

Brighter Futures Academy Trust

Safeguarding Policy



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1. Introduction

1.1 The academy is committed to safeguarding and promoting the welfare of pupils. This policy is designed to ensure that the actions of any member of staff in our academy are both transparent and in full accordance with these aims and that the academy provides a safe environment in which children can learn.

- 1.2 This policy gives clear direction about the expected behaviour and responsibility when managing safeguarding concerns and forms a fundamental part of our approach to providing excellent pastoral care over and above the academic support afforded to our pupils.
- 1.3 The core elements of our policy are prevention, protection and support. This policy is applicable to all staff and associates of the academy, including governors, trainees, volunteers and visitors.

2. Purpose and scope

- 2.1 This policy is principally written in accordance with the documents 'Keeping Children Safe in Education' (2016) and 'Working Together to Safeguard Children' (2015). It should be read in conjunction with other academy policies, principally those on: 'E-safety', 'Code of Conduct', 'Code of Safe Working Practice', 'Recruitment', 'Social Media', 'Disciplinary' and 'Whistleblowing'.
- 2.2 The Education Act 2002 remains the primary legislation to which schools and academies must have regard in furtherance of their duties. Section 175 of the Education Act 2002 requires governing bodies of maintained schools and FE colleges to make arrangements to ensure that their functions are carried out with a view to safeguarding and promoting the welfare of children. Similarly, regulations made under Section 157 of that Act state that independent schools (the definition of which includes academies and free schools) must make arrangements to safeguard and promote the welfare of pupils.
- 2.3 The academy works closely with social care, the police and health services to safeguard and promote the welfare of all pupils by providing a safe and secure environment in which pupils can learn. All pupils are given the best opportunity to talk freely to any member of staff if they have any worries or concerns.
- 2.4 The academy will support all pupils by:
 - ensuring the content of the curriculum includes social and emotional aspects of learning
 - ensuring a comprehensive curriculum response to e-safety, enabling children and parents/carers to learn about the risks of new technologies and social media and to use these responsibly
 - ensuring that child protection is included in the curriculum to help children stay safe, recognise when they do not feel safe and identify who they might or can talk to
 - providing pupils with a number of appropriate adults to approach if they are in difficulties
 - supporting the child's development in ways that will foster security, confidence and independence
 - encouraging development of self-esteem and self-assertiveness whilst not condoning aggression or bullying
 - ensuring repeated hate incidents, eg racist, homophobic, gender or disability based bullying, are addressed under child protection procedures
 - liaising and working in co-operation with other support services and agencies involved in safeguarding children
 - monitoring children who have been identified as having welfare or protection concerns, including being at risk of radicalisation, and ensuring that they are provided with appropriate support.
- 2.5 The academy will support staff by the provision of regular training to help them to recognise, and act upon, any signs which might indicate issues relating to safeguarding or child protection

and to know how to respond to any disclosure from a pupil which might potentially relate to a safeguarding or child protection issue.

3. Definitions

- 3.1 Throughout this policy references are made to "children", "young people" and "pupils". These terms are interchangeable, and all refer to persons under the age of 18 years studying at the academy. However, the principles of this document apply to professional behaviours towards all pupils, including those over the age of 18 years.
- 3.2 The government has defined "safeguarding" as:
- The process of protecting children from abuse or neglect, preventing impairment of their health and development, and ensuring they are growing up in circumstances consistent with the provision of safe and effective care that enables children to have optimum life chances and enter adulthood successfully.*
- 3.3 Safeguarding, and promoting the welfare of children, represents a significantly broader term than child protection. Child protection is merely part of safeguarding and refers to activities undertaken to prevent children suffering, or likely to suffer, significant harm.
- 3.4 Reference in this policy to "staff" or "adults" includes teachers, support staff, governors, trainees, volunteers, and anyone working in, or on behalf of, the academy, in either a paid or unpaid capacity.
- 3.5 Reference in this policy to the term "Designated Safeguarding Lead" (DSL) means the senior member of staff who has been allocated lead responsibility for safeguarding within school. This individual will ensure that all staff working with children are aware of signs which may indicate possible abuse or harm.
- 3.6 Reference in this policy to the term "allegation" means any information that suggests a teacher or member of staff (including volunteers) 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
 - behaved towards a child or children in a way that indicates they may pose a risk of harm to children.
- 3.7 Abuse and neglect are forms of maltreatment of a child, as are child sexual exploitation (CSE), female genital mutilation (FGM) and radicalisation. Somebody may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting, by those known to them or, more rarely, by a stranger. They may be abused by an adult or adults, or by another child or children.
- 3.8 In relation to children at risk of abuse and neglect, including sexual abuse or exploitation, grooming and/or radicalisation, the following definitions are detailed in the KCSIE 2016 document.
- 3.9 **Abuse** represents a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others (e.g. via the internet). They may be abused by an adult or adults or by another child or children. Abuse may be sub-divided into the following categories:

3.9.1 **Neglect**

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development.

Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to:

- provide adequate food, clothing and shelter (including exclusion from home or abandonment)
- protect a child from physical and emotional harm or danger
- ensure adequate supervision (including the use of inadequate care-givers)
- ensure access to appropriate medical care or treatment
- provide an adequate response to a child's basic emotional needs.

This is not an exhaustive list and it must be recognised that it is not the role of staff/volunteers to make an assessment of whether children or young people have suffered harm. All staff and volunteers (in addition to the Designated Safeguarding Lead) do have a duty to report any concerns about harm in accordance with the guidelines and procedures of the Local Safeguarding Children Board.

3.9.2 **Physical Abuse**

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

3.9.3 **Emotional Abuse**

Emotional abuse is the persistent emotional ill treatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the 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, 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 ill treatment of a child though it may occur alone.

3.9.4 **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, and irrespective of 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, as can other children.

3.9.5 **Child sexual exploitation (CSE)**

Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of eighteen (including those aged sixteen and seventeen who can legally consent to have sex, or indeed to marry) into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. CSE does not always involve physical contact; it can also occur through the use of technology.

The above definition may also include human trafficking (for sexual purposes) and forced marriage. In CSE there is an imbalance in the relationship as the perpetrator holds some kind of power over the victim. CSE can involve varying degrees of coercion, intimidation or enticement, sexual bullying, cyberbullying and grooming. It is important to recognise that some young people who are being sexually exploited do not exhibit any external signs of this abuse and indeed it may occur without the child or young person's immediate knowledge.

3.9.6 **Sexting**

Whilst professionals may refer to 'sexting' there is no precise legal definition of this term, although it may be regarded as the production and/or sharing of sexual photos and videos of and by young people who are under the age of eighteen. Creating and sharing sexual photos and videos of persons under the age of eighteen is illegal and therefore causes the greatest complexity for schools and other agencies when responding to this issue, which presents a range of risks which need careful management.

On this basis, government advice introduces the alternative phrase 'youth produced sexual imagery', to be used in preference to 'sexting'. This is to ensure clarity about the issues this advice is intended to address. The practice is best described as 'youth produced sexual imagery' because:

- 'youth produced' includes young people sharing images that they, or another young person, have created of themselves
- 'sexual' is clearer than 'indecent' in that a judgement of whether something is 'decent' is both a value judgement and dependent on context
- 'imagery' covers both still photos and moving videos

3.9.7 **Female genital mutilation (FGM)**

FGM is illegal in the UK and represents a form of child abuse with long lasting harmful consequences. Professionals in all agencies and individuals need to be alert to the possibility of a girl being at risk of FGM or having already suffered from FGM. Victims of FGM are more likely to come from a community that is known to practice FGM.

The FGM Act 2003 (section 74 of Serious Crime Act 2015) places a statutory duty upon teachers (and certain other professionals) to report to the police where they discover, either through disclosure or visual evidence (although this does **not** mean that teachers should be examining pupils) that FGM has been carried out on a girl under 18 years.

Failure to report such cases will lead to disciplinary action. In reality the teacher should consider and discuss the case with the Designated Safeguarding Lead and involve the Local Authority Designated Officer (LADO) as appropriate.

Professionals should note that girls at risk of FGM may not yet be aware of the practice (or that it may be conducted on them) so sensitivity must always be shown when approaching the subject. Warning signs that FGM may be about to take place or may have already taken place may be found in the Multi-Agency Practice Guidelines.

Chapter 9 of the guidelines (pages 42–44) focuses on the role of schools and academies in relation to FGM - see www.gov.uk/government/publications/female-genital-mutilation-guidelines.

3.9.8 **Radicalisation**

Under the **Prevent duty** all schools have a duty under section 26 of the Counter-Terrorism and Security Act 2015 to have 'due regard' to the need to prevent people from being drawn into terrorism. This is known as the Prevent duty, on which the DfE has published guidance for schools.

The academy has clear procedures in place for protecting pupils at risk of radicalisation and will ensure that staff have a general understanding of the risks affecting pupils in addition to providing guidance in how to identify those pupils and how to support them.

