



**“All equal, all different, all achieving together”**

**Learn@ MAT**

**Child Protection & Safeguarding Policy  
September 2021**

Updated to reflect the changes to KCSiE September 2021

**Important coronavirus (COVID-19) update**

This policy has been updated in line with the current guidance from the UK government.

**South West Child Protection Procedures**

<https://www.proceduresonline.com/swcpp/>

## Source documents:

- Children Act (1989 and 2004 amendment)
- Education Act (2002 and 2011)
- Education and Inspection Act (2006)
- Working Together to Safeguard Children (2018)
- Keeping Children Safe in Education (September 2021)
- Review of sexual abuse in schools and colleges (July 2021)
- Sexual violence and sexual harassment between children in schools and colleges (September 2021)
- Education and Training (Welfare of Children) Act (September 2021)
- Mental health and behaviour guidance in schools guidance (November 2018)
- Preventing youth violence and gang involvement (August 2013)
- Criminal exploitation of children and vulnerable adults: county lines (February 2020)
- Information sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers (July 2018)
- The Academy Staffing (England) Regulations 2009
- Education (Independent Academy Standards) Regulations 2014
- Serious Crime Act (2015)
- Statutory Guidance on FGM
- The Rehabilitation of Offenders Act (1974)
- Safeguarding Vulnerable Groups Act (2006)
- Guidance on the Prevent Duty (under the Counter-Terrorism and Security Act 2015)
- Childcare (Disqualification) Regulations 2009 (and 2018 amendment)
- Childcare Act (2006)
- The National Minimum Standards for Residential Academies
- The Teacher Standards 2012
- <http://www.bristol.gov.uk/page/children-and-young-people/bristol-safeguarding-children-board-professionals>
- DfE advice COVID-19: Safeguarding in schools, colleges and other providers (July 2021)
- 'When to call the police' (NPCC)
- The Data Protection Act 2018 and GDPR
- Data Protection: toolkit for schools. Includes compliance with GDPR

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## Statement of intent

Learn@ MAT is committed to creating and maintaining a safe and secure environment in our academies for children and young people, staff, volunteers and visitors. To ensure children and young people can develop in ways that will foster security, confidence and independence, and, where adults are clear about the procedures in place to ensure a child and young person’s welfare and safety. Learn@ MAT believe that, ‘the welfare of the child and young person is paramount’, therefore protecting children and young people is an essential part of all we do as educators. We are all part of a wider safeguarding system for children and young people. This system is described in statutory guidance, ‘Working together to safeguard children’.

Safeguarding is defined as protecting children and young people from maltreatment; preventing impairment of children and young people’s health or development; ensuring that children and young people grow up in circumstances consistent with the provision of safe and effective care; and, taking timely action to enable all children and young people to achieve their best possible outcomes.

All academy leaders across Learn@ MAT will ensure that they have in place this child protection and safeguarding policy. The Learn@ MAT policy will complement the academies personalised child protection and safeguarding policies to meet the needs of the children and young people within their academy. All policies related to child protection and safeguarding must be understood and adhered to by all academy staff, academy councillors, trustees and visitors. These policies **must** be in line with current government legislation and guidance.

All staff at Learn@ MAT, including supply staff and volunteers, have a role and responsibility to safeguard children and young people attending our academy, irrespective of their role within the academy by:

- creating a culture of safer recruitment by adopting procedures that help deter, reject or identify people who might pose a risk to children or young people
- teaching children and young people how to keep safe and recognise behaviour that is unacceptable. Providing children and young people with child friendly information and teaching them about systems in place, so they feel confident to report abuse
- identifying and making provision for any child or young person that has been subject to abuse
- ensuring that all staff within Learn@ academies understand their responsibilities under safeguarding legislation and statutory guidance, are alert to the signs of child abuse, and know to refer concerns to the DSL
- ensuring that new staff members and volunteers are only appointed when all the appropriate checks have been satisfactorily completed
- the provision of a safe environment in which children and young people can learn
- fulfilling our statutory (legal) responsibilities to identify young people who may be in need of extra help or who are suffering, or are likely to suffer, significant harm
- giving young people the opportunity to talk about any personal, academic or welfare concerns at all times, with any member of staff of their choosing
- ensuring that new staff members and volunteers are only appointed when all the appropriate checks have been satisfactorily completed
- Following a robust 2 yearly programme of staff training across the many different aspects of safeguarding and child protection topics and themes, including any new issues that arise nationally or locally.

