuse. This could, for example, include girls experiencing violence from boys or boys being subjected to initiation / hazing-type violence.

We minimise the risk of child-on-child abuse through the curriculum, including PSHE, SMSC, RHE and e-safety and via existing policies such as Behaviour, Anti Bullying, Online safety and IT acceptable use policies.

Any allegations of child-on-child abuse will be taken seriously, fully investigated and the child/ren who has/have allegedly had inappropriate sexual type of behaviour shown towards them supported. The needs of the child/ren who has/have allegedly carried out the sexual type of behaviour towards another child (ren) will also be considered, and relevant support put in place.

Allegations of child-on-child abuse are handled in the same way as any other allegation of abuse.

These are the stages that DSLs/Principals should follow when an allegation of child on child abuse is made:

STAGE 1 - Initial fact-finding stage

Fact finding is the gathering of information and/or facts which may then be used in a later investigation by the appropriate person/ organisation.

The DSL/Principal should undertake the fact finding about the incident/s. This may involve talking to the child or children involved, staff or adults involved, including how the allegation was dealt with when it was first reported. There should be 2 staff members present when talking to a child/children at this stage.

The 'TED' approach (Tell me, Explain to me, Describe to me) should always be used when talking with children in order to establish the facts. DSLs/Principals should not ask direct or leading questions as this is inappropriate.

When fact finding with children who have communication difficulties, it is essential that an appropriate approach is used. It may be necessary to consult with the SENDCo and/or parents/ carers to establish the best method and strategies to use. It may also be necessary to have another person to support who knows the child best and can adapt the fact finding to meet the child's needs.

A chronology of events and notes should be made by the DSL/ Principal and kept in a confidential , secure folder which is only accessible by authorised staff in the academy.

The chronology and any notes made must present fact and not personal opinion. A fact is a statement that can be proved or verified with evidence. An opinion is a belief of judgement about something. An opinion is subjective and may or may not be based on fact.

After the initial fact-finding stage, the Principal should make a decision about the next steps. This may include application of the Trust behaviour or anti-bullying policy and procedures, or allocation of academy pastoral support for the child/ children. The Principal may also decide to inform children's social care or the police if they believe that the thresholds for a MASH referral may have been met, or a potential crime has been committed. Please see stage 2 before proceeding with an external referral. In most cases parents /carers should be informed at this point.

There may instances when parents/carers inform the DSL/Principal of concerns about child on child abuse. In these circumstances, the DSL or Principal should explain that fact finding will take place in the first instance, and that parents/carers will be kept informed as much as possible, as early as possible.

STAGE 2 - Informing parents/ carers –

The Principal or Head of academy should inform parents and carers that they are undertaking initial fact finding **UNLESS** by telling parents/ carers it would put the child/ children at risk of harm. For example, if a disclosure is made late in the school day and there is insufficient time for DSL/ Principal to undertake the initial fact finding on that day, or when the incident potentially presents safeguarding concerns that it is felt may meet the child protection threshold. .

At this stage, parents and carers must also be informed if a referral to children's social care/ the police or any other agency is felt necessary under the circumstances, **UNLESS** by telling parents/ carers it would put the child/ children at risk of harm. If this is the decision made, this must be recorded on the chronology/ notes, stating why the decision to not inform parents/ carers was made. Once a referral is made, it may be decided that an investigation needs to take place.

An investigation is a process carried out, using the facts established through the fact-finding stage to ascertain how and why an incident occurred and what needs to happen as a result to keep the child/ren safe. The investigation may result in actions or recommendations in line with Trust/ Academy policy and procedures or those of another agency, for example children's social care, the police or other relevant agencies.

STAGE 3 – External referral

If it is decided that a referral needs to be made to another agency, this may initiate an investigation by those agencies. The role of the DSL/ Principal in this situation is to share information with other professionals as requested to support the investigation as per KCISE 2023.

It is not the role of the DSL/Principal to investigate further at this point.

STRATEGY MEETINGS/ DISCUSSIONS

Sometimes when a referral has been made by the academy, a 'Strategy Meeting' may be arranged. The purpose of a strategy discussion or meeting is **to decide whether the threshold has been met for a single or joint agency (Children Social Care and Police) child protection investigation, and to plan that investigation**. Strategy meetings are held when it is suspected a child has suffered, or is likely to suffer, serious harm.

At a Strategy meeting the discussion held is confidential to the professionals involved. The Academy DSL/DDSL who attends a Strategy meeting should ask the chairperson what parents can be told following the meeting, by whom and when. There may be instances when the chair does not grant permission for the academy DSL/DDSL to share any information with parents/ carers. Under these circumstances the DSL/DDSL must ensure that the decision made at the Strategy meeting is recorded on a chronology of the case and held confidentially within the academy.

Bullying, including Cyber Bullying

Bullying is behaviour by an individual or group, repeated over time, that intentionally hurts another individual or group either physically or emotionally. Bullying can take many forms (for instance, cyber-bullying via text messages or the internet), and is often motivated by prejudice against particular groups, for example on grounds of race, religion, gender, sexual

orientation, or because a child is adopted or has caring responsibilities. It might be motivated by actual differences between children, or perceived differences.

Stopping violence and ensuring immediate physical safety is obviously the Academy's first priority but emotional bullying can be more damaging than physical; teachers and schools have to make their own judgements about each specific case. Many experts say that bullying involves an imbalance of power between the child/ren who has/have who have allegedly had bullying behaviour shown towards them and the victim. This could involve a child/ren who has/have who have allegedly had bullying behaviour shown towards them having control over the relationship which makes it difficult for those they bully to defend themselves. The imbalance of power can manifest itself in several ways, it may be physical, psychological (knowing what upsets someone), derive from an intellectual imbalance, or by having access to the support of a group, or the capacity to socially isolate. It can result in the intimidation of a person or persons through the threat of violence or by isolating them either physically or online.

Under the Children Act 1989 a bullying incident (including cyber bullying) should be addressed as a Child Protection concern when there is 'reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm'. Where this is the case, the school staff should report their concerns to their Local Authority Children's Social Care. Even where safeguarding is not considered to be an issue, schools may need to draw on a range of external services to support the pupil who is experiencing bullying, or to tackle any underlying issue which has contributed to a child engaging in bullying. Staff should refer to the Academy's Behaviour, Anti bullying and Online Safety Policy.

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.

The response to a report of sexual violence or sexual harassment

The initial response to a report from a child is important. It is essential that all children who have allegedly had inappropriate sexual type of behaviour shown towards them are reassured that they are being taken seriously and that they will be supported and kept safe. A child who has allegedly had inappropriate sexual type of behaviour shown towards them should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor should a child who has allegedly had inappropriate sexual type of behaviour shown towards them ever be made to feel ashamed for making a report.

If staff have a concern about a child or a child makes a report to them, they should follow the referral process. As is always the case, if staff are in any doubt as to what to do they should speak to the Designated Safeguarding Lead (or a Deputy).

Please see KCSIE 2023, Annex B for useful toolkits to support in this area. See section 13 of this policy for more information about dealing with incidents of sexual violence or sexual harassment. Also, see the Trust guidance for dealing with incidents of sexual violence, harassment and inappropriate sexual behaviours.

Sharing of Nudes & Semi-Nude Images and/or videos also known as Youth Produced Sexual Imagery/ Sexting

The NSPCC definition of sexting is when people share a sexual message and/or a naked or semi-naked image, video or text message with another person. It's also known as nude image sharing. It may also include writing and sharing explicit messages with people they know and sending flirty or sexual text messages rather than images. Creating and sharing nude or semi-nude photos and videos of under-18s is illegal. Children who create and send these images are committing a criminal offence, even if the photo is of themselves. However, it is generally seen as a safeguarding rather than a criminal issue.

If an incident involving youth produced sexual imagery comes to our attention:

- The incident should be referred to the Designated Safeguarding Lead as soon as possible
- Do not view the image unless unavoidable
- The Designated Safeguarding Lead should hold an initial review meeting with appropriate school staff
- There should be subsequent interviews with the child involved (if appropriate)
- Parents 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 risk of harm
- At any point in the process if there is a concern 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

5. What staff should do if they have concerns about a child

All staff keep maintain an attitude of “**it could happen here**”.

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

Key Contact details

Early Help - Derby

- Use the online Early Help referral - <https://www.ddscp.org.uk/staff-and-volunteers/info-and-resources/early-help/>
- The EHA information is in the 'Information and Resources Section

Referral to Children's Social Care - Derby

Useful advice about making a referral can be found via Derby and Derbyshire Safeguarding Children's Partnership website. <https://www.ddscp.org.uk/>

- **Remember:** all telephone referrals should be followed up within 48 hours using the Derby Children's Social Care Online Referral System.
- Non-urgent concerns should be submitted via the Derby Children's Social Care Online Referral System.
- Online referrals will only be checked during normal working days between 9am and 5pm, only urgent referrals made on 01332 956606 will be responded to out of hours, on weekends and bank holidays.

Initial Response Team (Social Care)

01332 641172

- **Remember:** all telephone referrals should be followed up within 48 hours using the Derby Children's Social Care Online Referral System.
- Non-urgent concerns should be submitted via the Derby Children's Social Care Online Referral System.

Derby Careline (Out of office hours)	01332 956606
Child Protection Manager CSE	01332 717818
Derbyshire Police	Emergency 999 Non-emergency 101
Child Exploitation Investigation Unit (Police)	01773 572713
Police Central Referral Unit	01773 573606
Gangs Team	01773 256918
Sexual Assault Referral Centre	01733 573840/1
Derby and Derbyshire C.A.R.E.S (children at risk of exploitation)	07714 614563
Family Justice Centre	01332 256897
Derbyshire Friend (Lesbian and Gay Helpline)	01332 207704
Victim Support	01332 349 956
Prevent Referral Pathway - Refer someone to the Prevent Team / Derbyshire Constabulary	

National Sources of Support

NSPCC Child Protection Helpline	0800 800 5000
Childline	0800 1111
Missing People Helpline	0800 800 7070
Rape and Abuse Line	0800 800 0123 (answered by women every evening)
NHS Direct Health Advice	0845 46 47

Police

Police Anti-Terrorist Hot Line number: 0800 789 321; or
Derbyshire Police 101 (or for emergencies: call 999);

Useful advice about making a referral can be found via Derby and Derbyshire Safeguarding Children's Partnership website. <https://www.ddscp.org.uk/>

If a child makes a disclosure or staff have concerns:

If a child makes a disclosure

- React calmly
- Reassure the child that they were right to tell and that they are not to blame
- Take what the child says seriously
- Keep questions to an absolute minimum to ensure a clear and accurate understanding of what has been said. Don't ask about explicit details
- Reassure but do not promise confidentiality, which might not be feasible in the light of subsequent developments
- Inform the child/young person what you will do next
- Make a full and written record of what has been said/heard as soon as possible
- Do not delay in passing on the information to the Designated Safeguarding Lead - a verbal report may be immediate, followed up by a full written record

The written report will include the following:

- The child's name, age and date of birth
- Whether or not the person making the report is expressing their own concerns or those of someone else
- The nature of the allegation, including dates, times and special factors and other relevant information
- Make a clear distinction between what is fact, opinion or hearsay
- A description of any visible bruising or other injuries
- Also, any indirect signs, such as any behavioural changes and the child's general demeanour
- Details of witnesses to the incidents
- The child's account, if it can be given, of what has happened
- The name (not initials) of the member of staff and the date and time

Any disclosure or concerns, including concerns raised by other children or a third party should be reported via the school's Designated Safeguarding Lead. The Designated Safeguarding Lead will then decide whether to;

- make a referral to Children's Social Care,
- manage any support for the child internally via the academy's own pastoral support process or
- undertake an early help assessment.

Our aim is to create an open culture where staff and parents feel confident to raise concerns or to challenge senior leaders if they feel their concerns have not been robustly followed up.

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

In exceptional circumstances, such as in emergency or a genuine concern that appropriate action has not been taken, staff members or parents can speak directly to Children's Social Care.

Staff should not assume a colleague, or another professional will take action and share information that might be critical in keeping children safe. They should be mindful that early information sharing is vital for the effective identification, assessment, and allocation of appropriate service provision, whether this is when problems first emerge, or where a child is already known to local authority children's social care (such as a child in need or a child with a protection plan). ['Information Sharing: Advice for Practitioners Providing Safeguarding Services to Children, Young People, Parents and Carers'](#) supports staff who have to make decisions about sharing information. This advice includes the seven golden rules for sharing information and considerations with regard to the Data Protection Act 2018 (DPA) and UK General Data Protection Regulation (UK GDPR). DPA and UK GDPR do not prevent the sharing of information for the purposes of keeping children safe and promoting their welfare. If in any doubt about sharing information, staff should speak to the Designated Safeguarding Lead or a deputy.

Fears about sharing information **must not** be allowed to stand in the way of the need to safeguard and promote the welfare of children.

Early Help

The Early Help process is in place to support families. It is designed to help families to develop self-help and self-management skills in order to better meet their long-term needs and to reduce their reliance on public services.

The Early Help process is a simpler and more intuitive way for families, adults, children and young people to assess their own needs. It also enables professionals to work out ways to support them.

All staff should be aware of their local Early Help process and understand their role in it.

Any child may benefit from Early Help, but all school 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 in to 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 to the child, such as substance abuse, adult mental health problems or domestic abuse
- Has returned from 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

Usually, the DSL takes the lead on Early Help referrals, but all staff should know the referral process. Any member of staff may be required to be part of the inter-agency assessment and support.

It is important to make sure parental consent is obtained prior to the referral for Early Help.

If, after a Child Protection, Child in Need or Early Help referral has been made, there are still concerns that appropriate action has not been taken, further referrals must be made.

Referrals to Children's Social Care

Concerns about a child's welfare should be referred to local authority children's social care. 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. Referrals should follow the Local Authority's referral process.

These will usually be undertaken by the DSL. However, if a member of staff feels a referral is required but has not been made, **it is their responsibility to make the referral and then inform the DSL or senior leader.**

Where an urgent response is required, DSLs must contact the Initial Response Team by telephone. This must be followed up within 48 hours via the Derby Children's Social Care Online Referral System.

In non-urgent situations or where there is no current assessment which could be submitted to the weekly Vulnerable Children's Meeting (VCM), an online referral can be submitted via the Derby Children's Social Care Online Referral System.

Within 1 working day of a referral being received, a local authority Service Manager will make a decision about whether the referral criteria are met and the type of response that is required. This will include determining whether the concerns and needs are:

- **Universal – Open Access Provision** where individual services and universal services are able to address the child's needs;
- **Emerging needs** where a range of early help services are required co-ordinated through an Early Help Assessment;
- **Intensive needs** where assessment and help is likely to be required as a **Child in Need** (Section 17 of the Children Act 1989) or that they require accommodation (Section 20 Children Act 1989);
- **Specialist** where a child requires immediate protection and urgent action because there is reasonable cause to suspect that the child is suffering, or likely to suffer, significant harm, and enquiries are to be made and the child assessed under Section 47 of the Children Act (1989). This may include consideration about whether a child can safely remain at home.

Children's Social Care should respond in writing (this may be by email) to any written referrals within 1 working day of receiving it. If the referrer has not received an acknowledgement within 3 working days, they should contact Children's Social Care again.

Where a referral is not accepted by Children's Social Care and the referrer is not in agreement with this, they should speak with the relevant team manager. If agreement is still not reached, the Derby and Derbyshire Multi Agency Dispute Resolution and Escalation Policy (see **Documents Library, Guidance Documents**) should be applied with a level of urgency which reflects the level of the concerns.

Record Keeping

All concerns, discussions and decisions made, and the reasons for those decisions, should be recorded in writing. Information should be kept confidential and stored securely. The Academy uses CPOMS to record and store all information.

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.

If in doubt about recording requirements, staff should discuss this with the Designated Safeguarding Lead (or deputy).

Whistleblowing

All staff should feel able to raise concerns about poor or unsafe practice and potential failures in the safeguarding of an Academy or Trust and know the Senior Leadership Team will take them seriously.

The Trust Whistleblowing Policy gives details about ways to raise concerns and who to raise the concerns with. This is given out during induction and is available on the website and in our Academy.

If staff have safeguarding concerns or an allegation is made about another member of staff (including supply staff, volunteers, and contractors) posing a risk of harm to children, then:

- this should be referred to the executive principal/ principal;
- where there are concerns/allegations about the executive principal, this should be referred to the CEO
- where there are concerns/ allegations about the CEO, this should be referred to the chair of Trustees
- the staff with whom a concern is raised will follow this policy & guidance and may report these concerns to the local authority designated officer (LADO)

If staff do not feel able to raise concerns with their Leadership Team, they should speak to the Head of Safeguarding at the Trust, the Trust CEO or the Safeguarding Trustee. If the staff member does not feel able to do this, an alternative is the NSPCC whistleblowing helpline. This is available 8am-8pm Mon – Fri 0800 028 0285 / email help@nspcc.org.uk. A link can be found in KCSIE part 1.

6. Opportunities to teach safeguarding within the curriculum

All pupils within the Harmony Trust are taught about how to keep themselves safe as part of the formal and informal curriculum. This formal teaching of safeguarding includes Personal, Social, Economic and Relationships, Relationships and Health education, using physical and online resources and online safety. Informal opportunities to teach children how to stay safe may arise through circle time, assemblies, group work, charity days etc. Subjects covered include online safety and from time to time programmes are delivered by external groups such as the NSPCC. This relates to all safeguarding, including online safety.

Relationships & Health Education (RHE)

The academy follows the Trust 'Relationships & Health Education (RHE) curriculum and uses the Schemes of work to deliver age-appropriate learning for pupils according to their ages and stages of education.

Please see the RHE policy for more information.

Safeguarding in the EYFS

All children learn best when they are healthy, safe and secure, when their individual needs are met and when they have positive relationships. At the Harmony Trust, the welfare requirements as documented in the Statutory Framework for the Early Years foundation stage (4 September 2023) are followed.

- All staff in the EYFS are expected to be vigilant to all safeguarding matters and to put the welfare of children at the heart of everything they do.
- All children have a designated Key Person to ensure individual needs are met
- Staff attend training to ensure they are confident and competent when dealing with safeguarding matters
- Safer Recruitment procedures are followed (see safeguarding policy). Ratios, as detailed in the 4 September 2023 EYFS framework, are adhered to at all times.
- Staff:Child ratio as per KCSIE 2023 are adhered to at all times (see KCSIE 2023, pages 28-31)
- Personal mobile phones **MUST NOT** be used by staff to take photographs of children and must be for personal use only. Except with the express permission of the senior leadership team, personal mobile phones should not be kept near the children.
- Intimate care is conducted according to the intimate care policy
- Support for children with medical conditions and for those requiring medication is conducted according to the medicines policy
- There will be a paediatric first aid trained member of staff on site at all times, when children are present and visits out of school will be accompanied by first aid trained staff.
- The setting is safe and secure. Risk assessments are completed for all areas of the setting. Please see the Health and safety policy (and associated guidance) for more information.
- If a staff member has medication which may affect their ability to care for children, the staff member should seek medical advice. Leaders must ensure that staff members only work directly with children if medical advice confirms that the medication is unlikely to impair that staff member's ability to look after children properly. All medication must be securely stored, and out of reach of children at all times.