The academy will undertake the following requirements:

- assess the risk of pupils being drawn into terrorism (which includes support for extremist ideals that are part of terrorist ideology)
- will ensure that their safeguarding arrangements take into account the policies and procedures of the Local Safeguarding Children's Board
- will ensure that the Designated Safeguarding Lead undertakes appropriate Prevent awareness training and provide advice and support to other staff members on protecting pupils from the risk of radicalisation
- ensure that pupils are safe from terrorist and extremist material by putting in place suitable filtering mechanisms for accessing the internet, and in addition teach pupils about online safety

3.9.9 **The Channel programme**

The Channel programme focuses on providing support at an early stage to people who are identified as being vulnerable to being drawn into terrorism. It provides a mechanism for schools to make referrals if they are concerned that an individual might be vulnerable to radicalisation.

The local authority will have a Channel panel in place; this is chaired by the local authority and includes the police. The academy will make a referral to the Channel panel where a pupil is identified as being vulnerable to being drawn into terrorism, and where appropriate and necessary consent is obtained, the pupil will be supported throughout this process. The academy will co-operate with the local Channel panel.

3.9.10 **Other definitions**

This policy is not designed to function as a dictionary, and provision of additional definitions (without limitation) would render it impractically lengthy, but should further,

more detailed, definitions be desired for additional terms such as domestic abuse, forced marriage and relationship abuse (none of which terms are legally applicable to children under the age of 16) these can be accessed directly from (paragraph 43 of) KCSIE 2016.

However, for the sake of clarity, the following brief definitions are offered.

3.9.11 **Domestic violence and abuse**

This is any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those **aged 16 or over** who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can encompass, but is not limited to:

- psychological
- physical
- sexual
- financial
- emotional

3.9.12 **Forced marriage**

A forced marriage is one which is 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 a marriage. Such threats can be physical and/or emotional and/or psychological. A lack of full and free consent can be where a person does not consent or where they cannot consent (if they have learning disabilities, for example). Nevertheless, some communities can use religion and culture as a way to coerce a person into marriage, and schools and colleges can play an important role in safeguarding children from forced marriage.

The Forced Marriage Unit has published multi-agency guidelines, with pages 32-36 focusing on the role of schools and colleges. If they need advice or information, school and college staff can contact the Forced Marriage Unit by telephone: 020 7008 0151 or by email: fmufco.gov.uk.

4. Staff responsibilities

- 4.1 All staff are advised to maintain an attitude that 'it could happen here' where safeguarding is concerned (recommended reading: 'The sexual exploitation of children: it couldn't happen here, could it?' Ofsted report published November 2014).
- 4.2 All adults working in the academy (not only employees but also governors, trainees and volunteers) require to be alert to the potential abuse of children both within their own families and also from other sources, including the possibility of abuse by academy staff.
- 4.3 All staff should know how to recognise and act upon indicators of abuse or potential abuse involving children and should know how to address concerns about a child's welfare. There is a responsibility for all staff members to respond to any suspected or actual abuse of a child in accordance with academy procedures (in line with government legislation).
- 4.4 All staff must (as a minimum) read Part 1 of the document entitled 'Keeping Children Safe in Education 2016'. It should however be common knowledge that **all** staff members must share

in responsibility for ensuring that our buildings and grounds are secure and in reporting any concerns that may come to light.

- 4.5 Additionally, staff should have 'due regard' to the need to prevent children and young people from being drawn into terrorism under the Prevent duty (July 2015). They should always act in the best interests of the child in these circumstances.

5. Academy responsibilities

- 5.1 A senior member of staff has been appointed to be the academy's Designated Safeguarding Lead (DSL). This person will direct and support other staff in managing safeguarding concerns, including ensuring that all staff working with children are aware of signs which may indicate possible abuse or harm.
- 5.2 The DSL will undertake refresher child protection training every 2 years and whole school staff training will also be updated as appropriate. The academy has also appointed a nominated governor to be responsible for child protection issues.
- 5.3 The DSL is also responsible for ensuring that academy protocols and procedures are followed, including the requirement to ensure that, where children leave the school or college, their child protection file is transferred to the new school or college as soon as possible, and that this file is transferred separately from the main pupil file. The DSL must ensure secure transit of this file **and** must obtain (and record) confirmation of receipt.
- 5.4 Within our academy we will promote a culture that enables all staff members to raise, without fear of repercussion, any concerns they may have about the management of safeguarding and/or child protection in the academy. This may include raising concerns about decisions or actions (or inactions) taken by colleagues in relation to individual children. If concerned, staff members should raise such matters with the DSL and/or the headteacher.
- 5.5 All staff should know how to recognise and act upon indicators of abuse or potential abuse involving children and should know how to address concerns about a child's welfare.
- 5.6 All staff will be advised how to access up to date child protection training.
- 5.7 Our induction programme for new members of staff will include basic safeguarding information relating to:
- signs and symptoms of abuse
 - how to manage a disclosure from a child
 - how to record concerns
 - who to pass the information to.
- 5.8 All members of staff, volunteers and governors will know how to respond to a pupil who discloses abuse (or where such concerns are raised by a third party).
- 5.9 All members of staff, volunteers and governors will similarly know what action to take in the event of being alerted to concerns in relation to potential radicalisation and will be familiar with recommended procedures to be followed.
- 5.10 Staff should feel able to raise concerns about poor or unsafe practice and potential failures in the academy's safeguarding practices. Where a staff member feels unable to raise the issue with senior management or feels that their genuine concerns are not being addressed, they may