Identifying concerns early and providing help for young people, to prevent concerns from escalating to a point where intervention would be needed via a statutory assessment under The Children Act 1989. In such cases, a single assessment should be undertaken by a lead professional who could be the designated safeguarding lead (DSL), special educational needs and difficulties co-ordinator (SENDCO), doctor (GP), family support worker, health visitor or academy nurse;

Sharing appropriate information irrespective of whether this is reported by other young people, members of the public, parents or relatives of young people attending our academy. The designated safeguarding lead will determine what action, if any will, follow and record their decisions. Staff must consider at all times, what is in the best interests of the child or young person.

Reading and demonstrating an understanding of the most recent version of the standalone Department for Education (DfE) publication 'Keeping Children Safe in Education: Information for all academy and college staff' or 'Part One of Keeping Children Safe in Education.'

The Learn@ MAT academy trustee with responsibility for safeguarding and child protection is **Eileen Flynn** via email: [Eileen.Flynn@learnmat.uk](mailto:Eileen.Flynn@learnmat.uk) or alternatively **Louise Shepherd** from the

central team, email: [Louise.Shepherd@learnmat.uk](mailto:Louise.Shepherd@learnmat.uk) who is clerk to trustees and company secretary.

The designated safeguarding lead in each Learn@ MAT setting will support staff in their safeguarding duties, including liaising with other services, where there are concerns relating to the welfare of any of our children and young people.

## **Equality Statement**

Some children and young people have an increased risk of abuse. Additional barriers can exist for some children and young people with respect to recognising or disclosing it. As a trust we are committed to anti-discriminatory practice and recognise children and young people's diverse circumstances. We ensure that all children and young people have the same protection, regardless of any barriers they may face.

## **COVID-19**

Keeping Children Safe in Education (KCSiE) remains in force throughout the response to coronavirus (COVID-19)

Learn@ MAT recognises and follows the interim guidance on safeguarding and other providers during the coronavirus outbreak. Reference is made to some potential implications to our safeguarding policy and procedures in the Risk Assessment for COVID-19 for each academy.

We continually update our risk assessments and where necessary policy and procedures in line with <https://www.gov.uk/government/publications/covid-19-safeguarding-in-schools-colleges-and-other-providers>

## **Definitions**

The terms '**children**' and '**child**' refer to anyone under the age of 18, until the date of their 18<sup>th</sup> birthday.

For the purposes of this policy, 'safeguarding and protecting the welfare of children' is defined as:

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

For the purposes of this policy, the term '**harmful sexual behaviour**' includes, but is not limited to, the following actions:

- using sexually explicit words and phrases
- sending/ receiving/ production of sexual youth produced imagery
- inappropriate touching
- sexual violence or threats
- Full penetrative sex with other children or adults.

In accordance with the DfE's guidance, 'Sexual violence and sexual harassment between children in schools and colleges' (2018), and for the purposes of this policy, the term '**sexual harassment**' is used within this policy to describe any unwanted conduct of a sexual nature, both online or offline, which violates a child's dignity and makes them feel intimidated, degraded or humiliated, and can create a hostile, sexualised or offensive environment.

For the purpose of this policy, the term '**sexual violence**' encompasses the definitions provided in the Sexual Offences Act 2003, including those pertaining to rape, assault by penetration and sexual assault.

For the purposes of this policy, '**upskirting**' refers to the act of taking a picture or video under another person's clothing, without their knowledge or consent, with the intention of viewing that person's genitals or buttocks (with or without clothing). Despite the name, anyone (including both children and young people and teachers), and any gender, can be a victim of upskirting.

For the purposes of this policy, '**sexting**' is defined as the sharing between children and young people of sexually explicit content, including indecent imagery.