Childcare disqualification

For staff who work in childcare provision or who are directly concerned with the management of such provision, the Harmony Trust ensures that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations. As most of our staff work with children under 8 at some time in their working week, we undertake checks on the majority of staff. These checks are recorded and updated annually.

7. Online Safety

Please see also the Trust Online Safety Policy.

Name of ICT lead: Sarah Curtis

Name of Derby Hub Network Manager: Nick Young

Name of Head of IT: David Taylor

Web Filtering system in place: Virtue technologies, using Sophos (web filter spyware, anti-virus and firewall)

Devices available which have online access: ipads, laptops & PCs

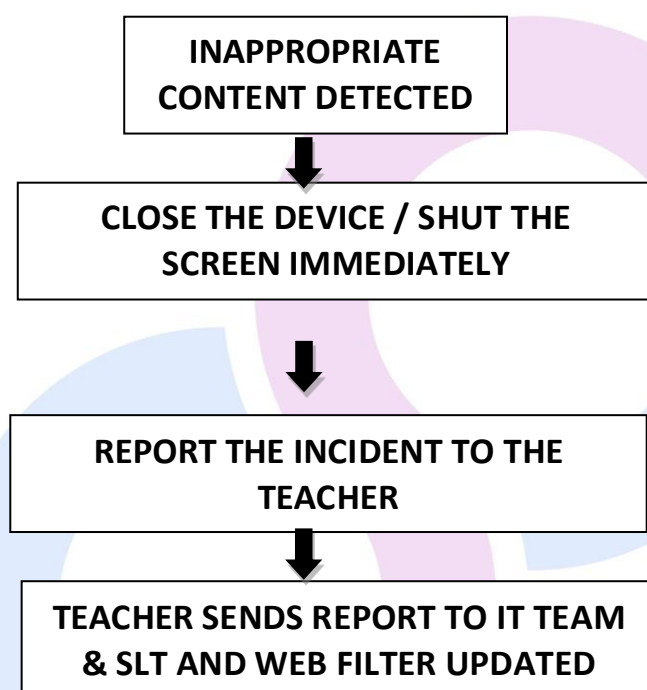
Security of devices: Web filtering Sophos software provided by the Trust

Do your pupils have individual logins? Yes – KS2

If yes, are these password protected - yes

Do all children know the procedure to follow if they come across content which is inappropriate? Yes - through computing & in assembly what to do if they come across inappropriate content by accident.

Do all children know the procedure to follow if they come across content which is inappropriate? Yes



As a Trust and an academy, we ensure that our children are safeguarded from potentially harmful and inappropriate online material. We have an effective whole trust approach to online safety which ensures that our academy protects and educates pupils and staff in their use of technology and escalate any concerns where appropriate. We provide online safety, providing awareness to support them.

PARENTS CONTACTED IF DEEMED APPROPRIATE BY SLT

All of our KS2 pupils will have their own iPad as part of the Trust's HTML (Harnessing Technology, maximising Learning) initiative. As such all KS2 pupils receive a series of induction sessions at school designed to keep them all safe online at school or home, they must sign a pupil IT acceptable use agreement (of which parents/ carers are also made aware) and parents/ carers sign an agreement for the loan of the iPads with clear rules to follow.

As part of the online safety and RHE curriculum, we follow a programme for this that is in line with 'Education for a Connected World' and this ensures that all pupils are taught to keep safe online, appropriate to their age and stage.

The breadth of issues classified within online safety is considerable, but can be categorised into four areas of risk:

- **content:** being exposed to illegal, inappropriate, or harmful content, for example: pornography, fake news, racism, misogyny, self-harm, suicide, anti-Semitism, radicalisation and extremism.
- **contact:** being subjected to harmful online interaction with other users; for example: peer to peer pressure, commercial advertising and adults posing as children or young adults with the intention to groom or exploit them for sexual, criminal, financial or other purposes.
- **conduct:** personal online behaviour that increases the likelihood of, or causes, harm; for example, making, sending and receiving explicit images (e.g., consensual and non-consensual sharing of nudes and semi-nudes and/or pornography, sharing other explicit images and online bullying; and
- **commerce** - risks such as online gambling, inappropriate advertising, phishing and or financial scams. If you feel your pupils, students or staff are at risk, please report it to the Anti-Phishing Working Group (<https://apwg.org/>).

Online resources can be found in part two of KCSIE 2023

Our Online Safety Policy and Social Media Policies are important documents. All staff are made fully aware of these and know how to access them for guidance around processes, procedures, and expectations.

Filters and monitoring on site

At Carlyle Infant and Nursery Academy, we aim to do all that we reasonably can to limit children's exposure to the above risks from the school's IT system. As part of this process, we ensure our academy has appropriate filters and monitoring systems in place. We

consider the age range of the pupils, the number of pupils, how often they access IT and costs vs risks. Whilst filtering is essential, we are careful not to “over block” sites so pupils can be taught with regard to online teaching and safeguarding.

Whilst filtering and monitoring are an important part of the online safety picture for our academies, it is only one part. We consider a whole academy approach to online safety. Staff having a concern about an online safety issue should see our Online safety policy.

The approach that we take as a Trust considers that age and range of the children, those children who may be at greater risk of harm and how often they access the IT system. This is all considered alongside with the proportionality of costs versus safeguarding risks.

Our systems are fully compliant with the Prevent Duty

Our Trust filtering and monitoring systems are regular reviewed by the academy DSL/ leadership, the IT team and the Head of Safeguarding.

Relevant staff are made aware of the provisions in place for monitoring and filtering and understand what is in place and how to manage this effectively. All staff know how to escalate concerns when identified.

Please see DfE guidance on Teaching online safety in school [Teaching online safety in schools - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/teaching-online-safety-in-school)

The following resources, plus many more listed in Annex B of KCSIE 2023, may also help schools and colleges understand and teach about safeguarding:

- DfE advice for schools: teaching online safety in schools
- UK Council for Internet Safety (UKCIS)37 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 visitors guidance will help schools and colleges 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
- Harmful online challenges and online hoaxes - this includes advice on preparing for any online challenges and hoaxes, sharing information with parents and carers and where to get help and support.

Information security and access management

Our Trust IT Team ensure that our Academy has a secure level of security protection in place, and this is monitored regularly in order to determine effectiveness and also to ensure that we keep up to date with evolving cybercrime technologies.

Online safety at home

We must do what we reasonably can to keep all our children safe, including those not on site. Whenever interacting with pupils at home, we will continue to look out for signs a child may be at risk. Any such concerns should be reported to the DSL and dealt with as per the Safeguarding Policy.

Safeguarding pupils and teachers online

- All our staff consider the safety of their children when they are asked to work online.
- The starting point for any online teaching should be that the same principles as set out in our code of conduct
 - Acceptable use of technologies
 - Staff pupil/student relationships
 - Communication including the use of social media.
- Online safety should apply equally to any existing or new online and distance learning arrangements which are introduced. The Online Safety Policy will be considered in light of this.
- Further advice to support schools to help keep pupils, students and staff safe whilst learning remotely, can be found in the guidance 'Safeguarding in schools colleges and other providers and safeguarding and remote education.' The NSPCC also provide helpful advice - Undertaking remote teaching safely
- Staff should not communicate with parents (unless they were already friends, in which case staff must discuss this with their line manager) or pupils (under the age of 18 from the academy, including previous pupils) outside school channels – all forms of communication should be agreed with senior leaders and be via approved trust/ academy channels.

Publishing photographs/ children's work on the Academy Website/ Social Media

Staff must always follow the Trust's Use of Social Media Policy, IT acceptable use agreement and Online Safety Policy when uploading photos of children or their work to the academy's website/ social media platforms (e.g., Twitter)

- ONLY authorised staff are allowed to post photos of children and work to the academy website or approved social media platform
- Any individual staff professional social media account MUST be approved prior to use by the Principal/ Head of Academy
- Only pupils with written consent from parents/carers may have their photo or name published on the academy website or approved social media platform
- Parents and carers are asked not to post any photo, videos or information regarding other children onto any form of social media, unless the child(ren's) parent/ carer has given their permission. Academy staff ensure that this is shared at all academy events so that everyone is fully aware.
- If a child's name is published on the academy website/ approved social media site, ONLY the first name will be published. No surname or surname initials will be displayed. This also includes children's workbooks or files in photos
- All posts will be monitored regularly as directed by the Principal/Head of Academy
- Disciplinary action will be taken if academy guidance is breached

Reviewing online safety

Technology, and risks and harms related to it evolve and changes rapidly. Our academy carries out an annual review of our approach to online safety, supported by an annual risk

assessment that considers and reflects the risks that our children face. This forms an action plan to address areas in order to ensure that we are keeping our children safe online and to continuously improve things further.

UKCIS has published Online safety in schools and colleges: [Questions from the governing board](#). The questions can be used to gain a basic understanding of the current approach to keeping children safe online; learn how to improve this approach where appropriate; and find out about tools which can be used to improve the approach. It has also published an [Online Safety Audit Tool](#) which helps mentors of trainee teachers and newly qualified teachers induct mentees and provide ongoing support, development and monitoring.

Reporting concerns

It is essential to have and communicate clear reporting routes so that children, teachers, other staff/ adults in school, parents and carers can raise any safeguarding concerns.

We will signpost to practical support that is available for reporting harmful or upsetting content as well as bullying and online abuse.

Children who are being asked to work online have very clear reporting routes in place so they can raise any concerns whilst online. These are also available for parents/carers with concerns.

- reporting routes back to the school
- Childline - for support

Also:

Harmful or upsetting content

Get support by:

- reporting harmful online content to the UK Safer Internet Centre [Report Harmful Content - UK Safer Internet Centre](#)
- getting government advice and trusted resources from Educate Against Hate on safeguarding from radicalisation, building resilience to extremism, and promoting shared values

Bullying or abuse online

- get advice on reporting online abuse from the National Crime Agency's Child Exploitation and Online Protection command (CEOP) [CEOP Safety Centre](#)
- get advice and support from Anti-Bullying Alliance for children who are being bullied

Schools can access the free Professionals Online Safety Helpline which supports the online safeguarding of both children and professionals. Call 0344 381 4772 or email helpline@saferinternet.org.uk. The helpline is open from Monday to Friday from 10am to 4pm.

Communicating with parents, carers and pupils

When education takes place remotely, it is important we maintain professional practice as much as possible. When communicating online with parents and pupils, staff should:

- communicate within academy hours as much as possible (or hours agreed with the academy to suit the needs of staff)
- communicate through the academy channels approved by the senior leadership team
- use academy email accounts (not personal ones)
- use academy devices over personal devices wherever possible
- we advise teachers not to share personal information
- Communications with parents should be used to reinforce the importance of children being safe online.
- It will be especially important for parents and carers to be aware of what their children are being asked to do online, including the sites they will be asked to access and be clear who from the academy (if anyone) their child is going to be interacting with online.
- Parents and carers must ensure they only access reputable websites if they are looking for support from online companies and tutors. Support for parents and carers to keep their children safe online includes:
 - Internet matters - for support for parents and carers to keep their children safe online
 - London Grid for Learning - for support for parents and carers to keep their children safe online
 - Net-aware - for support for parents and carers from the NSPCC
 - Parent info - for support for parents and carers to keep their children safe online
 - Thinkuknow - for advice from the National Crime Agency to stay safe online
 - UK Safer Internet Centre - advice for parents and carers

Virtual lessons and live streaming

There is no expectation that teachers should live stream or provide pre-recorded videos but if this is done, it will be with the explicit agreement of the Principal and protocols will be developed and followed.

Staff Training

Online safety training should be regularly undertaken by staff who work directly with children as part of the overall safeguarding approach, every 2 years. KCSIE 2022 provides detail of organisations to support with online safety. Attendance at training will be recorded at academy level via 'DocuSign' or another suitable method.

8. Safe touch and The Use of Reasonable force

Please see the Positive Handling policy for more detail.

Safe touch

The Harmony Trust recognises that there are occasions where safe touch can be appropriate with children. This rests on every member of staff knowing the difference between appropriate and inappropriate touch.

Different Types of Touch

Safe touch occurs in a safe environment, where there are other members of staff. It is always for the benefit of the child.

There are different types of touch and physical contact that may be used, these include:

1. Casual / Informal / Incidental Touch

Staff use touch with pupils as part of a normal relationship, for example, comforting a child, giving reassurance and congratulating. This might include putting an arm out to bar an exit from a room, taking a child by the hand, patting on the back or putting an arm around the shoulders. The benefit of this action is often proactive and can prevent a situation from escalating.

2. General Reparative Touch

This is used by staff working with children who are having difficulties with their emotions. Healthy emotional development requires safe touch as a means of calming, soothing and containing distress for a frightened, angry or sad child. Touch used to regulate a child's emotions triggers the release of the calming chemical oxytocin in the body. Reparative touch may include stroking a back, squeezing an arm, rocking gently, cuddling, sitting on an adult's lap, or hand or foot massage.

3. Contact Play

Contact play is used by staff adopting a role similar to a parent in a healthy child-parent relationship. This will only take place when the child has developed a trusting relationship with the adult and when they feel completely comfortable and at ease with this type of contact. Contact play may include an adult chasing and catching the child or an adult and child playing a game of building towers with their hands.

If any member of staff is concerned that inappropriate touch has taken place they must report it immediately to the DSL/ Head of Academy or Principal.

The Use of Reasonable Force

There are circumstances when it is appropriate for staff in our academies to use reasonable force to safeguard children and young people. The term 'reasonable force' covers the broad range of actions used by staff that involve a degree of physical contact to control or restrain children. This can range from guiding a child to safety following safer handling training techniques only, to more extreme circumstances such as breaking up a fight or where a young person needs to be restrained to prevent violence or injury. 'Reasonable' in these circumstances means 'using no more force than is needed'. The use of force may involve

either passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact such as leading a pupil by the arm out of the classroom. It is always a last resort and is achieved using the minimum physical intervention necessary to ensure the safety of the child and those around them.

When using reasonable force in response to risks presented by incidents involving children with SEN or disabilities or with medical conditions, we consider the risks carefully and recognise the additional vulnerability of these groups. We also consider our duties under the Equality Act 2010 in relation to making reasonable adjustments and non-discrimination. By planning positive and proactive behaviour support, for instance through drawing up individual behaviour plans for more vulnerable children, and agreeing them with parents and carers, we reduce the occurrence of challenging behaviour and the need to use reasonable force.

Please see specific guidance regarding the use of reasonable force found in the Behaviour Policy, the academy positive handling policy and the DFE Use of reasonable force document.

Positive Handling (Calming a Dysregulating Child)

Only staff who have been trained will restrain a child when behaviour is:

- Unacceptably threatening, dangerous, aggressive or out of control;
- In order to avoid harm to self or others or damage to property;
- To avoid an offence being committed and / or a breakdown of good order and discipline.

The restraining techniques used should be familiar to the staff involved, and they should be appropriately trained (within the last 2 years) and be able to use them safely. A child who is in a state of dysregulation and has no mechanism for self-calming or regulating their strong emotional reactions will be physically contained by staff. This kind of containment will usually involve a member of staff sitting behind the child and enveloping the child in their arms whilst providing a safe, calm and soothing presence. It may also be necessary for another member of staff to control a child's kicking legs.

Staff will employ the safest and gentlest means of holding a child, which is entirely designed to enable the child to feel safe and soothed and bring him or her down from an uncontrollable state of hyper arousal. Maintaining boundaries in such cases can be a vital corrective emotional experience, without which the child can be left at risk of actual physical or psychological damage. The brain does not develop self-soothing neuronal pathways unless this safe emotional regulation has been experienced. Physical containment of a child in crisis may be the only way to provide the reassurance necessary to restore calm.

During any incident of restraint, staff must seek as far as possible to:

- Lower the child's level of anxiety during the restraint by continually offering verbal reassurance and avoiding generating fear of injury in the child;
- Cause minimum level of restriction of movement of limbs consistent with the danger of injury (so, for example, will not restrict the movement of the child's legs when they are on the ground unless in an enclosed space where flailing legs are likely to be injured);
- Ensure at least one other member of staff is present.

9. Looked after children and Previously looked after children

Our academy has a Designated Teacher (who is a qualified teacher) to promote the educational achievement of children who are looked after or previously looked after. The Trust will ensure that this person has appropriate training.

In our Academy, this person is Sarah Curtis

Designated Teachers across our Trust are:

Academy	LAC designated teacher	Deputy (where relevant)
Alt	Katie Jordon	Tamsin Wood
Greenfield	Zoe Neophitou	
Greenhill	Nicola Cummins	Chloe Glynn
Richmond	Rachel Marsh	
Northmoor	Rachel Beesley	
Westwood	Sarah Wimperis	
Alvaston	Andy Dunn	
Ash Croft	Emma Luff	Faith Scott
Carlyle	Sarah Curtis	
Cavendish	Faye Winfield	
Cottons Farm	Kirsty Patmore	
Hackwood	Kate Morley	
Lakeside	Lynn Thorne	
Reigate	Sally Harrison	Kate Pearce
Village	Dawn Archer	

Our Designated Teacher and any other relevant staff should have the information they need in relation to a child's looked after legal status (whether they are looked after under voluntary arrangements with consent of parents or on an interim or full care order) and contact arrangements with birth parents or those with parental responsibility.

They should also have information about the child's care arrangements and the levels of authority delegated to the carer by the authority looking after him/her.

The Designated Safeguarding Lead, through the Designated Teacher for Looked After Children, should have details of the child's Social Worker and the name of the Virtual School Head in the authority that looks after the child.

Through the Children and Social Work Act 2017, designated teachers have responsibility for promoting the educational achievement of children who have left care through adoption, special guardianship or child arrangement orders or who were adopted from state care outside England and Wales.

A previously looked after child 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.

Virtual School Heads

Local Authority Virtual School Heads manage pupil premium plus for Looked after children. The designated teacher should work with the Virtual School Head and discuss how funding can be best used to support the progress of the looked after child in the school and meet the needs identified in the child's Personal Education Plan.

The designated teacher should also work with the virtual head to promote the educational achievement of previously looked after children.