wish to consider whether it is appropriate to raise their concerns under whistleblowing procedures.

6. Identifying concerns relating to a pupil

6.1 If a child chooses to tell a member of staff about alleged abuse, there are a number of actions that staff should undertake to support the child:

- staff will actively listen with the utmost care to what the child is saying
- staff will stay calm and be available to listen
- the key facts will be established in language that the child understands and the child's words will be used in clarifying/expanding what has been said
- no promises will be made to the child (such as 'to keep secrets')
- question normally without pressurising and only using open questions
- leading questions should be avoided
- questioning should not be extensive
- staff will not put words in the child's mouth but will note the main points carefully
- a full written record will be kept by the staff duly signed and dated, including the time the conversation with the child took place, an outline of what was said, comment on the child's body language etc (see Appendices 3 and 4 for further information on record keeping)
- it is not appropriate for staff to make children write statements about abuse that may have happened to them
- staff will reassure the child and let them know that they were right to inform them and advise the child that this information will now have to be passed on
- the Designated Safeguarding Lead will be informed immediately (unless the disclosure has been made directly to them).

6.2 Recognition – what to look for in an abusive relationship.

6.2.1 The child may:

- appear frightened of their parent(s)/carer(s) or other adults
- act in a way that is inappropriate to their age and development, although full account needs to be taken of different patterns of development and different ethnic groups
- have one or more inexplicable absences from school

6.2.2 The parent or carer may:

- persistently avoid child health services and treatment of the child's illnesses
- have unrealistic expectations of the child
- frequently complain about or to the child and fail to provide attention or praise
- be misusing substances
- persistently refuse to allow access on home visits by professionals
- be involved in domestic violence and abuse
- be socially isolated.

- 6.3 Additionally, (in the case of an abusive relationship unrelated to the family unit) the academy may be made aware by a parent/carer that they have significant concerns regarding the welfare of a child or young person.
- 6.4 Those children who have special educational needs and disabilities (SEND) can pose additional difficulties in the identification of safeguarding issues and concerns. All schools and academies should ensure that their protocols and procedures acknowledge that additional barriers to recognition of abuse and neglect can exist in relation to this group of children.
- 6.5 Relevant factors can include:
- the assumption (without further consideration or exploration) that indicators of possible abuse (such as behaviour and mood or even physical injury) are related to the child's disability
 - the observation that children with special educational needs and disabilities can be affected to a disproportionate degree by issues such as bullying without necessarily showing any overt signs of this
 - commensurate barriers to communication.
- 6.6 Serious case reviews have found that where parental substance misuse, domestic abuse and mental health problems (sometimes referred to as the 'toxic trio') co-exist in a family this could represent a significant risk to children. Problems can also be compounded by poverty or by frequent house moves or eviction.

7. Child missing from education

- 7.1 A child missing from education is a potential indicator of abuse. Staff should be alert to signs and look for individual triggers which could imply the imminence of travel to conflict zones, FGM or forced marriage. Staff should follow the academy's policy and procedures for children who go missing, particularly on repeat occasions.
- 7.2 The academy must inform the local authority of any pupil who fails to attend school regularly, or who has been absent without permission for a continuous period of 10 (school) days or more. The academy will also notify the local authority when a pupil is to be deleted (under the above circumstances) from its admission register.