For the purposes of this policy, '**indecent imagery**' is defined as an image which meets one or more of the following criteria:

- nude or semi-nude sexual posing
- a child touching themselves in a sexual way
- any sexual activity involving a child
- someone hurting a child sexually
- Sexual activity that involves animals.

The term '**teaching role**' is defined as planning and preparing lessons and courses for children and young people; delivering lessons to children and young people; assessing the development, progress and attainment of children and young people; and reporting on the development, progress and attainment of children and young people. These activities are not teaching work if the person carrying out the activity does so (other than for the purposes of induction) subject to the direction and supervision of a qualified teacher or other person nominated by the headteacher to provide such direction and supervision.

For the purpose of this policy, '**peer-on-peer**' abuse is defined as abuse between children. This can include, but is not limited to the following:

- abuse within intimate partner relationships
- bullying (including cyberbullying)
- sexual violence and sexual harassment

- physical abuse and physical harm
- sexting
- Initiation/hazing-type violence and rituals.

## **Legal framework**

This policy has been created with due regard to all relevant government legislation and guidance including, but not limited to, the following:

### **Legislation**

- Children Act 1989
- Children Act 2004
- Safeguarding Vulnerable Groups Act 2006
- The Education (School Teachers' Appraisal) (England) Regulations 2012 (as amended)
- Sexual Offences Act 2003
- The General Data Protection Regulation (GDPR)
- Data Protection Act 2018
- Voyeurism (Offences) Act 2019

### **Statutory guidance**

- HM Government (2013) 'Multi-agency practice guidelines: Handling cases of Forced Marriage'
- HM Government (2020) 'Multi-agency statutory guidance on female genital mutilation'
- HM Government (2021) 'Channel Duty Guidance: Protecting people vulnerable to being drawn into terrorism'
- DfE (2018) 'Working Together to Safeguard Children'
- DfE (2015) 'The Prevent duty'
- DfE (2021) 'Keeping children safe in education (2021)'
- DfE (2018) 'Disqualification under the Childcare Act 2006'

### **Non-statutory guidance**

- DfE (2015) 'What to do if you're worried a child is being abused'
- DfE (2018) 'Information sharing'
- DfE (2017) 'Child sexual exploitation'
- DfE (2018) 'Sexual violence and sexual harassment between children in schools and colleges'
- DfE (2020) 'Recruit teachers from overseas'
- DfE (2020) 'Sharing nudes and semi-nudes: advice for education settings working with children and young people'

Other relevant academy policies include:

- Child sexual exploitation (CSE) policy

- Children missing education policy
- Prevent policy
- Allegations of abuse against staff policy
- Engagement for learning (Behavioural) policy
- Staff code of conduct
- Data protection policy
- Whistleblowing policy
- Anti-bullying policy
- Exclusion policy
- Online safety policy
- Data and E-security breach prevention and management plan

## **Roles and responsibilities**

All Academy Councils within the Trust have a duty to:

- ensure that the academy complies with its duties under the above child protection and safeguarding legislation
- guarantee that the policies, procedures and training opportunities in the academy are effective and comply with the law at all times
- guarantee that the academy contributes to inter-agency working in line with the statutory guidance 'Working Together to Safeguard Children'
- confirm that the academy's safeguarding arrangements take into account the procedures and practices of the LA as part of the inter-agency safeguarding procedures
- understand the local criteria for action and the local protocol for assessment, and ensure these are reflected in the academy's policies and procedures
- comply with its obligations under section 14B of the Children Act 2004 to supply the local safeguarding arrangements with information to fulfil its functions
- ensure that staff members have due regard to relevant data protection principles that allow them to share (and withhold) personal information
- ensure that a member of the Academy Council is nominated to liaise with the LA and/or partner agencies on issues of child protection and in the event of allegations of abuse made against the headteacher or another Academy Councillor
- guarantee that there are effective child protection policies and procedures in place together with a staff code of conduct
- ensure that there is a senior board level lead responsible for safeguarding arrangements
- appoint a member of staff from the senior leadership team to the role of DSL as an explicit part of the role-holder's job description
- appoint one or more deputy DSL(s) to provide support to the DSL and ensure that they are trained to the same standard as the DSL and that the role is explicit in their job description(s)
- ensure all relevant persons are aware of the academy's local safeguarding arrangements, including the Academy Council itself, the SLT and DSL