Debbie Beeston is the Virtual Head for the Harmony Trust

10. Information Sharing and Record Keeping

Records are kept: On CPOMS -there are no paper copies stored

Access to Records: High level access to CPOMS held by:
Sarah Curtis, Kelly Kerry, Sian Elliott, Mia Chera, Mel
Squire, Debbie Beeston & Wendy May
The Derby Family Support Team are also able to access
records needed for their work

All staff: If there are any concerns, these should be recorded onto CPOMS. If there are concerns a child is at significant risk of harm, find the DSL immediately and follow up the report in writing afterwards.

Information sharing is vital in identifying and tackling all forms of abuse and neglect, and in promoting children's welfare, including their educational outcomes. As an academy we have clear powers to share, hold and use information for these purposes.

Trustees, Trust Leaders and academy staff all understand the importance of information sharing between practitioners and local agencies. We have arrangements in place that set out clearly the processes and principles for sharing information within the academy and with children's social care, the safeguarding partners, other organisations, agencies, and practitioners as required. See Appendix 5

All staff should 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.

We are aware that among other obligations, the Data Protection Act 2018, and the UK General Data Protection Regulation (UK GDPR) place duties on organisations and individuals to process personal information fairly and lawfully and to keep the information they hold safe and secure.

We ensure that relevant staff have due regard to the relevant data protection principles, which allow them to share (and withhold) personal information, as provided for in the Data Protection Act 2018 and the UK GDPR.

This includes:

- Being confident of the processing conditions which allow them to store and share information for safeguarding purposes, including information, which is sensitive and personal, and should be treated as 'special category personal data'.
- Understanding that 'safeguarding of children and individuals at risk' is a processing condition that allows practitioners to share special category personal data. This includes allowing practitioners 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, but it is not possible to gain consent, it cannot be reasonably expected that a practitioner gains consent, or if to gain consent would place a child at risk.
- For schools, not providing pupils' personal data where the serious harm test under the legislation is met. For example, in a situation where a child is in a refuge or another form of emergency accommodation, and the serious harms test is met, they must withhold providing the data in compliance with schools' obligations under the Data Protection Act 2018 and the UK GDPR. Where in doubt schools should seek independent legal advice.

The Data Protection Act 2018 and GDPR do not prevent the sharing of information for the purposes of keeping children safe. 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.

Further details on information sharing can be provided by the Trust Data protection officer, Colin Bellis and KCSIE 2023.

- In Chapter one of Working Together to Safeguard Children 2018, which includes a myth-busting guide to information sharing
- In Information Sharing: Advice for Practitioners Providing Safeguarding Services to Children, Young People, Parents and Carers 2018. The seven golden rules for sharing information will be especially useful
- At The Information Commissioner's Office (ICO), which includes ICO UK GDPR FAQs and guidance from the department
- In Data protection: toolkit for schools - Guidance to support schools with data protection activity, including compliance with the UK GDPR.

Confidentiality, record keeping and file retention

Keeping Children Safe in Education (2022) makes clear that 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.

Our academy will keep all child protection records secure and confidential, allowing disclosure only to those who need the information, in order to safeguard and promote the welfare of children. When using our electronic safeguarding system (CPOMS), our academy will ensure access is at an appropriate level and that all staff understand the importance of security and confidentiality.

Child Protection and safeguarding files are retained in line with national guidance. Further detail about this can be found in our data retention policy.

Where a pupil leaves us to attend another school (e.g., in year transfer or Yr6 transition) any CP records will be passed to the Designated Safeguarding Lead of the new school without delay. This will be within 5 days for an in-year transfer or within the first 5 days of the start of a new term. Ideally, this will be by face-to-face handover or via secure transfer (if another CPOMS school); if this is not possible, we will notify the new DSL that a file exists and will send the file by secure mail with confirmation of delivery. In addition to the Child Protection file, the DSL will also consider if it would be appropriate to share any information with the new school in advance of a child leaving if it would support the child. The Child Protection file will always be sent separately to the child's main school file.

The Academy will co-operate with Police and Children's Social Care to ensure that all relevant information is shared for the purposes of Child Protection investigations under section 47 of the Children Act 1989 in accordance with the requirements of Working Together to Safeguard Children (Sep 2018), the Prevent Duty Guidance for England and Wales (2015) and Channel Duty Guidance: Protecting vulnerable people from being drawn into terrorism (2015).

Where allegations have been made against staff, the Executive Principal, Principal, Head of Academy, or Trust Head of Safeguarding will consult with the LADO and, where appropriate, the Police and Children's Social Care to agree the information that should be disclosed and to whom.

Records of an allegation against a member of staff will be retained until normal pension age or for 10 years, whichever is the longer. The only exception to this is where the allegation has been shown to be malicious, in which case *all* records of the allegation will be deleted.

11. Safer Recruitment – These procedures are Trust-wide

It is vital that all who work at the Harmony Trust create a culture of safe recruitment and, as part of that, adopt recruitment procedures that help deter, reject or identify people who might abuse children.

When recruiting staff, the Harmony Trust Safer Recruitment policy will be followed.

- Statutory checks will be made on the background of anyone who works within the trust
- At least one person on each panel will have Safer Recruitment training

Please see the Trust Safer Recruitment policy for detail regarding;
Recruitment and selection process

Advert

Application Forms

Shortlisting

Employment history and references

Selection

Pre-appointment vetting checks, regulated activity and recording information

Applicants moving from previous posts

Regulated Activity
Types of DBS checks
Prohibitions, directions, sanctions and restrictions
Section 128 checks
European Economic Area (EEA) regulating authority teachers sanctions or restrictions
Childcare disqualification
Online pre-employment search

Single Central Record

All of our academies maintain a single central record of pre-appointment checks. This covers the following people:

- All staff, including teacher trainees on salaried routes and supply staff who work in the schools.
- We also include regular volunteers and long-term contracted staff.

All Central Trust Staff and Trustees of the Academy Trust are recorded on the Trust Single Central Record. All principals and Office Managers have access to the Trust SCR for checking purposes.

The information which must be on the Single Central record is:

- An identity check
- Barred list check
- Enhanced DBS check - original certificate provided as part of pre-employments but the certificate is not kept
- Prohibition from teaching check (for all teachers, even if they are not currently working in a teaching position)
- Section 128 check for management positions
- Further checks on people who have lived or worked outside the UK. As a trust we check any staff member who has lived/worked abroad within the last 10 years prior to employment
- Check of professional qualifications where required
- Check to establish the person's right to work in the UK

The record must indicate whether the checks have been carried out or certificates obtained and the date on which each check was completed and by whom.

The details of an individual should be removed from the Single Central Record once they no longer work at the academy. We will archive the leaver on our current SCR record under a leavers section for the academic year in question. Staff will be informed of this when they leave the academy.

For supply staff and students who are fee-funded, we require written confirmation that the employment business has undertaken the relevant checks, the date the confirmation was received and evidence of any DBS certificate for the member of staff.

For third party, agency staff and contractors we require written confirmation that the organisation responsible has undertaken the relevant checks, the date the confirmation was received and evidence of any DBS certificate for the member of staff.

Agency and third-party staff (supply staff)

The academy must obtain written notification from any agency, or third-party organisation to say that they have carried out the checks on an individual who will be working at the academy that the academy or trust would otherwise perform. In respect of the enhanced DBS check, the academy **must** ensure that written notification confirms the certificate has been obtained by either the employment business or another such business.

Where the agency or organisation has obtained an enhanced DBS certificate before the person is due to begin work at the academy, which has disclosed any matter or information, or any information was provided to the employment business, the academy **must** obtain a copy of the certificate from the agency.

Where the position requires a children's barred list check, this **must** be obtained by the agency or third party by obtaining an enhanced DBS certificate with barred list.

When supply staff from an agency or third -party staff visit the academy, for the first visit admin staff check the identity of staff using provided photo ID (e.g., driving licence or a work's badge with photo image.) This information is then added to our academy single central record.

Volunteers

Under no circumstances should a volunteer for whom no checks have been obtained, be left unsupervised or allowed to work in regulated activity.

Please see the Volunteers' Policy for more details of checks which are undertaken. Rarely are volunteers in regulated activity. However, for regular volunteers, an enhanced DBS is completed. Where a DBS is not completed, a risk assessment will be in place for the volunteer and a chaperone allocated to oversee and monitor the volunteer.

When should a DBS with barred list be obtained for volunteers?

Our academy will obtain an enhanced DBS check (which should include children's barred list information) for all volunteers who are new to working in regulated activity with children, i.e., where they are unsupervised and teach or look after children regularly or provide personal care on a one-off basis in schools and colleges. See Annex E in KCSIE 2022 for statutory supervision guidance.

We are not legally permitted to request barred list information on a supervised volunteer, as they are not considered to be engaging in regulated activity.

Supervision of volunteers

It is important that we determine whether a volunteer is considered to be supervised. Where an individual is supervised, to help determine the appropriate level of supervision,

we **must** have regard to the statutory guidance issued by the Secretary of State (replicated at Annex E) in KCSIE 2023

Contractors

Our academy ensures that any contractor, or any employee of the contractor, who is to work at the school, has been subject to the appropriate level of DBS check. Contractors engaging in regulated activity will require an enhanced DBS certificate (including barred list information).

For all other contractors who are not engaging in regulated activity, but whose work provides them with an opportunity for regular contact with children, an enhanced DBS check (not including barred list information) will be required. In considering whether the contact is regular, it is irrelevant whether the contractor works on a single site or across a number of sites.

Under no circumstances should a contractor for whom no checks have been obtained be allowed to work unsupervised or engage in regulated activity. We are responsible for determining the appropriate level of supervision depending on the circumstances.

If a contractor working at an academy is self-employed, the academy should consider obtaining the DBS check, as self-employed people are not able to make an application directly to the DBS on their own account.

We always check the identity of contractors and their staff upon their first arrival at the academy with photo ID.

Trainee/ student teachers

Where applicants for initial teacher training are salaried by us as the academy, we **must** ensure that all necessary checks are carried out. If these trainee teachers are engaging in regulated activity relating to children (which in most cases by the nature of the work, they will be), an enhanced DBS check (including children's barred list information) **must** be obtained.

Where trainee teachers are fee-funded, it is the responsibility of the initial teacher training provider to carry out the necessary checks. Our academy should obtain written confirmation from the provider that it has carried out all pre-appointment checks that the academy would otherwise be required to perform, and that the trainee has been judged by the provider to be suitable to work with children.

We do include trainee/ student teacher information in our single central record even though it is non statutory.

Visitors

Schools do not have the power to request DBS checks and barred list checks, or ask to see DBS certificates, for visitors (for example children's relatives or other visitors attending a sports day).

It is expected that visitors should be escorted and supervised unless they are in school for a specific purpose and have produced a DBS as part of this.

For visitors who are there in a professional capacity, we will 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).

Whilst external organisations can provide a varied and useful range of information, resources and speakers that can help schools and colleges enrich children's education we will give careful consideration to the suitability of any external organisations.

As part of our own academy risk assessments, we consider the educational value, the age appropriateness of what is going to be delivered and whether relevant checks will be required. We will ask what the organisations policy & protocols are re safeguarding, risk assessments available and the checks that are carried out on their staff.

12. Allegations made against/ Concerns raised in relation to teachers, including supply teachers, other staff, volunteers and contractors

If staff members, other adults in the academy, or parents have concerns about a staff member (including supply staff, other adults, volunteers and contractors) posing a risk of harm to children then this should be referred to the Principal. Staff should not take their own action to investigate concerns reported to them as this could hinder any subsequent investigation. The Principal shall inform the Assistant Director of safeguarding, Estates and Compliance, the Trust Head of Safeguarding and, where the allegation may meet the harms test, the LADO in line with KCSIE 2023.

If the Principal, is the subject of an allegation, this should be referred to the CEO who will immediately discuss the allegation with the Assistant Director for Safeguarding, Estates and Compliance / Head of Safeguarding and the Local Authority Designated Officer (LADO).

If the CEO, is the subject of an allegation, this should be referred to the Chair of trustees who will immediately discuss the allegation with the Local Authority Designated Officer (LADO).

If a Trustee is the subject of an allegation, the CEO, Antony Hughes, should immediately discuss the allegation with the Assistant Director for Safeguarding/ Head of Safeguarding and the Local Authority Designated Officer (LADO).

The Derby Local Authority Designated Officer (LADO) can be contacted on 01332 642376.

The Trust follows the guidance detailed in the Document 'Keeping Children Safe in Education' Sept 2023, Part four.

This guidance should be used in respect of all cases in which it is alleged that a teacher or member of staff (including supply staff, volunteers, other adults, contractors) in a Trust academy has

- **Behaved in a way that has harmed a child**
- **Possibly committed a criminal offence against or related to a child or**
- **Behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children and / or**
- **Behaved or may have behaved in a way that indicates they may not be suitable to work with children. (This also includes behaviour outside of the academy, that might make an individual unsuitable to work with children, this is known as transferrable risk.)**

This part of the guidance relates to members of staff, (including supply staff, volunteers and contractors) who are currently working in any academy regardless of whether the academy is where the alleged abuse took place.

Allegations against a teacher who is no longer teaching will be referred to the Police. Historical allegations of abuse will also be referred to the Police.

The procedures for dealing with allegations will be applied with common sense and judgement. For full details of the Trust's procedures see Annex 2.

It is strongly advised that any staff member faced with an alleged allegation, contacts their Trade Union/ Professional Association as a source of guidance and support.

If a staff member believes that allegations of professional abuse are not being handled appropriately, they should follow the Trust Whistleblowing Policy. In exceptional circumstances, they may contact the NSPCC Whistleblowing Helpline on 0800 028 0285

There are procedures in place to make a referral to the Disclosure and Barring Service (DBS) if a person in regulated activity has been dismissed or removed due to safeguarding concerns or would have been had they not resigned.

The Trust recognises that the welfare of a child is paramount, and this will be the prime concern in terms of investigating an allegation against a person in a position of trust. The trust also recognises that when a safeguarding concern or allegation is being investigated, it is likely to be stressful for the adult subject of the allegation, and potentially for their families. The Trust has a duty of care to their employees. They will provide the employee with effective support and a named contact if they are suspended. The Trust recognises that it is essential that any allegation of abuse made against a teacher or other member of staff, supply teacher, volunteer or contractor in school is dealt with very quickly, in a fair and consistent way that provides effective protection for the child and at the same time supports the adult who is the subject of the allegation.

Where the Principal is the subject of an allegation, the CEO Antony Hughes, should immediately discuss the allegation with the Assistant Director for Safeguarding, Estates and Compliance / Head of Safeguarding and the Local Authority Designated Officer (LADO).

Supply teachers and all contracted staff

In some circumstances we may have to consider an allegation against an individual not directly employed by us, where its disciplinary procedures do not fully apply, for example, supply teachers provided by an employment agency or business.

Whilst we are not the employer of supply teachers, we should ensure allegations are dealt with properly. In no circumstances will we cease to use a supply teacher due to safeguarding concerns, without finding out the facts and liaising with the LADO to determine a suitable outcome.

The Trust will discuss with the agency whether it is appropriate to suspend the supply teacher, or redeploy them to another part of the school, whilst they carry out their investigation.

Agencies should be fully involved and co-operate in any enquiries from the LADO, Police and/or Children's Social Care. The Academy will usually take the lead because agencies do not have direct access to children or other school staff, so they will not be able to collect the facts when an allegation is made, nor do they have all the relevant information required by the LADO as part of the referral process.

Supply teachers, whilst not employed by the Trust, are under the supervision, direction and control of the Trust when working in our academies. They should be advised to contact their Trade Union representative if they have one, or a colleague for support.

The allegations management meeting which is often arranged by the LADO should address issues such as information sharing, to ensure that any previous concerns or allegations known to the agency, are taken into account by the school during the investigation.

When using an agency, the Trust will inform the agency of its process for managing allegations. This should include inviting the agency's human resource manager or equivalent to meetings and keeping them up to date with information about its policies.

Organisations or individuals using school premises

An allegation may be received relating to an incident that happened when an individual or organisation has been using the school premises for the purposes of running activities for children. In such a case, the school should follow safeguarding policies and procedures, including informing the LADO.

Members and Trustees

If an allegation is made against a Member or Trustee, the same policy and procedures should be followed as per this policy. When an allegation is substantiated, procedures to remove a person from office should be followed.

Initial considerations

The procedures for dealing with allegations need to be applied with common sense and judgement. Many cases may well either not meet the criteria set out above or may do so without warranting consideration of either a Police investigation or enquiries by Local Authority Children's Social Care services. In these cases, local arrangements should be followed to resolve cases without delay.

Some rare allegations will be so serious they require immediate intervention by Children's Social Care services and/or Police. The LADO(s) should be informed of all allegations that come to the school's attention and appear to meet the criteria so they can consult Police and Children's Social Care services as appropriate.

Before contacting the LADO, the principal/ case manager should conduct basic enquiries to establish the facts to help them determine whether there is any foundation to the allegation, being careful not to jeopardise any future police investigation.

When to inform the individual of the allegation should be considered carefully on a case-by-case basis, with guidance as required by the LADO, and if appropriate children's social care and the police.

A "Case Manager" will be appointed. This will usually be the Principal, or in the case of allegation against the Principal, the CEO, Assistant Director for Safeguarding, Estates and Compliance or the Head of Safeguarding.

- The Case Manager sets up an initial discussion with the LADO. The purpose of an initial discussion is for the LADO(s) and the Case Manager to consider the nature, content and context of the allegation and agree a course of action.
- The LADO(s) may ask the Case Manager to provide or obtain relevant additional information, such as previous history, whether the child or their family have made similar allegations previously and the individual's current contact with children.
- There may be situations when the Case Manager will want to involve the Police immediately, for example if the person is deemed to be an immediate risk to children or there is evidence of a possible criminal offence. Where there is no such evidence, the Case Manager should discuss the allegations with the LADO(s) in order to help determine whether Police involvement is necessary.

The initial sharing of information and evaluation may lead to a decision that no further action is to be taken in regard to the individual facing the allegation or concern; in which case this decision and a justification for it should be recorded by both the Case Manager and the LADO(s), and agreement reached on what information should be put in writing to the individual concerned and by whom.

- The Case Manager should then consider with the LADO(s) and the Trust HR team what action should follow both in respect of the individual and those who made the initial allegation.
- The Case Manager should inform the subject of the allegation about the allegation as soon as possible after consulting the LADO(s). It is extremely important that the Case Manager informs individuals about concerns or allegations as soon as possible and gives an explanation of the likely course of action.