8. Making a referral

- 8.1 Knowing what to look for is vital to the early identification of abuse, neglect, and radicalisation. Where staff or others need to raise concerns, these can be directed to the **headteacher or Designated Safeguarding Lead** who will coordinate a response. Concerns can be raised directly with Children's Social Care but contact with the **headteacher or DSL** is advocated in the first instance.
- 8.2 The DSL (or headteacher) will record concerns and report these, where appropriate, to the relevant agencies. A referral involves giving children's social care or the police information about concerns relating to an individual or family in order that enquiries can be undertaken by the appropriate agency, followed by any necessary action.
- 8.3 If at any point there is concern regarding an imminent risk of serious harm to a child a referral should be made to children's social care immediately. **Anybody can make a referral in these circumstances.**

- 8.4 A child protection conference will be convened by the local authority if a referral has been made and the subsequent investigation findings have confirmed the child to be at risk of harm.
- 8.5 Alternatively, where the child is already subject to a Child Protection Plan, a review conference may be held to monitor the safety of the child and take appropriate action to reduce the risk.
- 8.6 Staff may be required to attend child protection conferences or core group meetings as key professionals in working with the child and as a representative of the academy.

9. Consent

- 9.1 Professionals should seek to discuss any concerns with the family (including the child where appropriate) and where possible seek their agreement to making referrals to the Local Authority Assessment Team. This should only be done where such discussion and agreement seeking will not place the child at an increased risk of significant harm.
- 9.2 The parents' consent to make a referral is not required if it is considered that the child is in need of protection, although it should be noted that parents will ultimately be made aware of which organisation made the referral.
- 9.3 Parents, carers or child may not agree to information being shared, but this should not prevent referrals where child protection concerns persist. The reasons for dispensing with consent from the parents, carer or child should be clearly recorded and communicated to the Local Authority Assessment Team.

10. Supporting staff

- 10.1 Safer recruitment processes will be followed in accordance with our academy policy which incorporates guidance from DfE 'Keeping Children Safe in Education 2016'.
- 10.2 Staff will be given regular advice and guidance on the boundaries of appropriate behaviour. The policy documents 'Code of Safe Working Practice' and 'Code of Conduct' should assist in limiting allegations and/or complaints against staff in relation to abuse of trust.
- 10.3 In the event of any complaint or allegation against a member of staff, the headteacher (or the Designated Safeguarding Lead if the headteacher is not present) should be notified immediately. If the complaint or allegation relates to the headteacher, the chair of governors should additionally be informed without delay.

11. Reporting allegations of abuse against staff (including volunteers)

- 11.1 If any member of staff or volunteer has concerns about the behaviour or conduct of another individual working within our establishment which include perceptions that that individual has:
 - behaved in a way that has harmed, 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 that the individual is unsuitable to work with children

then the nature of the allegation or concern should be reported immediately to the headteacher.

- 11.2 It is important that the matter be dealt with by the headteacher without delay and in accordance with section 12 of this policy. In such instances, it is vital that no member of staff to whom an allegation or concern has been reported should make any attempt to question the child or to investigate the matter further.

12. Dealing with allegations of abuse made against staff (including volunteers)

- 12.1 In the event of the academy being made aware of any allegations of child abuse against a member of staff (whether initially reported internally or externally) advice should be sought directly (in line with 'Keeping Children Safe in Education 2016') from the Designated Safeguarding Lead who may in turn contact the Local Authority Designated Officer (LADO) and/or the police.
- 12.2 The LADO and/or the police may deem it necessary to arrange for a multi-agency strategy meeting to be held (or at the very least a discussion with, if applicable, the child's case manager) before an investigation is undertaken or disciplinary process (if indicated in relation to a member of staff) is initiated. Such a meeting (or discussion) will determine the precise nature, content and context of the allegation and the appropriate course of management. Sharing information in this way is vital to ensure that the correct action is taken.
- 12.3 Further investigation may be necessary and the academy may (depending upon available resources) wish to appoint an external investigator to undertake this task.
- 12.4 If (in the event of an allegation being made against a member of staff) suspension of a member of staff is deemed appropriate, the staff member involved will be afforded support and will be provided with a named contact within the academy. In all cases the matter should be dealt with as quickly as possible in accordance with disciplinary policy.
- 12.5 Further details relating to the handling of suspension and the management of allegations are outlined in the academy's Disciplinary Policy.
- 12.6 Any allegations made against a teacher who is no longer employed by the academy should be referred directly to the police by the DSL or headteacher.

13. Informing parents/carers

- 13.1 Parents/carers of a child or children involved should be informed about an allegation if they are not already aware of it. However, where a strategy discussion is required or children's services need to be involved, the parents/carers should not be contacted until those agencies have been consulted and have agreed what information should be disclosed to them.
- 13.2 The deliberations of a disciplinary hearing of any staff member against whom an allegation of abuse has been made, and the information taken into account in reaching a decision should only be disclosed to the parents or carers of the child after careful consideration of:
- The Human Rights Act 1998 (relating to the duty of confidence)
and **either**
 - (until 25 May 2018) The Data Protection Act **or**
 - (from 25 May 2018) The General Data Protection Regulation (GDPR).
- 13.3 It may be appropriate to make parents and carers aware of the prohibition on reporting or publishing allegations about teachers under section 141F of the Education Act 2002. Reporting

restrictions prevent 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 or college. These 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.