- make sure that children and young people are taught about safeguarding, including protection against dangers online (including when they are online at home), through teaching and learning opportunities, as part of providing a broad and balanced curriculum
- adhere to statutory responsibilities by conducting pre-employment checks on staff who work with children and young people, taking proportionate decisions on whether to ask for any checks beyond what is required
- ensure that staff members are appropriately trained to support children and young people to be themselves at academy, e.g. if they are LGBTQ+
- ensure the academy has clear systems and processes in place for identifying possible mental health problems in children and young people, including clear routes to escalate concerns and clear referral and accountability systems
- guarantee that volunteers are appropriately supervised
- make sure that at least one person on any appointment panel has undertaken safer recruitment training
- ensure that all staff members receive safeguarding and child protection training updates, such as e-bulletins, emails and staff meetings, as required, but at least annually
- certify that there are procedures in place to handle allegations against members of staff or volunteers
- confirm that there are procedures in place to make a referral to the DBS and the Teaching Regulation Agency (TRA), where appropriate, if a person in regulated activity has been dismissed or removed due to safeguarding concerns or would have been had they not resigned
- guarantee that there are procedures in place to handle children and young peoples' allegations against other children and young people
- ensure that appropriate disciplinary procedures are in place, as well as policies pertaining to the behaviour of children and young people and staff
- ensure that procedures are in place to eliminate unlawful discrimination, harassment and victimisation, including those in relation to peer-on-peer abuse
- make sure that children and young peoples' wishes and feelings are taken into account when determining what action to take and what services to provide to protect individual children and young people
- guarantee that there are systems in place for children and young people to express their views and give feedback
- establish an early help procedure and ensure all staff understand the procedure and their role in it
- appoint a designated teacher to promote the educational achievement of looked after children and ensure that this person has undergone appropriate training
- ensure that the designated teacher works with the virtual school head (VSH) to discuss how the pupil premium funding can best be used to support looked after children
- introduce mechanisms to assist staff in understanding and discharging their roles and responsibilities

- make sure that staff members have the skills, knowledge and understanding necessary to keep looked after children safe, particularly with regards to the children and young people's legal status, contact details and care arrangements
- put in place appropriate safeguarding responses for children and young people who go missing from the academy, particularly on repeat occasions, to help identify any risk of abuse and neglect, including sexual abuse or exploitation, and prevent the risk of their disappearance in future
- ensure that all members of the academy council have been subject to an enhanced DBS check
- create a culture where staff are confident to challenge senior leaders over any safeguarding concerns
- each academy is responsible for providing accessible information of who their DSL is and in their absence their deputy. They will also provide information for 'out of hours' contact such as an e-mail address and contact number
- If there is an allegation against the head then the chair or vice chair of the academy council will liaise with the LADO with the guidance and support of the CEO for Learn@ MAT.

The headteacher has a duty to:

- safeguard children and young people' wellbeing and maintain public trust in the teaching profession
- ensure that the policies and procedures adopted by the Academy Council, particularly concerning referrals of cases of suspected abuse and neglect, are followed by staff members
- provide staff, upon induction, with the Child Protection and Safeguarding Policy, Staff Code of Conduct, part one of the 'Keeping children safe in education' (KCSiE) guidance if they work directly with children or, either Part 1 or Annex A if they do not work directly with children, the Engagement for Learning (Behavioural) Policy, the Children Missing from Education Policy, online safety Policy and training, and the identity of the DSL and any deputies
- to provide up to date monitoring data in regard to child protection concerns and referrals to other agencies regarding concerns on the Trust monthly monitoring form every month
- To provide an annual report to the academy council on safeguarding and child protection activity within the Academy, including any referrals to LADO. The CEO will ensure that all LADO referrals are reported to **Eileen Flynn**, the safeguarding lead trustee for Learn@ MAT.