- Where a strategy discussion is needed, or Police or Children's Social Care services need to be involved, the Case Manager should not do that until those agencies have been consulted, and have agreed what information can be disclosed to the subject
- As an employer, the academy/Trust must consider carefully whether the circumstances of a case warrant a person to be suspended or whether an alternative arrangement can be made. All options to avoid suspension should be considered prior to taking that step. The individual should be advised to contact their trade union representative, if they have one, or a colleague for support.
- If there is cause to suspect a child is suffering or likely to suffer significant harm, a strategy discussion should be convened in accordance with Working Together to Safeguard Children. If the allegation is about physical contact, the strategy discussion or initial evaluation with the Police should take into account that teachers and other school and staff are entitled to use reasonable force to control or restrain children in certain circumstances, including dealing with disruptive behaviour.
- Where it is clear that an investigation by the Police or Children's Social Care services is unnecessary, or the strategy discussion or initial evaluation decides that is the case, the LADO(s) should discuss the next steps with the Case Manager. In those circumstances, the options open to the academy depend on the nature and circumstances of the allegation and the evidence and information available. This will range from taking no further action to dismissal or a decision not to use the person's services in future.
- Suspension should not be the default position: an individual should be suspended only if there is no reasonable alternative. In some cases, further enquiries will be needed to enable a decision about how to proceed. If so, the LADO(s) should discuss with the Case Manager how and by whom the investigation will be undertaken. In straightforward cases, the investigation should normally be undertaken by a senior member of staff. However, in other circumstances, such as lack of appropriate resource within the academy or the nature or complexity of the allegation will require an independent investigator.
- The case manager should monitor the progress of cases to ensure that they are dealt with as quickly as possible in a thorough and fair process. Reviews should be conducted at fortnightly or monthly intervals, depending on the complexity of the case. Wherever possible, the first review should take place no later than four weeks after the initial assessment.
- The LADO will provide advice and guidance to the case manager when considering allegations against adults working with children. The LADO's role is not to investigate the allegation, but to ensure that an appropriate investigation is carried out, whether that is by the police, children's social care, the academy or a combination of these.

Supporting those involved

- The welfare of a child is paramount, and this will be the prime concern in terms of investigating an allegation against a person in a position of trust. However, when an allegation or safeguarding concern is being investigated it is likely to be a very stressful experience for the adult subject of the investigation, and potentially for their family members. It is important that as an employer, the academy offers appropriate welfare support at such a time and recognises the sensitivity of the situation. Information is confidential and should not ordinarily be shared with other staff or with children or parents who are not directly involved in the investigation.
- Employers have a duty of care to their employees. They should act to manage and minimise the stress inherent in the allegations process. Support for the individual is

vital to fulfilling this duty. Individuals should be informed of concerns or allegations as soon as possible and given an explanation of the likely course of action unless there is an objection by the Children's Social Care services or the Police. The individual should be advised to contact their Trade Union/ Professional Association Representative, if they have one, or a colleague for support. They should also be given access to welfare counselling or medical advice where this is provided by the employer.

- The Case Manager should appoint a named representative to keep the person who is the subject of the allegation informed of the progress of the case and consider what other support is appropriate for the individual. For staff in our academy this could be support via Occupational Health or an Employee Counselling Scheme available. Particular care will be taken when employees are suspended to ensure that they are kept informed of both the progress of their case and current work-related issues.
- Social contact with colleagues and friends will not be prevented unless there is evidence to suggest that such contact is likely to be prejudicial to the gathering and presentation of evidence.
- Parents or carers of a child or children involved should be told about the allegation as soon as possible if they do not already know of it. However, where a strategy discussion is required, or Police or Children's Social Care services need to be involved, the Case Manager should not do so until those agencies have been consulted and have agreed what information can be disclosed to the parents or carers. Parents or carers should also be kept informed about the progress of the case and told the outcome where there is not a criminal prosecution, including the outcome of any disciplinary process. The deliberations of a disciplinary hearing, and the information taken into account in reaching a decision, will not normally be disclosed, but the parents or carers of the child should be told the outcome in confidence.
- Parents and carers should also be made aware of the requirement to maintain confidentiality about any allegations made against teachers whilst investigations are ongoing as set out in section 141F of the Education Act 2002. If parents or carers wish to apply to the court to have reporting restrictions removed, they should be told to seek legal advice.
- In cases where a child may have suffered significant harm, or there may be a criminal prosecution, Children's Social Care services, or the Police as appropriate, should consider what support the child or children involved may need.

Confidentiality and Information sharing

It is extremely important that when an allegation is made, every effort is made to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered.

The Education Act 2002 introduced reporting restrictions preventing the publication of any material that may lead to the identification of a teacher who has been accused by, or on behalf of, a pupil from the same school. The reporting restrictions apply until the point that the accused person is charged with an offence, or until the Secretary of State publishes information about an investigation or decision in a disciplinary case arising from the allegation. The reporting restrictions are disapplied if the individual to whom the restrictions apply effectively waives their right to anonymity by going public themselves or by giving their written consent for another to do so, or if a judge lifts restrictions in response to a

request to do so. The provisions commenced on 1 October 2012. There will be no reporting to the press by the Harmony Trust.

The legislation imposing restrictions makes clear that “publication” of material that may lead to the identification of the teacher who is the subject of the allegation is prohibited.

“Publication” includes “any speech, writing, relevant programme or other communication in whatever form, which is addressed to the public at large or any section of the public.” This means that a parent who, for example, published details of the allegation on a social networking site would be in breach of the reporting restrictions (if what was published could lead to the identification of the teacher by members of the public).

In accordance with the Authorised Professional Practice published by the College of Policing in May 2017, the Police will not normally provide any information to the press or media that might identify an individual who is under investigation, unless and until the person is charged with a criminal offence. (In exceptional cases where the Police would like to depart from that rule, for example an appeal to trace a suspect, they must apply to a magistrates’ court to request that reporting restrictions be lifted.)

The Case Manager should take advice from the LADO, Police and Children’s Social Care to agree the following:

- Who needs to know and, importantly, exactly what information can be shared
- How to manage speculation, leaks and gossip
- What, if any information can be given to the wider community
- How to manage press interest if and when it should arise.

The Trust will seek legal advice in relevant cases.

- In a strategy discussion or the initial evaluation of the case, the agencies involved should share all relevant information they have about the person who is the subject of the allegation, and about the alleged victim.
- Where the Police are involved, wherever possible the employer should ask the Police to obtain consent from the individuals involved to share their statements and evidence for use in the employer disciplinary process. This should be done as their investigation proceeds and will enable the Police to share relevant information without delay at the conclusion of their investigation or any court case.
- Children’s Social Care services should adopt a similar procedure when making enquiries to determine whether the child or children named in the allegation are in need of protection or services, so that any information obtained in the course of those enquiries which is relevant to a disciplinary case can be passed to the employer without delay.
- Further information can be accessed in KCSIE 2022, pages 86-92 and should be consulted by the case manager in relevant cases.

Allegation outcomes

The following procedures for dealing with allegations will be applied with common sense and judgement.

The following definitions should be used when determining the outcome of allegation investigations:

- **Substantiated:** there is sufficient evidence to prove the allegation

- **Malicious:** there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive or cause harm to the person subject of the allegation
- **False:** there is sufficient evidence to disprove the allegation
- **Unsubstantiated:** there is insufficient evidence to either prove or disprove the allegation. The term, therefore, does not imply guilt or innocence
- **Unfounded:** to reflect cases where there is no evidence or proper basis which supports the allegation being made

The category of final outcome will always be agreed between the Case Manager and the LADO.

Ultimately the options open to the academy depend on the nature and circumstances of the allegations and the evidence and information available. This will range from taking no further action, to dismissal or a decision not to use the person's services in future. Suspension should not be the default position. An individual should be suspended only if there is no reasonable alternative.

If the allegation is substantiated and:

- the person is dismissed; resigns, or otherwise ceases to provide his or her services; or
- the employer ceases to use the person's services.

The academy/Trust has a legal duty to make a referral to the DBS for consideration of whether inclusion on the barred lists is required.

In the case of a member of teaching staff, the case manager **must** consider whether to refer the matter to the TRA to consider prohibiting the individual from teaching.

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

Following a criminal investigation or a prosecution

The police should inform the LADO and the case manager immediately when:

- a criminal investigation and any subsequent trial is complete,
- it is decided to close an investigation without charge, or
- it is decided not to continue to prosecute after the person has been charged.

In those circumstances, during the joint assessment meeting the LADO should discuss with the case manager whether any further action, including disciplinary action, is appropriate and, if so, how to proceed. The information provided by the police and/or children's social care should also inform that decision. The options will depend on the circumstances of the case and the consideration should take into account the result of the police investigation or the trial, as well as the different standard of proof required in disciplinary and criminal proceedings.

Returning to work

Where it is decided on the conclusion of a case that a person who has been suspended can return to work, the case manager should consider how best to facilitate that. Guidance and advice are usually provided via HR or the LADO. Most people will benefit from some help and support to return to work after a stressful experience. Depending on the individual's circumstances, a phased return and/or the provision of a mentor to provide assistance and support in the short term may be appropriate. The case manager should also consider how the person's contact with the child or children who made the allegation can best be managed if they are still attending the academy.

Managing the situation and exit arrangements

- If a person resigns or ceases to provide their services, this should not prevent an allegation from being followed up. **A referral to the DBS must be made if the criteria are met.** In these circumstances it would not be appropriate to come to a settlement or compromise agreement which prevents the school from making a DBS referral. This would result in a criminal offence being committed as the academy would not be complying with its legal duty to make the referral.
- It is important that every effort is made to reach a conclusion in all cases of allegations bearing on the safety or welfare of children, including any in which the person concerned refuses to cooperate with the process.
- Wherever possible, the accused should be given a full opportunity to answer the allegation and make representations about it. But the process of recording the allegation and any supporting evidence and reaching a judgement about whether it can be substantiated on the basis of all the information available, should continue even if that cannot be done or the accused does not co-operate. It may be difficult to reach a conclusion in those circumstances and it may not be possible to apply any disciplinary sanctions if a person's period of notice expires before the process is complete, but it is important to reach and record a conclusion wherever possible. The person concerned should be notified of the outcome of the conclusion of the allegations and sanctions that might be posed.
- Other than where allegations are false, malicious, unsubstantiated, or unfounded, the outcome should be made clear when providing references to prospective employers. This is particularly important where the person moves into another position involving working with children.
- Settlement agreements, by which a person agrees to resign if the employer agrees not to pursue disciplinary action and both parties agree a form of words to be used in any future reference, should not be used in case of refusal to co-operate or resignation before the person's notice period expires. Such an agreement would not prevent a thorough Police investigation where appropriate.
- Where a settlement/compromise agreement is used, the academy/ Trust should not let it prevent them from:
 - a. fulfilling their legal duty to refer cases to the DBS where the referral criteria are met. Non-compliance of this duty is a criminal offence; or
 - b. providing a reference to potential employers when requested; or
 - c. considering whether to make a referral to the Teaching Regulations Agency where the criteria are met

Record Keeping

- Details of allegations that are found to have been malicious or false should be removed from personnel records.
- However, for all other allegations the following must be kept, on the file of the person accused
 - a clear and comprehensive summary of the allegation including details of how the allegation was followed up and resolved,
 - a note of any action taken, decisions reached, and the outcome as categorised as above
 - a declaration on whether the information will be referred to in any future reference.
- The purpose of the record is to enable accurate information to be given in response to any future request for a reference, where appropriate. It will provide clarification in cases where future DBS checks reveal information from the Police about an allegation that did not result in a criminal conviction and it will help to prevent unnecessary re-investigation if, an allegation re-surfaces after a period of time. The record will be retained at least until the accused has reached normal pension age or for a period of 10 years from the date of the allegation if that is longer. Any records which contain information about allegations of sexual abuse must be kept for the Independent Inquiry into Child Sexual Abuse (IICSA) Cases in which an allegation was proven to be false, unfounded, unsubstantiated or malicious will not be included in employer references. A history of repeated concerns or allegations which have all been found to be false, unfounded, unsubstantiated or malicious will also not be included in any reference. Substantiated allegations should be included in references, provided that the information is factual and does not include opinions.

Timescales

- It is in everyone's interest to resolve cases as quickly as possible consistent with a fair and thorough investigation. All should be investigated as a priority and without delay. Target timescales are:
 - 80% of cases should be resolved within one month
 - 90% within 3 months
 - All but the most exceptional cases should be completed within 12 months.
- For cases where it is clear the allegation is unsubstantiated or malicious, they should be resolved in one week.
- Where the initial consideration decides that the allegation does not involve a possible criminal offence, it will be for the Trust to decide how to proceed. If there are safeguarding concerns, the LADO should be informed. If no formal disciplinary action is required, appropriate action should be instituted within three working days. If a disciplinary hearing is required, it should be held within 15 working days.

Oversight and monitoring

- The LADO has overall responsibility for oversight of procedures for dealing with allegations, for resolving inter-agency issues and for liaison with the Local Safeguarding Partnership. The LADO will provide advice and guidance to the Case

Manager, in addition to liaising with Police and other agencies. The LADO monitors to ensure cases are dealt with as quickly as possible consistent with a thorough and fair process. Reviews should be conducted at fortnightly or monthly intervals, depending on the complexity of the case.

- Police will also identify officers responsible for liaising with the LADO, taking part in strategy discussion, reviewing the progress of police investigation, sharing information on completion of the investigation and any prosecution.
- If the strategy discussion or initial assessment decides that a police investigation is required, the Police should also set a target date for reviewing the progress of the investigation and consulting the Crown Prosecution Service (CPS) about whether to charge the individual; continue to investigate; or close the investigation. Wherever possible, that review should take place no later than four weeks after the initial evaluation. Dates for subsequent reviews, ideally at fortnightly intervals, should be set at the meeting if the investigation continues.

Suspension

- The possible risk of harm to children posed by an accused person should be evaluated and managed in respect of the child(ren) involved in the allegations. In some rare cases this will require the Case Manager to consider suspending the accused until the case is resolved. Suspension should not be an automatic response when an allegation is reported; all options to avoid suspension should be considered prior to taking that step. If concerns arise about the welfare of other children in the community or the teacher's family, these should be reported to the LADO, Children's Social Care or the Police as required. But suspension is unlikely to be justified on the basis of such concerns alone.
- Suspension should be considered only in a case where there is cause to suspect a child or other children at the school is/are at risk of harm or the case is so serious that it might be grounds for dismissal. However, a person should not be suspended automatically: the Case Manager must consider carefully whether the circumstances warrant suspension from contact with children at the school or until the allegation is resolved and may wish to seek advice from their HR and the LADO(s). In cases where the academy is made aware that the Secretary of State has made an interim prohibition order in respect of an individual who works at the school, immediate action should be taken to ensure the individual does not carry out work in contravention of the order, i.e., pending the findings of the TRA (Teacher regulation agency) investigation, the individual must not carry out teaching work.
- The Case Manager should also consider whether the result that would be achieved by immediate suspension could be obtained by alternative arrangements. In many cases an investigation can be resolved quickly and without the need for suspension. If the LADO(s), Police and Children's Social Care services have no objections to the member of staff continuing to work during the investigation, the Case Manager should be as inventive as possible to avoid suspension. Based on assessment of risk, the following alternatives should be considered by the Case Manager before suspending a member of staff:
 - Redeployment within the school so that the individual does not have direct contact with the child or children concerned;
 - Providing an assistant to be present when the individual has contact with children

- Redeploying to alternative work in the school so the individual does not have unsupervised access to children;
 - Moving the child or children to classes where they will not come into contact with the member of staff, making it clear that this is not a punishment and parents have been consulted;
 - Temporarily redeploying the member of staff to another role in a different location, for example to an alternative school or work for the Local Authority or academy trust.
- These alternatives allow time for an informed decision regarding the suspension and possibly reduce the initial impact of the allegation. This will, however, depend upon the nature of the allegation. The Case Manager should consider the potential permanent professional reputational damage to employees that can result from suspension where an allegation is later found to be unfounded, unsubstantiated malicious or falsely intended.
- If immediate suspension is considered necessary, the rationale and justification for such a course of action should be agreed and recorded by both the Case Manager and the LADO(s). This should also include what alternatives to suspension have been considered and why they were rejected.
- Where it has been deemed appropriate to suspend the person, written confirmation should be dispatched within one working day, giving as much detail as appropriate for the reasons for the suspension. It is not acceptable for an employer to leave a person who has been suspended without any support. The person should be informed at the point of their suspension who their named contact is within the organisation and provided with their contact details.
- Children's Social Care services or the Police cannot require the Case Manager to suspend a member of staff or a volunteer, although they should give appropriate weight to their advice. The power to suspend is vested in the proprietor of the school, or Trustees who are the employers of staff at the school. However, where a strategy discussion or initial evaluation concludes that there should be enquiries by the Children's Social Care services and/or an investigation by the Police, the Local Authority Designated Officer(s) should canvass Police and Children's Social Care services for views about whether the accused member of staff needs to be suspended from contact with children in order to inform the school re consideration of suspension. Police involvement does not make it mandatory to suspend a member of staff; this decision should be taken on a case-by-case basis having undertaken a risk assessment.

Specific actions following a criminal investigation or prosecution

The Police should inform the employer and LADO(s) immediately when a criminal investigation and any subsequent trial is complete, or if it is decided to close an investigation without charge, or not to continue to prosecute the case after the person has been charged. In those circumstances, the LADO(s) should discuss with the Case Manager whether any further action, including disciplinary action, is appropriate and, if so, how to proceed. The information provided by the Police and/or Children's Social Care services should inform that decision. The options will depend on the circumstances of the case and the consideration will need to take into account the result of the Police investigation or the trial, as well as the different standard of proof required in disciplinary and criminal proceedings.

Conclusion of the case

- If an allegation is substantiated and the person is dismissed or resigns, the LADO should discuss whether referral to DBS is necessary for consideration of whether to include the staff member on the barred list. In the case of a member of teaching staff at a school, whether to refer the matter to the TRA to consider prohibiting the individual from teaching.
- Where it is decided on the conclusion of a case that a person who has been suspended can return to work, the Case Manager should consider how best to facilitate that. Most people will benefit from some help and support to return to work after a stressful experience. Depending on the individual's circumstances, a phased return and/or the provision of a mentor to provide assistance and support in the short term may be appropriate. The Case Manager should also consider how the person's contact with the child or children who made the allegation can best be managed if they are still a pupil at the school.

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

DBS barring helpline
Telephone: 01325 953795

As an employer, we must refer someone if they:

- Dismissed them or stopped using their services because they harmed someone
- Dismissed them or removed them from working in regulated activity because they might have harmed someone
- We're planning to dismiss them for either of these reasons, but they resigned first

This is a legal duty and failure to refer when the criteria are met is a criminal offence.

Following the case where an allegation is substantiated, it is important to determine whether any improvements can be made to policies and practice.