14. Exit arrangements

- 14.1 If a member of staff who is the subject of safeguarding allegations resigns or ceases to provide their services, this will not prevent an allegation being followed up.
- 14.2 The Disciplinary Policy details guidance with regard to referrals to the Disclosure and Barring Service (DBS) and the Teaching Regulation Agency (TRA) (formerly the National College for Teaching and Leadership or NCTL) in relation to safeguarding issues where a member of staff is dismissed (or resigns before the completion of a disciplinary process).
- 14.3 A referral to DBS (and, in the case of a teacher, to TRA in addition) must be made if any individual has harmed, or poses a risk of harm to, a child or if there is reason to believe the staff member has committed the allegations presented and has been removed from working (paid or unpaid) in regulated activity (or would have been so removed had they not left). If the accused refuses to co-operate with an investigation and/or participate in any disciplinary proceedings, such process should continue until it reaches a conclusion.
- 14.4 In the event of a settlement agreement being proposed it is **not** appropriate to reach an agreement with any staff member which would prevent the academy from making a referral to DBS and/or TRA where the criteria are met. This would result in a criminal offence being committed as the academy would be failing to comply with its legal duty to make such referral.

15. Children staying with host families ('private fostering')

- 15.1 Under both the Children Act 1989 and the Safeguarding Vulnerable Groups Act 2006, where a child is provided with care and accommodation by a host family to which they are not related this arrangement could amount to 'private fostering' (as defined by the aforesaid legislation).
- 15.2 Where the child is under 18 years of age and the person providing the care and accommodation is paid to provide that arrangement, or the arrangement is not made by the child's family, the private fostering could amount to 'regulated activity' under the current legislation (regardless of the duration).
- 15.3 If the academy is responsible for making the arrangement and has the power to terminate the arrangement, then the academy could be regarded as a regulated activity provider. As a regulated activity provider must not knowingly allow a person to carry out a regulated activity whilst barred it is therefore appropriate that where the academy is acting in this capacity it should request a DBS certificate with barred list check.
- 15.4 Where the academy has not been involved in making the arrangement but a staff member or volunteer becomes aware that a pupil may be in a private fostering arrangement whereby a child under the age of 16 (or 18 if disabled) is provided with care and accommodation by someone to whom they are not related in that person's home, they should raise this in the first instance with the Designated Safeguarding Lead for child protection. The academy should notify the local authority of the circumstances and the local authority should check that the arrangement is suitable.

15.5 In relation to children staying with families overseas, DBS checks cannot access criminal records held overseas. In such circumstances the academy will aim to work with partner schools abroad to ensure that similar assurances are undertaken prior to a visit and will, where necessary, contact the relevant foreign embassy or High Commission of the country in question to establish if similar checks can be carried out in that country.

16. Other policies and procedures

16.1 This policy, together with the following, should be interpreted alongside and in conjunction with other policies regarding the safety and welfare of children, which may include some or all of the following.

- Anti-Bullying Policy
- Attendance Policy
- Behaviour Policy/Written Statement
- Code of Conduct
- Code of Safe Working Practice
- Complaints Procedure Statement
- Disciplinary Policy
- Equality Policy
- E-safety Policy
- Freedom of Information Policy
- Grievance Policy
- Health and Safety Disability Equality Action Plan
- Home School Agreement Document
- Recruitment Policy
- Social Media Policy
- Special Educational Needs Policy
- Whistleblowing Policy

Appendix 1

Roles and responsibilities

Designated Safeguarding Lead

The Designated Safeguarding Lead for child protection is a member of the leadership team who has received (and continues to receive) regular updates on appropriate training and support for this role. There is also at least one other member of staff who provides additional support to ensure that the responsibilities for child protection and safeguarding children are fully embedded within the school ethos and that specific duties are discharged. This individual (the Deputy DSL) will assist the Designated Safeguarding Lead to discharge their duties and will act as cover in their absence. Our Designated Safeguarding Lead will ensure there is a structured procedure within the school to be followed by all of the members of the school community in cases of suspected abuse.