The DSL has a duty to:

- understand and keep up-to-date with local safeguarding arrangements
- act as the main point of contact with the three safeguarding partners and the child death review partner
- make the necessary child protection referrals to appropriate agencies
- understand when they should consider calling the police, in line with the National Police Chiefs' Council (NPCC) guidance

- inform the headteacher who will liaise with the Local Authority Designated Officer (LADO) where there are concerns about the conduct of, or an allegation is made against, a member of staff or volunteer at the academy. The headteacher will also inform **Stephen Bradshaw**, the interim chief executive officer (CEO) of Learn@ MAT of such a concern and referral, who will support the headteacher in ensuring they manage the process appropriately, respecting the rights of all those involved and maintaining best safeguarding practice and procedures
- liaise with the deputy DSL(s) to ensure effective safeguarding outcomes
- act as a source of support, advice and expertise to staff members on matters of safeguarding by liaising with relevant agencies
- understand the assessment process for providing early help and intervention
- support staff members in liaising with other agencies and setting up inter-agency assessments where early help is deemed appropriate
- keep cases of early help under constant review and refer them to the children's social care services if the situation does not appear to be improving
- have a working knowledge of how LAs conduct a child protection case conference and a child protection review conference and be able to attend and contribute to these effectively when required to do so
- ensure each member of staff has access to and understands the academy's child protection and safeguarding policy and procedures – this will be discussed during the staff induction process
- be alert to the specific requirements of children and young people in need, including those with SEND and young carers
- keep detailed, accurate and secure records of concerns and referrals
- secure access to resources and attend any relevant training courses
- encourage a culture of listening to children and young people and taking account of their wishes and feelings
- work with the Academy Council to ensure the academy's Child Protection and Safeguarding Policy is reviewed annually and the procedures are updated regularly.
- ensure the academy's Child Protection and Safeguarding Policy is available publicly, and parents/carers are aware that the academy may make referrals for suspected cases of abuse or neglect, as well as the role the academy plays in these referrals.
- ensure the best educational outcomes by identifying at-risk children and young people to the academy and its staff, so that the relevant personnel understand each child and young person's educational and welfare needs
- support teaching staff to identify the challenges that at-risk children and young people may face and the additional academic support and adjustments they can make to support these children and young people
- link with local safeguarding arrangements to make sure that staff members are aware of the training opportunities available and the latest local policies on safeguarding
- ensure that a child and young person's child protection file is copied when transferring to a new school/academy

- be available at all times during academy hours to discuss any safeguarding concerns **NB:** The academy will determine what 'available' means, e.g. it may be appropriate to be accessible via electronic means, such as on the phone or using video conferencing software
- hold the details of the LA personal advisor and liaise with them as necessary
- The DSL will be given time, training resources and support to fulfil their important roles fully and effectively.

The designated teacher has a responsibility for promoting the educational achievement of LAC and previously LAC, and for children who have left care through adoption, special guardianship or child arrangement orders or who were adopted from state care outside England and Wales.

All staff across the Trust:

- safeguard children and young people' wellbeing and maintain public trust in the teaching profession as part of their professional duties.
- provide a safe environment in which children and young people can learn.
- act in accordance with academy procedures with the aim of eliminating unlawful discrimination, harassment and victimisation, including those in relation to peer-on-peer abuse.
- must recognise that safeguarding and promoting the welfare of children and young people is everyone's responsibility.
- must make sure their approach is child-centred, so that they consider, at all times, what is in the best interests of the young person.
- have a responsibility to provide a safe environment in which young people can learn.
- maintain an attitude of 'it could happen here' where safeguarding is concerned.
- be aware of the signs of abuse and neglect.
- be aware of the early help process and understand their role in it.
- Act as the lead professional in undertaking an early help assessment, where necessary.
- be aware of, and understand, the process for making referrals to CSCS, as well as for making statutory assessments under the Children Act 1989 and their role in these assessments. Ensure they provide as much detail as possible when making referrals to aid social care assessments.
- be confident of the processing conditions under relevant data protection legislation, including information which is sensitive and personal, and information that should be treated as special category data.
- make a referral to CSCS and/or the police immediately, if at any point there is a risk of immediate serious harm to a child.
- be aware of and understand the procedure to follow in the event that a child confides they are being abused or neglected.
- support social workers in making decisions about individual children, in collaboration with the DSL.