Unsubstantiated, unfounded, false or malicious allegations

- If an allegation is determined to be unsubstantiated, unfounded, false or malicious, the LADO(s) should refer the matter to the Children's Social Care services to determine whether the child concerned is in need of services or may have been abused by someone else.
- If an allegation is shown to be unsubstantiated, unfounded, false or malicious, the Designated Safeguarding Lead/ principal should consider whether the child and/or person who made the allegation needs help or may have been abused by someone else and this is a cry for help. In such circumstances, a referral to children's social care may be appropriate. If a report is shown to be deliberately invented or malicious the academy should consider whether any disciplinary action is appropriate against the individual who made it as per the academy behaviour policy/ Trust code of conduct.

Learning lessons

- Throughout the process in handling allegations and at the conclusion of a case in which an allegation is substantiated, the LADO(s) should review the circumstances of the case with the Case Manager to determine whether there are any improvements to be made to the school procedures or practice to help prevent similar events in the future. This should include issues arising from the decision to suspend the member of staff, the duration of the suspension, and whether or not suspension was justified. Lessons should also be learnt from the use of suspension when the individual is subsequently reinstated. The LADO(s) and Case Manager should consider how future investigations of a similar nature could be carried out without suspending the individual
- For all other cases, the case manager should consider the facts and determine whether any improvements can be made.

Non recent allegations

Where an adult makes an allegation to the academy that they were abused as a child, the individual should be advised to report the allegation to the police. Non recent allegations made by a child, should be reported to the LADO in line with the local authority's procedures for dealing with non-recent allegations. The LADO will coordinate with children social care and the police. Abuse can be reported no matter how long ago it happened.

Concerns that do not meet the harm threshold

We have policies and processes to deal with concerns (including allegations) which do not meet the harm threshold set out above. Concerns may arise in several ways and from a number of sources. For example: suspicion; complaint; or disclosure made by a child, parent or other adult within or outside of the organisation; or as a result of vetting checks undertaken. We have appropriate policies and processes in place to manage and record any such concerns and take appropriate action to safeguard children.

Low level concerns

As part of our approach to safeguarding, we promote an open and transparent culture in which all concerns about all adults working in or on behalf of the trust/ academy (including supply teachers, volunteers and contractors) are dealt with promptly and appropriately.

All concerns about adults (including allegations that do not meet the harms threshold) are shared responsibly and with the right person, recorded and dealt with appropriately to ensure that we identify concerning, problematic or inappropriate behaviour early; minimise the risk of abuse; and ensure that all adults, regardless of their role, are clear about professional boundaries and act within these boundaries, and in accordance with the ethos and values of our academy.

What is a low-level concern?

The term 'low-level' concern does not mean that it is insignificant, it means that the behaviour towards a child does not meet the threshold set out previously in this policy. A low-level concern is any concern – no matter how small, and even if no more than causing a sense of unease or a 'nagging doubt' - that an adult working in or on behalf of the academy/trust may have acted in a way that:

- is inconsistent with the staff code of conduct, including inappropriate conduct outside of work, and
- does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the LADO.

Examples of such behaviour could include, but are not limited to:

- being over friendly with children;
- having favourites;
- taking photographs of children on their mobile phone;
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door; or,
- humiliating pupils

Such behaviour can exist on a wide spectrum, from the inadvertent or thoughtless, or behaviour that may look to be inappropriate, but might not be in specific circumstances, through to that which is ultimately intended to enable abuse.

Low-level concerns may arise in several ways and from a number of sources. For example: suspicion; complaint; or disclosure made by a child, parent or other adult within or outside of the organisation; or as a result of vetting checks undertaken.

It is crucial that any such concerns, including those which do not meet the allegation/harm threshold are shared responsibly and with the principal/ Designated Safeguarding Lead in the academy, and recorded and dealt with appropriately. Ensuring they are dealt with effectively should also protect those working in or on behalf of the academy/ trust from potential false allegations or misunderstandings.

Staff code of conduct and safeguarding policies

Our academy/ trust ensure that the low-level concerns policy is within our staff code of conduct and this child protection and safeguarding policy. Our aim is to create and embed a culture of openness, trust and transparency in which the academy/ trust's values and expected behaviour which are set out in the staff code of conduct are constantly lived, monitored and reinforced by all staff.

The trustees monitor how the staff code of conduct, and this child protection and safeguarding policy are implemented effectively, and ensure appropriate action is taken in a timely manner to safeguard children and facilitate an academy/trust approach to dealing with **any** concerns. This area is overseen, monitored and any actions needed acted upon by the Head of Safeguarding and the Assistant Director for Safeguarding on a day-to-day basis.

To ensure that all staff/ adults in our academy are fully aware of the low-level concerns policy and procedure, we;

- ensure that staff/ adults are clear about what appropriate behaviour is, and are confident in distinguishing expected and appropriate behaviour from concerning, problematic or inappropriate behaviour, in themselves and others;
- empower staff/adults to share any low-level safeguarding concerns with the Designated Safeguarding Lead (or a deputy);
- address unprofessional behaviour and supporting the individual to correct it at an early stage;
- handle and respond to low level concerns sensitively and proportionately when they are raised; and,
- help identify any weakness in the academy's safeguarding system.

Sharing low level concerns

Low-level concerns about a member of staff or adult in the academy should be reported to the designated safeguarding lead (or deputy). Where a low-level concern is raised about the designated safeguarding lead, it should be shared with the principal. Where a low-level concern is raised about the principal, it should be shared with the CEO.

We endeavour to create an environment where staff/ adults are encouraged and feel confident to self-refer, where, for example, they have found themselves in a situation which could be misinterpreted, might appear compromising to others, and/or on reflection they believe they have behaved in such a way that they consider falls below the expected professional standards.

Where a low-level concern relates to a person employed by a supply agency or a contractor to work in our academy, that concern should be shared with the designated safeguarding lead (or deputy), and/or principal, and recorded in accordance with the school's low-level concern/staff code of conduct policy. The person's employer must be notified about the concern, so that any potential patterns of inappropriate behaviour can be identified.

Recording low level concerns

All low-level concerns should be recorded in writing by the Principal. The record should include details of the concern, the context in which the concern arose, and action taken. The name of the individual sharing their concerns should also be noted, if the individual wishes to remain anonymous then that should be respected as far as reasonably possible.

These records are kept confidential, held securely and comply with the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR)

Records should be reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified. Where a pattern of such behaviour is identified, the academy should decide on a course of action, either through its disciplinary procedures in liaison with HR, or where a pattern of behaviour moves from a concern to meeting the harms threshold, it should be referred to the LADO. Consideration should also be given to whether there are wider cultural issues within the academy that enabled the behaviour to

occur and where appropriate policies could be revised, or extra training delivered to minimise the risk of it happening again.

Any information relating to low level concerns is retained until the individual leaves their employment.

References

Only substantiated safeguarding allegations should be provided in references. Low level concerns should not be included in references unless they relate to issues which would normally be included in a reference, for example, misconduct or poor performance. It follows that a low-level concern which relates exclusively to safeguarding (and not to misconduct or poor performance) should not be referred to in a reference. However, where a low-level concern (or group of concerns) has met the threshold for referral to the LADO and found to be substantiated, it should be referred to in a reference.

Responding to low-level concerns

Concerns about safeguarding should be reported to the Designated Safeguarding Lead or their deputy. If the concern has been raised via a third party, the Designated Safeguarding Lead should collect as much evidence as possible by speaking:

- directly to the person who raised the concern, unless it has been raised anonymously;
- to the individual involved and any witnesses.

The information collected will help them to categorise the type of behaviour and determine what further action may need to be taken. All of this needs to be recorded along with the rationale for their decisions and action taken.

13. Child-on-child sexual violence and sexual harassment

Whilst **any** report of sexual violence or sexual harassment should be taken seriously, 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. Children with special educational needs and disabilities (SEND) are also three times more likely to be abused than their peers.

KCSIE 2023, pages 105 -135 should be referred to as this sets out the following;

- what sexual violence and sexual harassment constitutes,
- important context to be aware of, including; what is consent, power imbalances, and developmental stages,
- harmful sexual behaviour (HSB), including that a child displaying HSB may be an indication that they are a victim of abuse themselves,
- related legal responsibilities for schools,

- advice on a whole school approach to preventing child on child sexual violence and sexual harassment, and
- more detailed advice on responding to reports of sexual violence and sexual harassment, including safeguarding and supporting both the victim(s) and alleged children who have allegedly carried out the sexual type of behaviour towards another child (ren)

Staff should be aware of the importance of:

- Making clear that sexual violence and sexual harassment wherever it takes place is not acceptable, will never be tolerated and is **NOT** an inevitable part of growing up;
- Not tolerating or dismissing sexual violence or sexual harassment as “banter”, “part of growing up”, “just having a laugh” or “boys being boys”; and
- Challenging behaviours (potentially criminal in nature), such as grabbing bottoms, breasts and genitalia, flicking bras and lifting up skirts. Dismissing or tolerating such behaviours risks normalising them.

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 child who has allegedly carried out the sexual type of behaviour towards another child/ren attends the same school.

What is Sexual violence and sexual harassment?

Sexual violence

It is important that school staff are aware of sexual violence and the fact children can, and sometimes do, abuse other children in this way and that it can happen both inside and outside of school. When referring to sexual violence we are referring to sexual offences under the Sexual Offences Act 2003 as described below:

Rape: A person (A) commits an offence of rape if: he intentionally penetrates the vagina, anus or mouth of another person (B) with his penis, B does not consent to the penetration and A does not reasonably believe that B consents.

Assault by Penetration: A person (A) commits an offence if: s/he intentionally penetrates the vagina or anus of another person (B) with a part of her/his body or anything else, the penetration is sexual, B does not consent to the penetration and A does not reasonably believe that B consents.

Sexual Assault: A person (A) commits an offence of sexual assault if: s/he intentionally touches another person (B), the touching is sexual, B does not consent to the touching and A does not reasonably believe that B consents. Staff 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.)

Causing someone to engage in sexual activity without consent: A person (A) commits an offence if: s/he intentionally causes another person (B) to engage in an activity, the activity is sexual, B does not consent to engaging in the activity, and A does not reasonably believe

that B consents. (This could include forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party.)

What is consent? Consent is about having the freedom and capacity to choose. Consent to sexual activity may be given to one sort of sexual activity but not another, e.g. to vaginal but not anal sex or penetration with conditions, such as wearing a condom. Consent can be withdrawn at any time during sexual activity and each time activity occurs. Someone consents to vaginal, anal or oral penetration only if s/he agrees by choice to that penetration and has the freedom and capacity to make that choice. Further information about consent can be found here: [Rape Crisis England & Wales - Sexual consent](#)

- a child under the age of 13 can never consent to any sexual activity;
- the age of consent is 16;
- sexual intercourse without consent is rape.

Sexual harassment

When referring to sexual harassment we mean 'unwanted conduct of a sexual nature' that can occur online and offline. When we reference sexual harassment, we do so in the context of child-on-child sexual harassment. Sexual harassment is likely to: violate a child's dignity, and/or make them feel intimidated, degraded or humiliated and/or create a hostile, offensive or sexualised environment.

Whilst not intended to be an exhaustive list, sexual harassment can include:

- Sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance and calling someone sexualised names;
- Sexual "jokes" or taunting;
- Physical behaviour, such as: deliberately brushing against someone, interfering with someone's clothes (schools should be considering when any of this crosses a line into sexual violence - it is important to talk to and consider the experience of the victim) and displaying pictures, photos or drawings of a sexual nature; and
- Online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence. It may include:
 - Consensual and non-consensual sharing of nude and semi-nude images and/or videos. Taking and sharing nude photographs of U18's is a criminal offence.
 - Sharing of unwanted explicit content
 - Sexualised online bullying;
 - Unwanted sexual comments and messages, including, on social media; and
 - Sexual exploitation; coercion and threats
 - Coercing others into sharing of images of themselves or performing acts they're not comfortable with online

Responding to reports of sexual violence and sexual harassment

It is important to note that children may not find it easy to tell staff about their abuse verbally. Children can show signs or act in ways that they hope adults will notice and react

to. In some cases, the victim may not make a direct report. For example, a friend may make a report, or a member of academy staff may overhear a conversation that suggests a child has been harmed or a child's own behaviour might indicate that something is wrong. If staff or adults in the academy have **any** concerns about a child's welfare, they should act on them immediately rather than wait to be told.

Our initial response to a report from a child is incredibly important. This can encourage or undermine the confidence of future victims of sexual violence and sexual harassment to report or come forward.

It is essential that **all** victims are reassured that they are being taken seriously, regardless of how long it has taken them to come forward and that they will be supported and kept safe. Abuse that occurs online or outside of the academy should not be downplayed and should be treated equally seriously. A victim should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report or their experience minimised.

All staff should be trained to manage a report or to make a referral to the Designated Safeguarding Lead (or a deputy) within the academy.

Effective safeguarding practice includes:

- if possible, managing reports with two members of staff present, (preferably one of them being the Designated Safeguarding Lead or a deputy). However, this might not always be possible;
- where the report includes an online element, being 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](#). **The key consideration is for staff not to view or forward illegal images of a child.** The highlighted advice provides more details on what to do when viewing an image is unavoidable. In some cases, it may be more appropriate to confiscate any devices to preserve any evidence and hand them to the police for inspection;
- not promising confidentiality at this initial stage as it is very likely a concern will have to be shared further (for example, with the Designated Safeguarding Lead or children's social care) to discuss next steps. Staff should only share the report with those people who are necessary in order to progress it. It is important that the victim understands what the next steps will be and who the report will be passed to;
- recognising that a child is likely to disclose to someone they trust: this could be **anyone** on the academy staff. It is important that the person to whom the child discloses recognises that the child has placed them in a position of trust. They should be supportive and respectful of the child;
- recognising that an initial disclosure to a trusted adult may only be the first incident reported, rather than representative of a singular incident and that trauma can impact memory and so children may not be able to recall all details or timeline of abuse;
- keeping in mind that certain children may face additional barriers to telling someone because of their vulnerability, disability, sex, ethnicity and/or sexual orientation;
- listening carefully to the child, reflecting back, using the child's language, being non-judgmental, being clear about boundaries and how the report will be progressed, not asking leading questions and only prompting the child where necessary with open questions – where, when, what, etc. **It is important to note**

that whilst leading questions should be avoided, staff can ask children if they have been harmed and what the nature of that harm was;

- considering the best way to make a record of the report. Best practice is to wait until the end of the report and immediately write up a thorough summary. This allows the staff member to devote their full attention to the child and to listen to what they are saying. 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. The notes should not reflect the personal opinion of the note taker. It is important for all staff to be aware that notes of such reports could become part of a statutory assessment by children's social care and/or part of a criminal investigation; and
- informing the Designated Safeguarding Lead (or deputy), as soon as practically possible, if the Designated Safeguarding Lead (or deputy) is not involved in the initial report.

Harmful sexual behaviour

Children's sexual behaviour exists on a wide continuum, ranging from normal and developmentally expected to inappropriate, problematic, abusive and violent.

Problematic, abusive and violent sexual behaviour is developmentally inappropriate and may cause developmental damage. A useful umbrella term is "harmful sexual behaviour" (HSB). HSB can occur online and/or face-to-face and can also occur simultaneously between the two.

HSB should be considered in a child protection context.

When considering HSB, we look at both ages and the stages of development of the children are critical factors. Sexual behaviour between children can be considered harmful if one of the children is much older, particularly if there is more than two years' difference or if one of the children is pre-pubescent and the other is not. However, a younger child can abuse an older child, particularly if they have power over them, for example, if the older child is disabled or smaller in stature. Confidential specialist support and advice on HSB is available from the specialist sexual violence sector and sources are listed in Annex B of KCSIE 2023. Please see the Trust 'Guidance for DSLs/ Leaders for dealing with sexual behaviours in & between children'

As part of effective safeguarding practice, the academy's designated safeguarding lead (and their deputies) have a good understanding of HSB and undertake safeguarding training in this area bi-ennially. This aids DSLs in planning preventative education, implementing preventative measures, drafting and implementing an effective child protection policy and incorporating the approach to sexual violence and sexual harassment into the whole academy approach to safeguarding.

HSB can, in some cases, progress on a continuum.

Addressing inappropriate behaviour can be an important intervention that helps prevent problematic, abusive and/or violent behaviour in the future. Children displaying HSB have often experienced their own abuse and trauma.

It is important that children who have displayed any type of sexual behaviours are offered appropriate support.

Preventing Abuse

The academy DSL is aware of local processes & support can be accessed when sexual violence or sexual harassment has occurred. There is Trust guidance to support DSLs too.

The designated safeguarding lead (and deputies) are aware re what local specialist support is available to support all children involved (including children who have allegedly had inappropriate sexual type of behaviour shown towards them and the child/ren who has /have allegedly carried out the sexual type of behaviour towards another child/ren in sexual violence and sexual harassment and know how to access this support when required.

Further information on specialist support and interventions can be found in Annex B of KCSIE 2022 in the additional advice and support section under sexual violence and sexual harassment.

Support available

The academy is not alone in dealing with sexual violence and sexual harassment.

Derby City Local authority children's social care and the police will be important partners where a crime might have been committed. Referrals to the police will often be a natural progression of making a referral to local authority children's social care.

The designated safeguarding lead (or a deputy) should lead the school or college response and should be aware of the local process for referrals to children's social care and making referrals to the police

The following resource are available to help:

- Child Exploitation and Online Protection command: CEOP is a law enforcement agency which aims to keep children and young people safe from sexual exploitation and abuse. Online sexual abuse can be reported on their website and a report made to one of its Child Protection Advisors.
- The NSPCC provides a helpline for professionals at 0808 800 5000 and help@nspcc.org.uk. The helpline provides expert advice and support for school and college staff and will be especially useful for the designated safeguarding lead (and their deputies)
- Support from specialist sexual violence sector organisations such as Rape Crisis or The Survivors Trust
- The Anti-Bullying Alliance has developed guidance for schools about Sexual and sexist bullying. Online: Schools and colleges should recognise that sexual violence and sexual harassment occurring online (either in isolation or in connection with face-to-face

incidents) can introduce a number of complex factors. Amongst other things, this can include widespread abuse or harm across a number of social media platforms that leads to repeat victimisation. Online concerns can be especially complicated, and support is available from:

- The UK Safer Internet Centre provides an online safety helpline for professionals at 0344 381 4772 and helpline@saferinternet.org.uk. The helpline provides expert advice and support for school and college staff with regard to online safety issues
- Internet Watch Foundation: If the incident/report involves sexual images or videos that have been made and circulated online, the victim can be supported to get the images removed by the Internet Watch Foundation (IWF)
- Childline/IWF Report Remove is a free tool that allows children to report nude or sexual images and/or videos of themselves that they think might have been shared online
- UKCIS Sharing nudes and semi-nudes' advice: Advice for education settings working with children and young people on responding to reports of children sharing non-consensual nude and semi-nude images and/or videos (also known as sexting and youth produced sexual imagery). Please see footnote 8 for further information
- Thinkuknow from NCA-CEOP provides support for the children's workforce, parents and carers on staying safe online
- LGFL 'Undressed' provided 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. 110 Additional sources of support are listed at the end of Annex B.