Headteacher

The headteacher of the school will ensure that:

- the policies and procedures adopted by the governing body are fully implemented and are followed by all staff; and that all staff have read (as a minimum) Part 1 of 'Keeping Children Safe in Education 2016' as part of their induction programme
- sufficient resources and time are allocated to enable the Designated Safeguarding Lead and other staff to discharge their responsibilities, including taking part in strategy discussions and inter-agency meetings, and contributing to the assessment of children
- all staff and volunteers feel able to raise concerns about poor or unsafe practice with regard to children, and that such concerns are addressed sensitively and effectively in a timely manner.

Governing body

The governing body is collectively responsible for ensuring that safeguarding arrangements are fully embedded within the school's ethos and that these are reflected in the day to day safeguarding practices by establishing that the school has effective policies and procedures in place in accordance with this policy and by monitoring compliance with them.

Appendix 2

Confidentiality

It is recognised that all matters relating to child protection are confidential; however, a member of staff must never guarantee confidentiality to a pupil.

Where there is a child protection concern it will be passed immediately to the Designated Safeguarding Lead and/or to the Local Authority Designated Officer (LADO).

The headteacher or Designated Safeguarding Lead will take advice from the Designated Officer, the police and children's social care services 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 reasonably given to the wider community to reduce speculation and
- how to manage press interest if and when it should arise

All staff must be fully aware that it is their professional responsibility to share information with other agencies in order to safeguard children.

Appendix 3

Records and monitoring

Any concerns about a child will be recorded in writing as soon as possible. All records will provide a factual and evidence based account and there will be accurate recording of any action taken. Records will be signed, dated and, when felt appropriate, recorded as witnessed. Any concerns should be both recorded (following school protocol) and reported without delay to the appropriate safeguarding services, or to the child's social worker if already appointed.

Staff should, at all times, exercise extreme caution in regard to performing any sort of physical examination or assessment of a child or young person given the potential for misinterpretation by others. Similarly, at no time should any individual teacher/member of school staff take (or be asked to take) photographic evidence of any injuries or marks to a child's person (as this type of behaviour could lead to the staff member's actions being criticised as inappropriate).

A chronology will be kept in the main school file prior to the commencement of a separate (and confidential) concern file (see below). Staff, particularly pastoral staff, will record any minor concerns on the chronology and will take responsibility for alerting the designated lead should the number of concerns rise or, in their professional judgement, become significant.

Safeguarding, child protection and welfare concerns will be recorded and kept in a separate secure file known as a 'concern' file (formerly referred to as a child protection file), which will be securely stored and maintained in a separate location from the main pupil file. The main pupil file should have a red C in the top right hand corner (or a similar and consistent coding) to denote that a separate file is in existence.

Files will be available for external scrutiny by, for example, a regulatory agency or in the event of a serious case review or audit.

Why recording is important

All staff are encouraged to understand why it is important that recording is comprehensive and accurate. Records will be kept up to date and reviewed regularly by the Designated Safeguarding Lead to evidence and support actions taken by staff in discharging their safeguarding responsibilities. Original notes will be retained (and clearly identified as such) as they represent a contemporaneous account. Such records may be important in any criminal proceedings arising from current or historical allegations of abuse or neglect.

The concern file can be active or non-active in terms of monitoring (eg if a child is no longer a 'looked after child', or subject to a child protection plan) and the appropriate level of activity can be recorded on the front sheet as a start and end date. If future concerns arise it can be re-activated and indicated as such on the front sheet and on the chronology as new information is added.

If the child moves to another school, the concern file will be sent or taken, as part of the admission/transition arrangements, to the Designated Safeguarding Lead at the new establishment/school.

There will be a timely liaison between each school Designated Safeguarding Lead to ensure a smooth and safe transition for the child.

Recording practice

Timely and accurate recording will take place when there are any issues regarding a child. A record of each and every episode/incident/concern/activity regarding that child, including telephone calls to other professionals, needs to be maintained on a chronology kept within the confidential file for that child. This will include any contact from other agencies who may wish to discuss concerns relating to a child. Actions will be agreed and roles and responsibility of each agency will be clarified and outcomes recorded.

More detailed recording on the record of concern will be signed and dated and may include an analysis, taking account of the holistic needs of the child, and any historical information held on the child's file. Support and advice will be sought from social care as appropriate. In this way a picture will emerge which can be of assistance in promoting an evidence based assessment and in determining any action that may need to be taken.

Such robust practice across child protection and in safeguarding and promoting the welfare of children will assist the school in the early identification of any concerns and may thus prevent future harm.

The Designated Safeguarding Lead will have a systematic means of monitoring children known or thought to be at risk of harm (through the concern file and through an ongoing dialogue with pastoral staff). They will ensure that staff contribute to assessments of need and will support multi-agency plans for those children.