Reporting concerns

It is important to note that children may not find it easy to tell staff about their abuse verbally. Children can show signs or act in ways that they hope adults will notice and react to. In some cases, the victim may not make a direct report. For example, a friend may make a report, or a member of academy staff may overhear a conversation that suggests a child has been harmed or a child's own behaviour might indicate that something is wrong. If staff or adults in the academy have **any** concerns about a child's welfare, they should act on them immediately rather than wait to be told.

Our initial response to a report from a child is incredibly important. This can encourage or undermine the confidence of future victims of sexual violence and sexual harassment to report or come forward.

It is essential that **all** victims are reassured that they are being taken seriously, regardless of how long it has taken them to come forward and that they will be supported and kept safe. Abuse that occurs online or outside of the academy should not be downplayed and should be treated equally seriously. A victim should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report or their experience minimised.

All staff should be trained to manage a report or to make a referral to the Designated Safeguarding Lead (or a deputy) within the academy.

Effective safeguarding practice includes:

- if possible, managing reports with two members of staff present, (preferably one of them being the Designated Safeguarding Lead or a deputy). However, this might not always be possible;
- where the report includes an online element, being 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](#). **The key consideration is for staff not to view or forward illegal images of a child.** The highlighted advice provides more details on what to do when viewing an image is unavoidable. In some cases, it may be more appropriate to confiscate any devices to preserve any evidence and hand them to the police for inspection;
- not promising confidentiality at this initial stage as it is very likely a concern will have to be shared further (for example, with the Designated Safeguarding Lead or children's social care) to discuss next steps. Staff should only share the report with those people who are necessary in order to progress it. It is important that the victim understands what the next steps will be and who the report will be passed to;
- recognising that a child is likely to disclose to someone they trust: this could be **anyone** on the academy staff. It is important that the person to whom the child discloses recognises that the child has placed them in a position of trust. They should be supportive and respectful of the child;
- recognising that an initial disclosure to a trusted adult may only be the first incident reported, rather than representative of a singular incident and that trauma can impact memory and so children may not be able to recall all details or timeline of abuse;
- keeping in mind that certain children may face additional barriers to telling someone because of their vulnerability, disability, sex, ethnicity and/or sexual orientation;
- listening carefully to the child, reflecting back, using the child's language, being non-judgmental, being clear about boundaries and how the report will be progressed, not asking leading questions and only prompting the child where necessary with open questions – where, when, what, etc. **It is important to note that whilst leading questions should be avoided, staff can ask children if they have been harmed and what the nature of that harm was;**
- considering the best way to make a record of the report. Best practice is to wait until the end of the report and immediately write up a thorough summary. This allows the staff member to devote their full attention to the child and to listen to what they are saying. 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. The notes should not reflect the personal opinion of the note taker. It is important for all staff to be aware that notes of such reports could become part of a statutory assessment by children's social care and/or part of a criminal investigation; and
- informing the Designated Safeguarding Lead (or deputy), as soon as practically possible, if the Designated Safeguarding Lead (or deputy) is not involved in the initial report.

Considering confidentiality and anonymity

Confidentiality

Staff taking a report should never promise confidentiality as it is very likely that it will be in the best interest of the victim to seek advice and guidance from others in order to provide support and engage appropriate agencies.

The Academy should only engage staff and agencies who are required to support the children involved and/or be involved in any investigation.

The victim may ask the academy not to tell anyone about the sexual violence or sexual harassment. There are no easy or definitive answers when a victim makes this request. If the victim does not give consent to share information, staff may still lawfully share it, if there is another legal basis under the UK GDPR that applies. For example, the public task basis may apply, where the overall purpose is to perform a public interest task or exercise official authority, and the task or authority has a clear basis in law. Advice should be sought from the designated safeguarding lead (or deputy), who should consider the following:

- parents or carers should normally be informed (unless this would put the victim at greater risk)
- 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. Where a report of rape, assault by penetration or sexual assault is made, this should be referred to the police. Whilst the age of criminal responsibility is ten, if the child who has allegedly carried out the sexual type of behaviour towards another child (ren) is under ten, the starting principle of referring to the police remains. The police will take a welfare, rather than a criminal justice approach, in these cases.

Ultimately, the designated safeguarding lead/ Principal will have to balance the children who have allegedly had inappropriate sexual type of behaviour shown towards them and their wishes against their duty to protect them and other children.

If the designated safeguarding lead (or a deputy) 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, the reasons should be explained to the victim and appropriate specialist support should be offered.

Additional information on confidentiality and information sharing is available at Safeguarding Practitioners Information Sharing Advice and NSPCC: Information sharing and confidentiality for practitioners.

Anonymity

Where an allegation of sexual violence or sexual harassment is progressing through the criminal justice system, schools and colleges should be aware of anonymity, witness support, and the criminal process in general so they can offer support and act appropriately.

Relevant information can be found in: CPS: Safeguarding Children as Victims and Witnesses.

As a matter of effective safeguarding practice, we should do all we 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

DDSLs will also consider the potential impact of social media in facilitating the spreading of rumours and exposing victims' identities. The unique challenges regarding social media are discussed at paragraph 470 in KCSIE 2023 along with potential support. In addition, the principles described in Childnet's cyberbullying guidance could be helpful.

Action following a report of sexual violence and/or sexual harassment

What to consider

As set out above, sexual violence and sexual abuse can happen anywhere, and all staff and adults working with children are advised to maintain an attitude of '**it could happen here**'. Everyone at this academy should be aware of and respond appropriately to **all** reports and concerns about sexual violence and/or sexual harassment both online and offline, including those that have happened outside of the academy. The Designated Safeguarding Lead (or deputy) is likely to have a complete safeguarding picture and be the most appropriate person to advise on the academy's initial response. Important considerations will include:

- the wishes of the victim in terms of how they want to proceed. This is especially important in the context of sexual violence and sexual harassment. Victims should be given 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 academy's duty and responsibilities to protect other children;
- the nature of the alleged incident(s), including whether a crime may have been committed and/or whether HSB has been displayed;
- the ages of the children involved;
- the developmental stages of the children involved;
- any power imbalance between the children. For example, is the child who has allegedly carried out the sexual type of behaviour towards another child (ren)
- if the alleged incident is a one-off or a sustained pattern of abuse (sexual abuse can be accompanied by other forms of abuse and a sustained pattern may not just be of a sexual nature);
- that sexual violence and sexual harassment can take place within intimate personal relationships between peers;
- are there ongoing risks to the victim, other children, adult or academy staff; and
- other related issues and wider context, including any links to child sexual exploitation and child criminal exploitation.

As always when concerned about the welfare of a child, all staff and adults in the academy should act in the best interests of the child. In all cases, staff and adults in the academy should follow general safeguarding principles as set out throughout this guidance.

Immediate consideration should be given as to how best to support and protect the victim and the child who has allegedly carried out the sexual type of behaviour towards another child (ren and any other children involved/impacted).

The starting point regarding any report should always be that there is a zero-tolerance approach to sexual violence and sexual harassment, and it is never acceptable, and it will not be tolerated. It is especially important not to pass off any sexual violence or sexual harassment as “banter”, “just having a laugh”, “part of growing up” or “boys being boys” as this can lead to a culture of unacceptable behaviours and an unsafe environment for children.

Options to manage the report

It is important that every report is considered on a case-by-case basis. When to inform the child who has allegedly carried out the sexual type of behaviour towards another child/ren will be a decision that should be carefully considered. Where a report is going to be made to children’s social care and/or the police, then, as a general rule, the academy Designated Safeguarding Lead should speak to the relevant agency and discuss next steps and how the child who has allegedly carried out the sexual type of behaviour towards another child/ren will be informed of the allegations. However, as per general safeguarding principles, this does not and should not stop the academy taking immediate action to safeguard their children, where required.

There are four likely scenarios for us as an academy to consider when managing any reports of sexual violence and/or sexual harassment. It will be important in all scenarios that decisions and actions are regularly reviewed and that relevant policies are updated to reflect lessons learnt. It is particularly important to look out for potential patterns of concerning, problematic or inappropriate behaviour. Where a pattern is identified, the academy should decide on a course of action. Consideration should be given to whether there are wider cultural issues within the academy that enabled the inappropriate behaviour to occur and where appropriate extra teaching time and/or staff training could be delivered to minimise the risk of it happening again. The four scenarios are:

1. Manage internally

- In some cases of **sexual harassment**, for example, one-off incidents, we as an academy 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 our 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 should be recorded (written or electronic).

2. Early help

- In line with 1 above, as an academy we 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 HSB and may prevent escalation of sexual violence. It is particularly important that the Designated Safeguarding Lead (and their deputies) know what the Early Help process is and how and where to access support.
- More information on Early Help is set out earlier in this policy. Full details of the early help process can be found in Chapter one of [*Working Together to Safeguard Children*](#).
- Multi-agency early help will work best when placed alongside our robust academy policies, preventative education and engagement with parents and carers.
- Early help and the option to manage a report internally do not need to be mutually exclusive: as an academy we could manage internally and seek early help for both the child/ren who have allegedly had inappropriate sexual type of behaviour shown towards them and the child/ren who have allegedly carried out the sexual type of behaviour towards another child/ren.
- Whatever the response, it should be under-pinned by the principle that there is 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 should be recorded (written or electronic).

3. Referrals to children's social care

- Where a child has been harmed, is at risk of harm, or is in immediate danger, a referral should be made to local children's social care by the Designated Safeguarding Lead (or a deputy)
- At the point of referral to children's social care, the Designated Safeguarding Lead (or deputy) 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, children's social care will then make enquiries to determine whether any of the children involved need protection or other services.
- Where statutory assessments are appropriate, the Designated Safeguarding Lead (or a deputy) should be working alongside, and cooperating with, the relevant lead social worker. Collaborative working will help ensure the best possible package of coordinated support is implemented for the victim and, where appropriate, the child who has allegedly carried out the inappropriate behaviour towards another child (ren) and any other children that require support.
- The academy should not wait for the outcome (or even the start) of a children's social care investigation before protecting the victim and other children in the academy. It will be important for the Designated Safeguarding Lead (or a deputy) to work closely with children's social care (and other agencies as required) to ensure any actions the academy takes does not jeopardise a statutory investigation. The risk assessment mentioned above will help inform any decision. Consideration of safeguarding the victim, or child who has allegedly carried out the inappropriate

behaviour towards another child (ren) and any other children directly involved in the safeguarding report and all children at the academy should be **immediate**.

- In some cases, children's social care will review the evidence and decide a statutory intervention is not appropriate. The academy (generally led by the Designated Safeguarding Lead or a deputy) should be prepared to refer again if they believe the child remains in immediate danger or at risk of harm. If a statutory assessment is not appropriate, the Designated Safeguarding Lead (or a deputy) should consider other support mechanisms such as early help, specialist support and pastoral support.
- Whatever the response, it should be under-pinned 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 should be recorded (written or electronic).

4. Reporting to the Police

- **Any report** to the police will generally be in parallel with a referral to children's social care (as above).
- It is important that the Designated Safeguarding Lead (and their deputies) are clear about the local process for referrals and follow that process.
- Where a report of rape, assault by penetration or sexual assault is made, the starting point is that this should be passed on to the police. Whilst the age of criminal responsibility is ten, if the child who has allegedly carried out the inappropriate behaviour towards another child (ren) is under ten, the starting principle of reporting to the police remains. The police will take a welfare, rather than a criminal justice, approach. The following advice may help us as an academy to decide when to engage the Police and what to expect of them when they do:

When to call the police.

- Where a report has been made to the police, the Designated Safeguarding Lead (or deputy) should consult the police and agree what information can be disclosed to staff and others, in particular, the child who has allegedly carried out the inappropriate behaviour towards another child (ren) and any other children that require support. and their parents or carers. They should also discuss the best way to protect the victim and their anonymity.
- At this stage, the Designated Safeguarding Lead (or deputy) 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 there is someone in the academy supporting the child in any decision they take. This should be with the support of children's social care and any appropriate specialist agencies.
- All police forces in England have specialist units that investigate child abuse. The names and structures of these units are matters for local forces. It will be important that the Designated Safeguarding Lead (and their deputies) are aware of their local arrangements.
- In some cases, it may become clear very quickly that the police (for whatever reason) will not take further action. In such circumstances, it is important that the Designated Safeguarding Lead (or deputy) continue to engage with specialist

support for the victim and the child who has allegedly carried out the inappropriate behaviour towards another child (ren) and any other children that require support.

- Whilst protecting children and/or taking any disciplinary measures against the child who has allegedly carried out the inappropriate behaviour towards another child (ren), it will be important for the Designated Safeguarding Lead (or a deputy) to work closely with the police (and other agencies as required), to ensure any actions the academy take do not jeopardise the police investigation.
- If the Designated Safeguarding Lead (or deputy) have questions about the investigation, they should ask the police. The police will help and support the academy as much as they can (within the constraints of any legal restrictions).
- Whatever the response, it should be under-pinned 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 should be recorded (written or electronic).

5. Considering bail conditions

- The police will consider what action to take to manage the assessed risk of harm. This could involve the use of police bail with conditions, prior to a suspect appearing in court, or court bail with or without conditions after the first appearance.
- Further information regarding this, any delays and the end of the criminal process can be found in KCSIE 2022, pages 120 and 122

Unsubstantiated, unfounded, false or malicious reports

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

Records should be reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified, and addressed.

If a report is determined to be unsubstantiated, unfounded, false or malicious, the Designated Safeguarding Lead should consider whether the child and/or the person who has made the allegation needs help or may have been abused by someone else and this is a cry for help. In such circumstances, a referral to children's social care may be appropriate.

If a report is shown to be deliberately invented or malicious, the Principal/ Designated Safeguarding Lead, should consider whether any disciplinary action is appropriate against the individual who made it as per the academy behaviour policy.

Safeguarding and supporting the Victim

The following principles are based on effective safeguarding practice and should help shape any decisions regarding safeguarding and supporting the victim.

- The needs and wishes of the victim should be paramount (along with protecting the child) in any response. It is important they feel in as much control of the process as is reasonably possible. Wherever possible, the victim if they wish, should be able to continue in their normal routine. Overall, the priority should be to make the victim's daily experience as normal as possible, so that the school is a safe space for them.
- Consider the age and the developmental stage of the victim, the nature of the allegations and the potential risk of further abuse. We should be aware that, by the very nature of sexual violence and sexual harassment, a power imbalance is likely to have been created between the victim and child who has allegedly carried out the inappropriate behaviour towards another child (ren).
- The victim should never be made to feel they are the problem for making a report or made to feel ashamed for making a report.
- Consider the proportionality of the response. Support should be tailored on a case-by-case basis. The support required regarding a one-off incident of sexualised name-calling is likely to be vastly different from that for a report of rape.
- We should be aware that sexual assault can result in a range of health needs, including physical, mental, and sexual health problems and unwanted pregnancy. Children and young people that have a health need arising from sexual assault or abuse can access specialist NHS support from a Sexual Assault Referral Centre (SARC). SARCs offer confidential and non-judgemental support to victims and survivors of sexual assault and abuse. They provide medical, practical, and emotional care and advice to all children and adults, regardless of when the incident occurred.
- It will be important in all scenarios that decisions and actions are regularly reviewed and that relevant policies are updated to reflect lessons learnt. It is particularly important to look out for potential patterns of concerning, problematic or inappropriate behaviour. Where a pattern is identified, the school or college should decide on a course of action. Consideration should be given as to whether there are wider cultural issues within the school or college that enabled the inappropriate behaviour to occur and where appropriate extra teaching time and/or staff training could be delivered to minimise the risk of it happening again.

Support can include:

- Early help and local authority children's social care as set out in Part one of this guidance.
- Children and Young People's Independent Sexual Violence Advisors (ChISVAs) provide emotional and practical support for victims of sexual violence. They are based within the specialist sexual violence sector and will help the victim understand what their options are and how the criminal justice process works if they have reported or are considering reporting to the police. ChISVAs will work in partnership with schools and colleges to ensure the best possible outcomes for the victim.
- Police and social care agencies can signpost to ChISVA services (where available), or referrals can be made directly to the ChISVA service by the young person or school or college. Contact details for ChISVAs can be found at Rape Crisis and The Survivors Trust.
- Child and young people's mental health services (CYPMHS) is used as a term for all services that work with children who have difficulties with their emotional or behavioural wellbeing. Services vary depending on local authority. Most CYPMHS have their own website, which will have information about access, referrals and contact numbers.
- The specialist sexual violence sector can provide therapeutic support for children who have experienced sexual violence. Contact Rape Crisis (England & Wales) or The Survivors Trust for details of local specialist organisations. The Male Survivors Partnership can provide details of services which specialise in supporting men and boys.

- NHS - Help after rape and sexual assault - NHS (www.nhs.uk) provides a range of advice, help and support including advice about the risk of pregnancy, sexually transmitted infections (STI), reporting to the police and forensics.
- Rape and sexual assault referral centres services can be found at: Find Rape and sexual assault referral centres. Sexual assault referral centres (SARCs) offer medical, practical and emotional support. They have specially trained doctors, nurses and support workers. If children, young people, or their families are unsure which service to access, they should contact their GP or call the NHS on 111.
- Childline provides free and confidential advice for children and young people.
- Internet Watch Foundation works internationally to remove child sexual abuse online images and videos and offers a place for the public to report them anonymously.
- Childline / IWF: Remove a nude image shared online Report Remove is a free tool that allows children to report nude or sexual images and videos of themselves that they think might have been shared online, to see if they can be removed from the internet

Safeguarding and supporting children who have allegedly displayed harmful sexual behaviour (HSB)

- Advice about safeguarding and supporting the child who has allegedly carried out the inappropriate behaviour towards another child (ren) is also set out in KCSIE 2023, Part Five. The following principles are based on effective safeguarding practice and should help shape any decisions regarding safeguarding and supporting the child who has allegedly carried out the inappropriate behaviour towards another child (ren).
- The academy will have a difficult balancing act to consider. On one hand, we will need to safeguard the victim (and the wider pupil body) and on the other hand provide the child who has allegedly carried out the inappropriate behaviour towards another child (ren) with an education, safeguarding support as appropriate and implement any disciplinary sanctions. Taking disciplinary action and still providing appropriate support are not mutually exclusive actions. They can, and should, occur at the same time if necessary.
- Consider the age and the developmental stage of the alleged child who has allegedly carried out the inappropriate behaviour towards another child/ren, the nature of the allegations and frequency of allegations. Any child will likely experience stress as a result of being the subject of allegations and/or negative reactions by their peers to the allegations against them.
- Consider the proportionality of the response. Support (and sanctions) should be considered on a case-by-case basis. The child who has allegedly carried out the inappropriate behaviour towards another child (ren) may potentially have unmet needs (in some cases these may be considerable) as well as potentially posing a risk of harm to other children. HSB in young children may be (and often are) a symptom of either their own abuse or exposure to abusive practices and or materials. Advice should be taken, as appropriate, from children's social care, specialist sexual violence services and the police. The NSPCC also provides free and independent advice about HSB: [NSPCC Learning - Protecting children from harmful sexual behaviour](#) and [NSPCC - Harmful sexual behaviour framework](#)
- The Lucy Faithfull Foundation has developed a [HSB toolkit](#), which amongst other things, provides support, advice and information on how to prevent it, links to

organisations and helplines, resources about HSB by children, internet safety, sexual development and preventing child sexual abuse.

- The NSPCC provides free and independent advice about HSB: NSPCC Learning: Protecting children from harmful sexual behaviour and NSPCC - Harmful sexual behaviour framework.
- Contextual Safeguarding Network – Beyond Referrals (Schools) provides a school self-assessment toolkit and guidance for addressing HSB in schools.
- StopItNow - 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.
- It is important that the child who has allegedly carried out the inappropriate behaviour towards another child (ren) 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.
- Advice on behaviour and discipline in schools is clear that teachers can discipline pupils whose conduct falls below the standard which could be reasonably expected of them. If the child who has allegedly carried out the inappropriate behaviour towards another child (ren) is to be excluded the decision must be lawful, reasonable and fair. Further information about exclusions can be found in statutory guidance for schools Exclusions from maintained schools, academies and PRUs <https://www.gov.uk/government/publications/school-exclusion>.
- School can be a significant protective factor for children who have displayed HSB, and continued access to school, with a comprehensive safeguarding management plan in place, is an important factor to consider before final decisions are made. It is important that if a child who has allegedly carried out the inappropriate behaviour towards another child (ren) does move to another educational institution (for any reason), that the new educational institution is made aware of any ongoing support needs and where appropriate, potential risks to other children and staff. The Designated Safeguarding Lead should take responsibility to ensure this happens as well as transferring the child protection file. Information sharing advice referenced earlier in this policy will help support this process.
- Stop it now - professionals looking for advice provides support for professionals in child sexual abuse prevention, so that they're well equipped to keep children safe.

Equality Impact Assessment

Under the Equality Act 2010 we have a duty not to discriminate against people based on their age, disability, gender, gender identity, pregnancy or maternity, race, religion or belief and sexual orientation. This policy has been equality impact assessed and we believe it is in line with the Equality Act 2010 and it is fair, it does not prioritise or disadvantage any pupil and it helps to promote and encourage equality in our academies.

Data Protection Statement

The procedures and practice created by this policy have been reviewed in the light of our Data Protection Policy.

All data will be handled in accordance with the academy/Trust's Data Protection Policy.

Data Audit For This Policy					
What?	Probable Content	Why?	Who?	Where?	When?
Data Protection Policy	Any personal information including personal sensitive and confidential information	Required to be retained as part of education, statutory process	Principal / SLT, Trust central team, staff or other representative as required as part of the relevant process	Kept on file at academy (and Trust central where appropriate with only restricted access.	Held on file following relevant retention periods (dependent on nature of personal information)

As such, our assessment is that this policy:

Has Few / No Data Compliance Requirements	Has A Moderate Level of Data Compliance Requirements	Has a High Level Of Data Compliance Requirements
		✓

Appendix 1: Professional Boundaries

General principles of staff conduct - there is a full version which is given to all staff

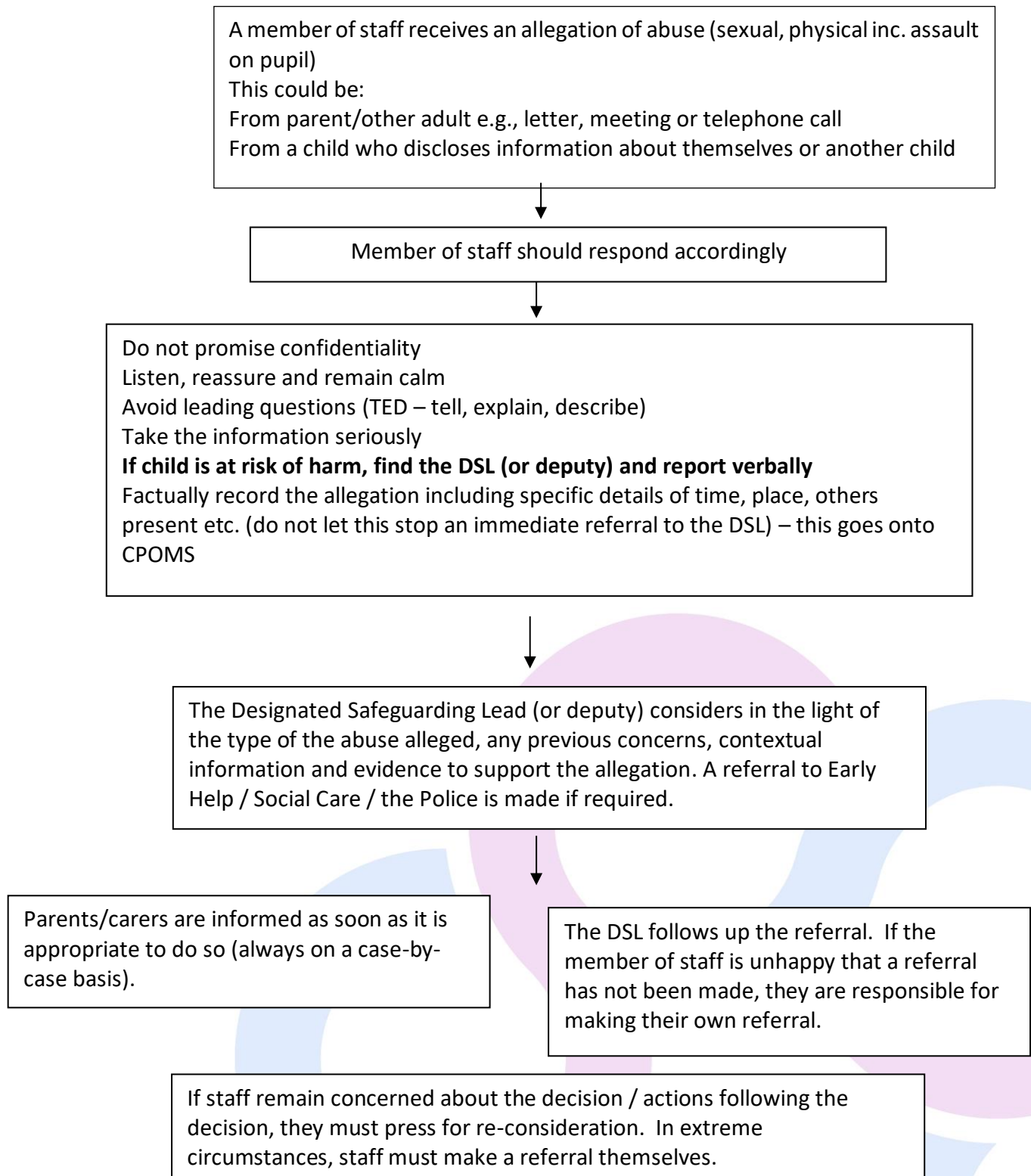
1. Staff should provide a good example and a positive role model to pupils
2. Staff should behave in a mature, respectful, safe, fair and considered manner
3. Staff must not discriminate favourably or unfavourably towards any pupil
4. Staff should not give or receive (other than token) gifts
5. Staff must ensure that relationships with pupils and their families always remain on a professional footing
6. Staff must not behave in a way that could lead a reasonable observer to question conduct, intentions or suitability to care for other people's children
7. Staff must not make arrangements to contact, communicate or meet with pupils outside work including by mobile phone or other forms of modern technology
8. Staff must not develop 'personal' relationships with pupils and their families
9. Personal social media accounts such as Facebook should not be used to communicate with parents or pupils. Staff should act prudently with regard to privacy settings and should not identify the Trust or Academy in their personal profile
10. Personal mobile phones should not be used in the classroom and mobile phones with cameras should not be in areas where children are vulnerable to any invasion of their privacy
11. Staff should be considerate to pupils' right to confidentiality and not discuss personal matters in inappropriate ways or in public places
12. Staff should understand that unacceptable behaviour or activity, illegal or otherwise, in their personal life may impact on their suitability to work with children, e.g., becoming subject to Child Protection enquiries in relation to children in their own care, viewing online images of children, etc.

See 'Guidance for safer working practice for those working with children and young people in education settings' (SR consortium / DfE February 2022) for more information about acceptable and unacceptable professional conduct.

Staff should also see the Trust Staff code of Conduct and the Social Media Policy so that they are fully aware of conduct expectations, reasons for this and consequences if these policies are not adhered to.

Appendix 2A: Process following disclosure or suspicion of abuse or neglect

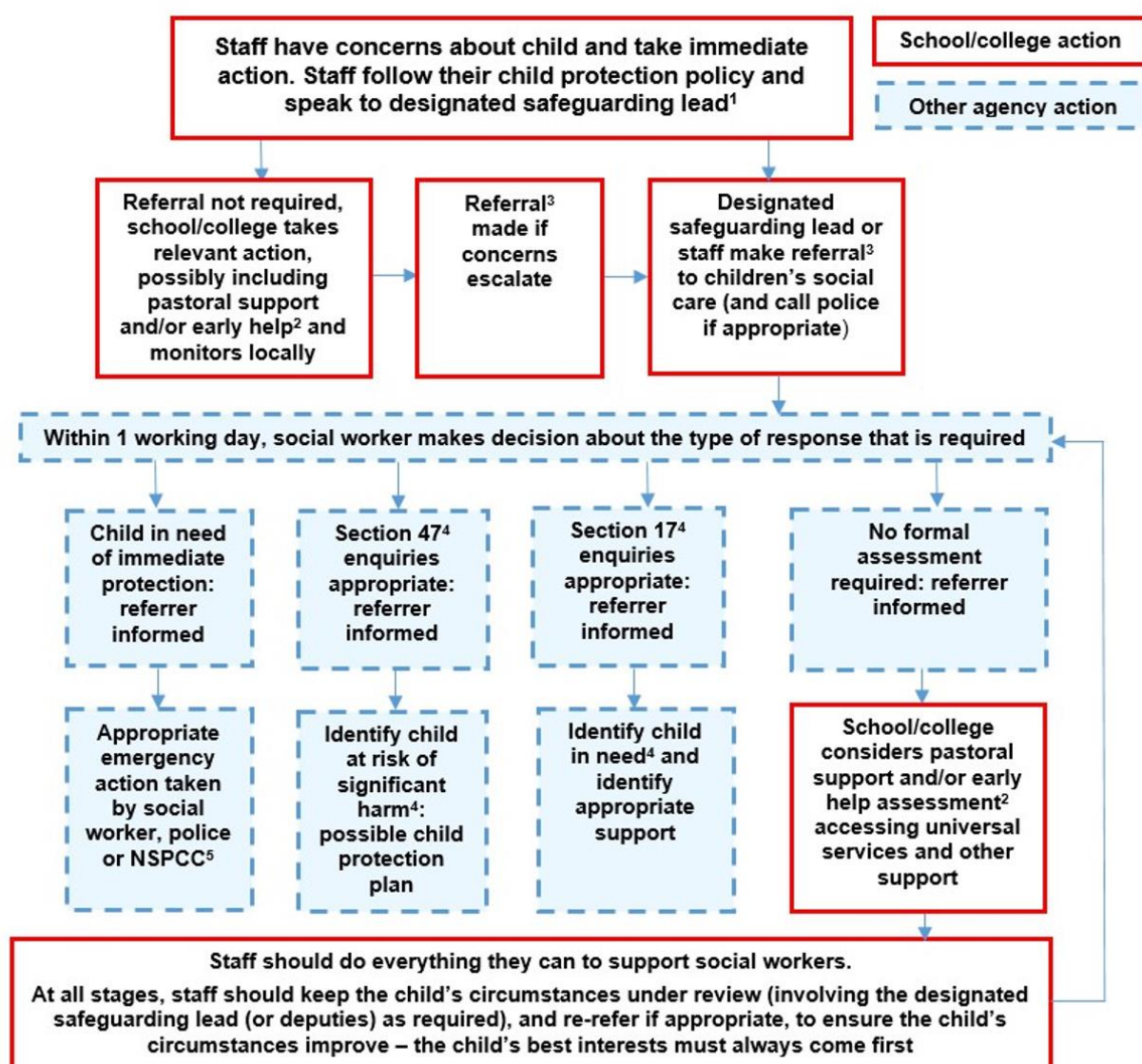
Action to be taken by any staff on receiving an allegation/disclosure of abuse.
Good practice means that the person to whom the child chooses to disclose, should listen and record as below, and not expect the child to repeat the information to a series of people.



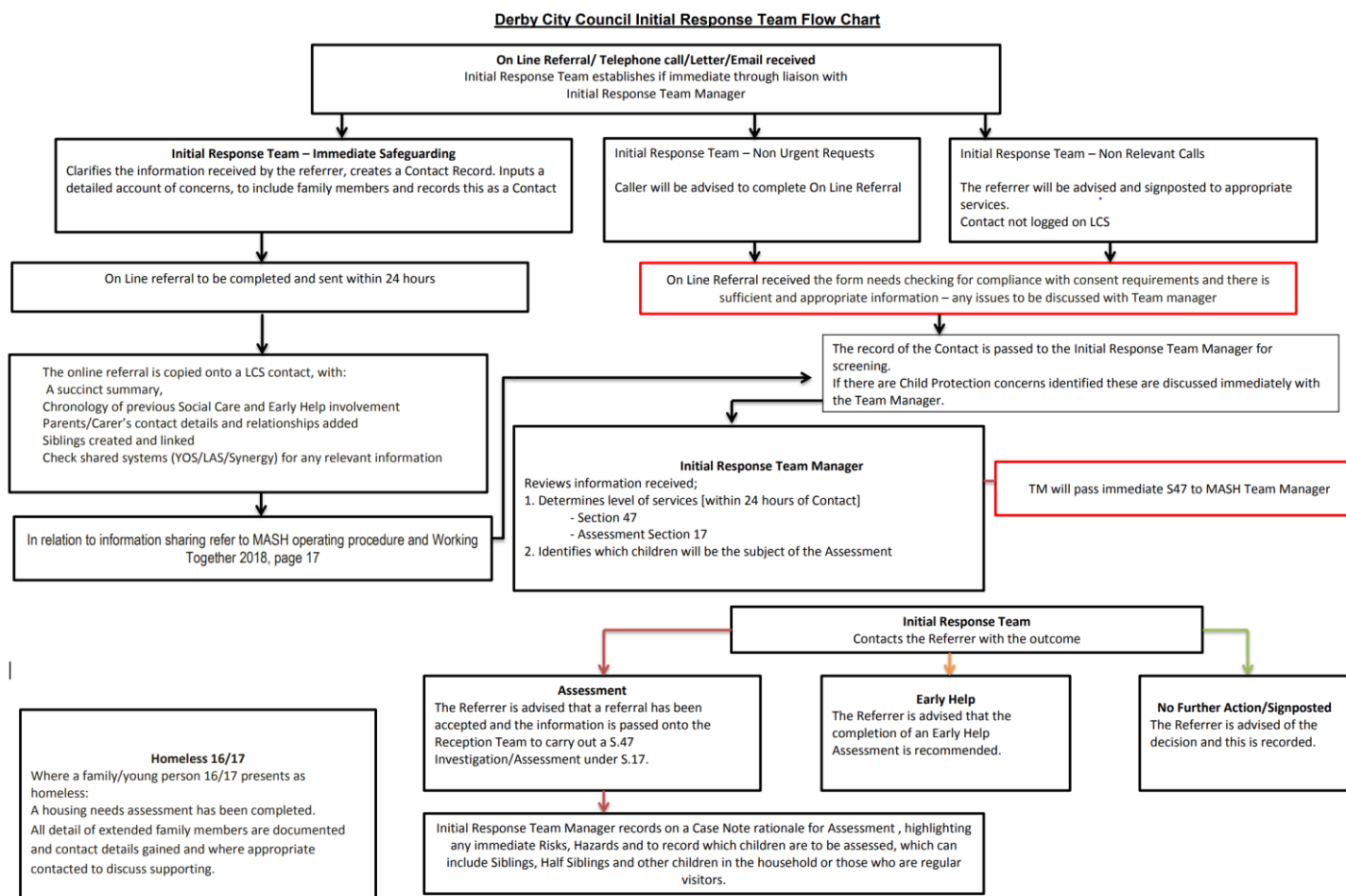
Appendix 2B: Flowchart following a referral to Children's Social Care – taken from KCSIE 2023

This is taken from Keeping Children Safe in Education – Sep 23

Actions where there are concerns about a child

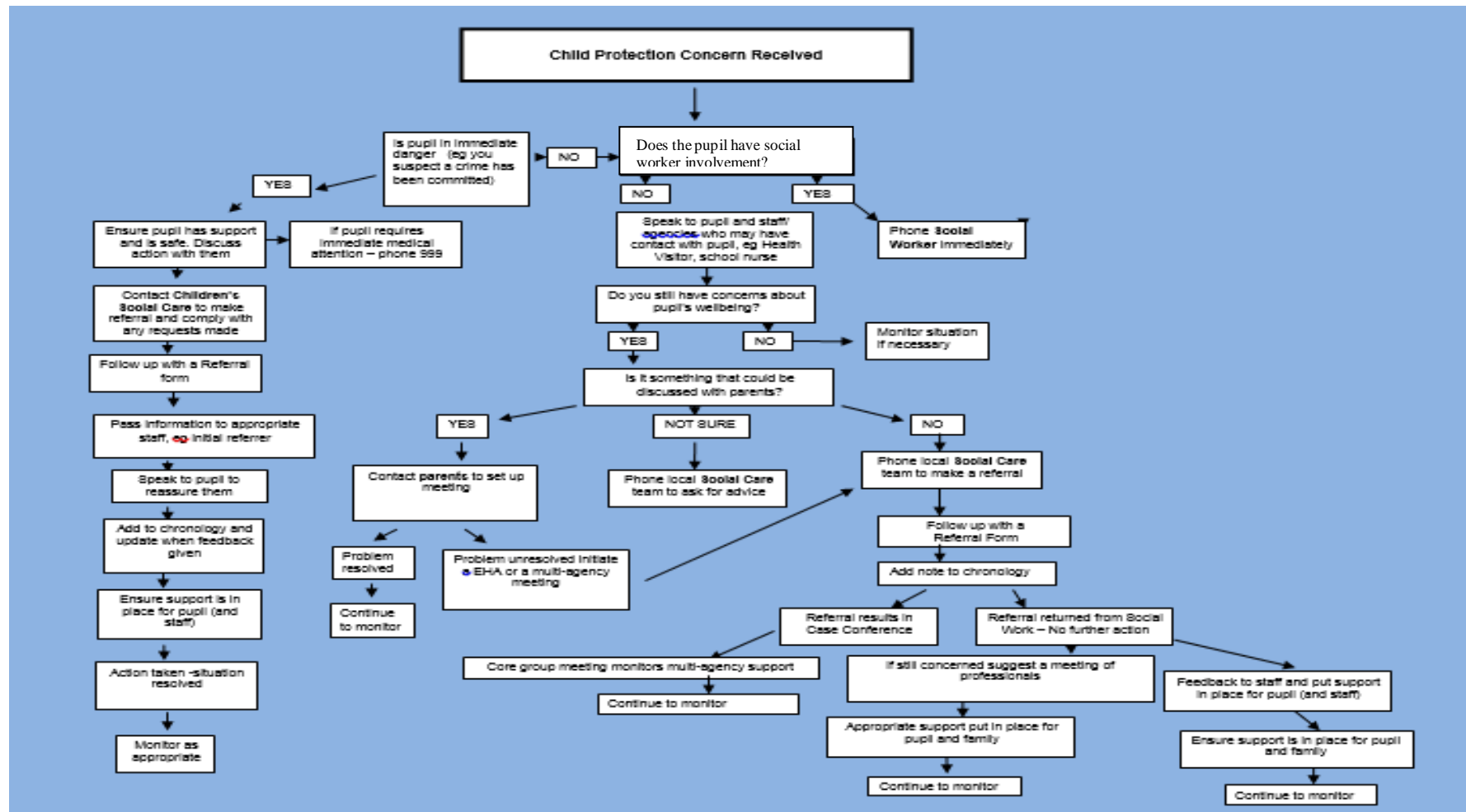


Appendix 2C: Flowchart of the referral process to the initial Response Team at Derby City Council



February 2020

Appendix 3 - Designated Safeguarding Lead – Flowchart for what to do if a Child Protection concern is received



Appendix 4A - Resolving Professional Disagreements and Escalating Complaints in Child Protection referrals - Derby.