Recording injuries

When staff notice an injury to a child, they should record the following information in respect of each mark identified eg red areas, swelling, bruising, cuts, lacerations and wounds, scalds and burns:

- exact site of injury on the body, eg upper outer arm/left cheek
- size of injury - in appropriate centimetres or inches
- approximate shape of injury, eg round/square or linear
- colour of injury - if more than one colour, say so
- is the skin broken?
- is there any swelling at the site of the injury, or elsewhere?
- is there a scab/any blistering/any bleeding?
- is the injury clean or is there grit/fluff etc?
- is mobility restricted as a result of the injury?
- does the site of the injury feel hot?
- does the child feel hot?
- does the child feel pain?
- has the child's body shape changed/are they holding themselves differently?

Importantly the date and time of the recording must be stated as well as the name and designation of the person making the record. Any further (objective) comments may be added as required. Ensure First Aid is provided where required (and that this is recorded).

Appendix 4

Safeguarding Children Database (template)

Name of Child	DOB	Form	Home Address	Parents/carer contact details	Name of social worker and contact details	Other Agencies	Type of Plan CP/CIN/EHCP	Dates of Conferences, Reviews and Meetings

Appendix 5

Action Plan – Areas for Improvement

Name of Establishment:

Completed by:

Date:

Safeguarding Area	Safeguarding Requirement	Response	Action Taken	By Whom and Timeline

Appendix 6

Auditing of Pupil Records

Auditing the school's record keeping

Background: The audit may be undertaken by the Headteacher, Deputy Headteacher, Designated Safeguarding Lead or lead governor for safeguarding (or by any combination of these individuals).

Purpose: The aim of such an audit is to ensure that appropriate record keeping for 'children of concern' is maintained.

Sample: This may be at least one file from each year group on a yearly basis.

Confidentiality: Material in pupil files is often of a very sensitive nature and the highest standards of confidentiality are to be maintained by anyone reading these files.

Appendix 7

Checklist for Pupil Records

To guide an audit of 'concern files' this checklist will help to identify key issues.

	Yes/No	Follow up action/further information
Is there a clear marker on the child's main pupil record to indicate that a concern file is also held? (We recommend that a clear red C is written on the top right hand corner of the main file. This alerts any member of staff to the existence of a separate concern file.)		
Has all confidential information transferred from the main pupil file to the concern file when it was opened? (Check there are no confidential documents still sitting in the main file.)		
Does the concern file have an up-to-date and accurate 'Front Sheet' giving basic factual information about the child and family?		
Does the file have a brief running chronology of events/concerns? (This chronology would normally be begun in the child's main pupil file and then transferred when the threshold for concern is reached and a 'concern file' is opened.)		
Is every entry in the file timed and dated and does it bear the name and signature of the person who wrote the entry?		
Have staff made use of the 'logging a concern' template or a similar school template to help them record issues?		
Where applicable, have any original contemporaneous notes been kept, in addition to later more formal records?		
Have telephone calls and discussions with other agencies (police, health, social care) been recorded and is it clear from these notes what action is to be taken and by whom?		
Is there evidence that the school's Designated Safeguarding Lead has reviewed the file and discussed the child with relevant staff?		

<p>Is there evidence that school staff have weighed up the information they have about a child of concern, discussed it appropriately with others and then taken appropriate action such as sharing information with another agency, or referral to another agency? Have these actions been followed through?</p>		
<p>If meetings relating to the child and their family have been called did school:</p> <ul style="list-style-type: none"> i. send a report if requested? ii. send a representative? iii. receive minutes of the meeting? iv. complete any actions they were assigned by the meeting? v. ensure that other key people in school were aware of any important issues? 		
<p>If injuries to the child have been noted by school, are the records clear?</p>		
<p>Moving between schools can be a time of risk as children may be leaving a school where they and their family are known well, to attend one where they may not be known.</p> <p>It would be wise to include in the audit a consideration of a child who has 'moved in' recently and one who has 'moved out'.</p> <p>i) If the pupil concerned has transferred in from another school is there evidence that the Designated Safeguarding Lead from this school and previous school discussed the pupil at transfer and that a note was made of that discussion?</p> <p>ii) For a pupil of concern who moved out recently did the Designated Safeguarding Lead make contact with the new Designated Safeguarding Lead at the new school? Is there a note to that effect? Was the pupil's concern file delivered to the new school? Is there evidence that the file was received?</p>		

Appendix 8

List of Key Contacts

Role	Name	Contact details
Designated Safeguarding Lead		
Nominated governor for child protection		
Chair of governors		
Local Authority Designated Officer (LADO)		