The Harmony Trust - Safeguarding guidance

Following a number of serious case reviews, a repeated concern arises around the lack of follow-up and challenge for CSC decisions which were not agreed with by schools. At the Harmony Trust, we take our duty to safeguard children seriously and understand that we have a **duty to ensure children are kept safe from harm**. If we are not happy with a decision, we **must** challenge it – and keep challenging if we feel the child remains at significant risk.

This flowchart is written in conjunction with the Derby & Derbyshire Safeguarding Children's Partnership 'Multi Agency Dispute and Escalation Policy'. Please read the policy in line with the flow chart -

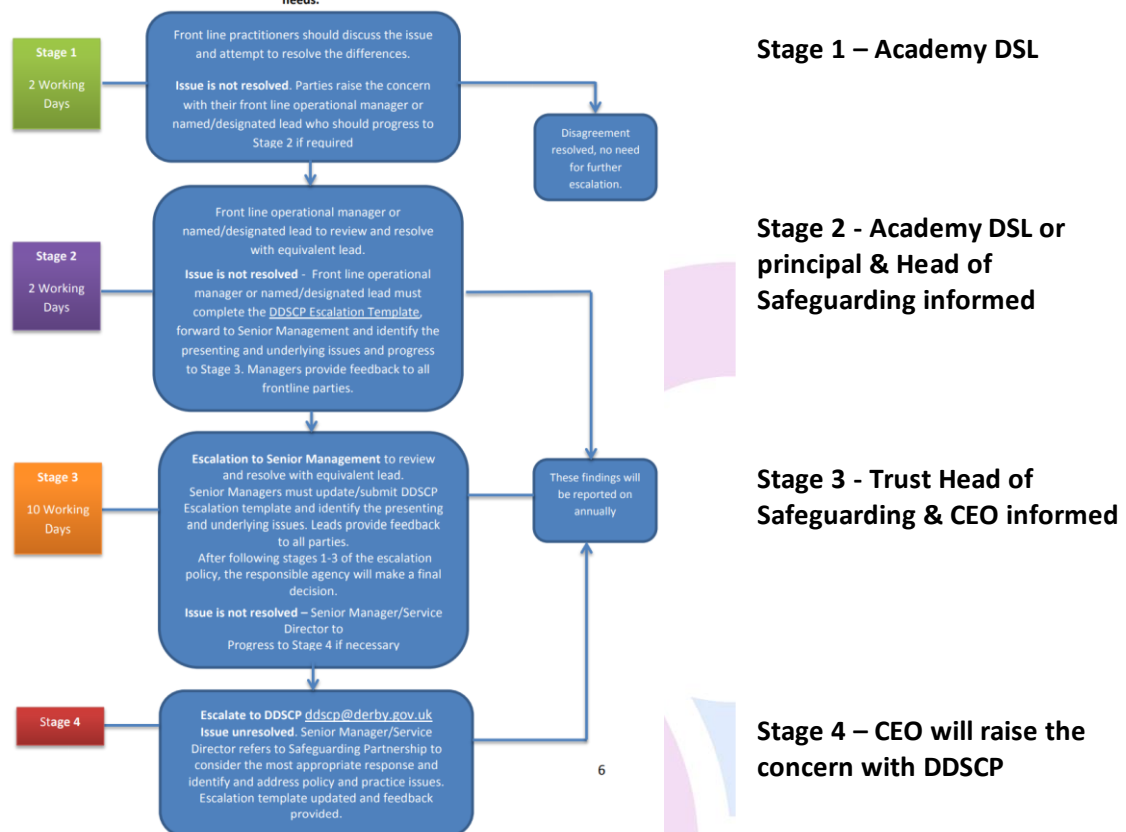
https://www.proceduresonline.com/derbyshire/scbs/user_controlled_lcms_area/uploaded_files/Multi%20Agency%20Dispute%20Resolution%20%26%20Escalation%20Policy%20Dec%202019%20Final.pdf

Appendix 1: Resolution of Professional Disagreement Flowchart

It is every professional's responsibility to 'problem solve'. Communication is extremely important and is the key to resolving professional misunderstandings or disagreements.

This is for any professional working with a child who has concerns about another agency's decision. Concerns should be specific and evidenced based as to the need and difference.

At all stages the discussion and outcome should be within the timescales prescribed and focused on the child's needs.



The Trust are available to support. Please contact Wendy May, Debbie Beeston or in their absence, Tracey Mellor.

Appendix 4B - Multi-Agency Dispute Resolution and Escalation Template -stages 3 & 4 - Derby



Appendix 2: Escalation & dispute Resolution Template (To be used when concerns are escalated to stage 3 and 4)

Pin No. e.g. (mosaic, liquid logic)	Name of Unborn/Child/ Children:	Date of Birth:	Department & name/position of practitioner escalating	Agency (with which there is a concern) & name of practitioner/position:

Escalated to (name & position)	Stage 3 or 4	Date of escalation	Escalated to within partner agency (name & position)	Date of escalation

Brief description of nature of concern:

Outcomes sought:

Update from each stage of Escalation:

Name of Referrer:

Agency/Department:

Telephone number: **Email:**

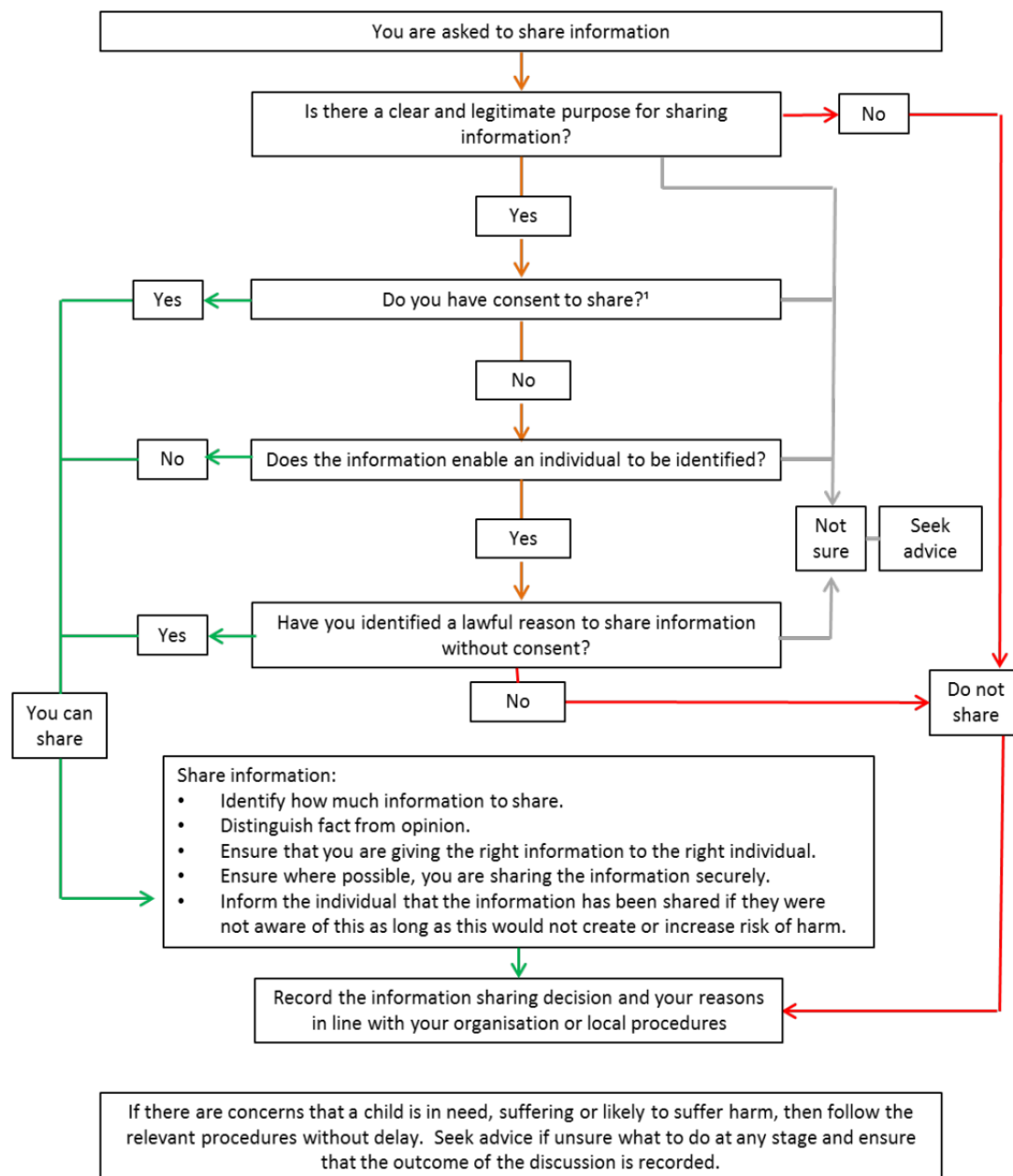
Signature: **Date:**

Derby & Derbyshire Safeguarding Children Partnership Email for Stage 4:
ddscp@derby.gov.uk

Appendix 5 - Information Sharing

Information at Carlyle Infant and Nursery Academy is handled very carefully. We take our responsibilities to safeguard personal data seriously and our procedures are in line with GDPR regulations 2018. However, we will share information where necessary in order to ensure children are safeguarded. We follow the document: Information Sharing: Advice for Practitioners 2018. The flowchart below gives details of how a decision to share information is made. Decisions are recorded on CPOMS:

Flowchart of when and how to share information



1. Consent must be unambiguous, freely given and may be withdrawn at any time

Appendix 6 – Safeguarding Training Requirements

ALL NEW STAFF

What	When	Who is responsible for organising this	Where training can be accessed
STAGE 1	Before employment commences or on day 1	Staff member's line manager	Induction checklist
STAGE 2	Within first few weeks of employment commencing	Staff member's line manager – HR organise sessions.	Head of safeguarding training

ALL STAFF WHO WORK DIRECTLY WITH CHILDREN

What	When	Who is responsible for organising this	Where training can be accessed
Annual updates & refresher – new KCSIE & policy updates	In September every year	Principal Head of safeguarding	In-house training sessions iHasco – KCSIE update
Appropriate safeguarding training	Every 2 years	Principal	Head of Safeguarding iHasco LA training
Prevent awareness	Every 2 years	Principal	iHasco Home Office
Sexual Violence and harassment	Every 2 years	Principal	In house toolbox talk
Positive Handling	Every 2 years (all must have part 1 with relevant staff to have part 2)	Principal	National Online Safety - 'Use of reasonable force' *Moving to PRO-ACT SKIPr in Autumn 2023
Online Safety (appropriate to role)	Every 2 years	Principal	National Online Safety course
**Intimate Care & nappy changing (staff who work in EYFS / children who require intimate care)	Annually	Principal/ Early years lead	Use of policy & refresher of protocols & procedures

**EXECUTIVE LEADERSHIP TEAM, CENTRAL & INFRASTRUCTURE STAFF PLUS
ACADEMY - Office, site, catering, cleaning staff**

What	When	Who is responsible for organising this	Where training can be accessed
Annual updates & refresher – new KCSIE & policy updates	In September every year	Principal Head of safeguarding	In-house training sessions iHasco – KCSIE update
Appropriate safeguarding training	Every 2 years	Heads of Service/ Line Manager	Head of Safeguarding iHasco LA training
Prevent awareness	Every 2 years	Heads of Service/ Line Manager	iHasco Home Office
Sexual Violence and harassment	Every 2 years	Heads of Service/ Line Manager	In house toolbox talk
Positive Handling	Every 2 years (part 1)	Heads of Service/ Line Manager	National Online Safety - 'Use of reasonable force'
Online Safety (appropriate to role)	Every 2 years	Heads of Service/ Line Manager	National Online Safety course

TRUSTEES

What	When	Who is responsible for organising this	Where training can be accessed
Appropriate safeguarding training - ALL trustees	Every 2 years	Head of Safeguarding	NSPCC
Prevent awareness All Trustee	Every 2 years	Head of Safeguarding	iHasco Home Office
Online Safety All Trustees at induction	Every 2 years	Head of Safeguarding	National Online Safety course
Safer Recruitment Appropriate Trustees	Every 3 years	Head of Safeguarding	iHasco NSPCC

DESIGNATED SAFEGUARDING LEADS & DEPUTY DESIGNATED SAFEGUARDING LEADS, ASSISTANT DIRECTOR FOR SAEFEGUARDNG, ESTATES AND COMPLIANCE, HEAD OF SAFEGUARDING & FAMILY SUPPORT AND FAMILY SUPPORT STAFF.

What	When	Who is responsible for organising this	Where training can be accessed
DSL or DSL refresher	Every 2 years	Principal/ Head of Safeguarding	Via Adele Gladman National online safety LA course
Safer recruitment	Every 3 years	Principal/ Line Manager	iHasco NSPCC LA
Early Help	Every 3 years	Principal/ Line Manager	LA course
Prevent for DSLs	Every 3 years	Principal/ Line Manager	LA course Home Office
Managing Allegations	Every 3 years	Principal/ Line Manager	LA course
Online Safety for DSLs	Every 2 years	Principal/ Line Manager	National Online Safety
Other training <ul style="list-style-type: none"> • CME • CSE • FGM • Forced Marriage • Honour based abuse • County lines • Domestic Abuse • Parental substance misuse • Parental mental health • Private Fostering • Working Together • Sexual Abuse 	Complete and refresh as needed	Principal/ Line Manager	LA course iHasco National Online Safety Toolbox Talks

Appendix 7 How we record Child Protection-related incidents and other concerns/information

If there are any concerns, these should be recorded onto CPOMS. If there are concerns a child is at significant risk of harm, find the DSL immediately and follow up the report in writing afterwards.

Adding a concern /incident:

- Follow the prompts on the screen to complete the details.
- Make sure you add full names (and roles of staff) so it is clear who is being referred to (initials can be used after full names are used once).
- Make sure you tick the correct category to describe your concern. The categories we use in Carlyle Infant and Nursery Academy are:

Category	Tick if academy uses	Comments (e.g only DSLs add this category)
Attendance	X	
Behaviour	X	
Child In Need	X	ONLY DSL
Child Protection	X	ONLY DSL
Communication	X	
Domestic abuse	X	
Early Help	X	ONLY DSL
Emotional / mental health	X	
Home issues / parenting	X	
Information	X	
Injury / accident		
LAC	X	
Medical issues	X	
Other agency support	X	
PLAC	X	
Relationship / Friendship related issue	X	
Reportable incidents	X	
Safeguarding	X	
SEND	X	
Services child	X	ONLY DSL
SGO / CAO	X	ONLY DSL
TAF	X	ONLY DSL
Trust FST	X	ONLY DSL

- Add any other children as linked students. This means the incident (and associated actions if requested) will appear on all relevant student records.
- Mark on a body map if relevant

- Write in the date and time of the incident
- Upload files if needed
- Alert the relevant team for your academy:

Teams:

Team	Alerts
Safeguarding	DSL, DDSL, SLT, Family Support
FST	Family Support
Attendance	Attendance Officer
Behaviour	SC AND FST

- Identify if any agencies are involved
- Submit the incident

Staff who are alerted will receive the incident. This is via email – staff may not get this immediately so if it is urgent then the relevant staff member must be contacted physically.

Recording actions

Concerns must be followed up. This may be identified in the incident itself or may be a separate action linked to the incident. If no follow up needed (i.e. it is purely for information, please note: For information only.

Actions must show how the incident has been addressed and that it is closed off. If it says “___ will speak to the parent at the end of the day”, it is important that a further action notes this has been done and what was said. The actions must be closed off.

Where a response from an outside agency is required, it is important to chase at regular intervals, determined by the level of risk to the child.

Reportable incidents

These must be recorded onto CPOMS and followed up. Where there is further documentation (e.g. racist incident report), this should be uploaded.

Associated actions and follow up must be recorded.

Monitoring

The Principal / DSL is responsible for ensuring that recording onto CPOMS is timely, appropriate, sufficiently detailed and has clear action / liaison with outside agencies where appropriate.

S Curtis monitors CPOMS daily

The Trust Central team monitor a snapshot of CPOMS records on an annual basis. Should the need arise, this will be increased on a bespoke basis.