- maintain appropriate levels of confidentiality when dealing with individual cases, and always act in the best interest of the child.
- follow the academy's procedure for, and approach to, preventing radicalisation as outlined in the Prevent Policy.
- challenge senior leaders over any safeguarding concerns, where necessary
- must report any concerns about a child or young person immediately or as soon as practicable, on the same day, with the designated safeguarding lead or in their absence, the deputy safeguarding lead.
- must read and demonstrate their understanding of KCSiE September 2021: information for all academy and college staff, or read Keeping Children Safe in Education Part One and Appendix 1 of this document in its most up to date version.
- understand that early information sharing is vital for the effective identification, assessment and allocation of appropriate service provision.
- must know and be aware of who the designated safeguarding lead is and their deputies if they are not on site or available for consultation.
- must know who the local authority designated officer (LADO) and know when and how to contact them.
- must know who the chair of their academy council and the safeguarding lead of the academy council and how they can be contacted
- must access, read and understand this policy as part of their induction and revisit the policy at the annual whole academy trust safeguarding training held by Learn@ MAT. This includes the safeguarding response to children who go missing from education.
- Must be aware of and follow the academy's procedures in order to identify those young people in need of early help and to take appropriate action where there are concerns for the welfare and protection of children and young people. Appendix 1 sets out the Learn@ MAT safeguarding structure procedure to be followed. Appendix 2 names the DSL in each Academy and Appendix 3 shows a copy of the child protection concern reporting form.
- must attend safeguarding training on a regular basis and demonstrate their understanding.
- must be aware of the signs of different types of abuse and neglect, as well as specific safeguarding issues, such as child sexual exploitation (CSE), female genital mutilation (FGM) and radicalisation (Prevent). (Appendix 4 clarifies these further for staff). They must be able to identify cases of children who may need help or protection, and feel confident and able to speak to the DSL if they are unsure.
- must be aware that abuse, neglect and safeguarding issues are rarely stand-alone events that can be covered by one definition or label. In most cases, multiple issues will overlap with one another.
- must be aware that safeguarding incidents and/or behaviours can be associated with factors outside of the academy and can occur between children outside of the academy environments. All staff, but especially the DSL (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.

- must adhere to the academies code of conduct and the behaviour management policy and procedure. The teachers' Standards 2012 state that teachers (and headteachers should safeguard children's wellbeing and maintain public trust in the teaching profession as part of their professional duties.
- all staff are responsible for ensuring they have an up to date enhanced DBS certificate, as an employee they will automatically be put on the online system. If they are involved in any criminal proceedings which may affect their DBS and their ability to work with children they must make their headteacher/CEO aware of this immediately. (See also our DBS Policy and procedures).
- must read and demonstrate an understanding the 'Behaviour Policy' for their academy.
- Must read and understand the Learn@ MAT code of conduct policy for staff.

In addition:

- if a child or young person makes a disclosure, it is important that staff should listen first and then report this as soon as is practical, on the same day, to the designated safeguarding lead. They should then make a contemporaneous record (on the approved Child Protection Concern Form) the date, approximate time, the disclosure as told to them, sign and date the record (when made).  
(NB: records can be made, transmitted and stored electronically)
- Under no circumstances should a child or young person be asked to write down their concerns, disclosure or allegation made against a member of staff or volunteer at the academy. In asking young people to make a written record important contextual information is often lost, especially if they have poor literacy skills, communication difficulties, or English is not their first language. An audio recording can be taken and/or written notes by the listener. This should be with the permission of the child or young person and that permission recorded at the time the recording begins.

### **The CEO**

- to inform the trustee safeguarding lead and the chair of the board of trustees of any safeguarding concerns which have been reported to LADO.
- ensure systems and processes are in place across Learn@ to monitor and review all child-protection concerns and how effectively these are dealt with; monitor and review the quality of practices across Learn@; and monitor and review the Safeguarding policy and procedures annually or sooner to reflect changes to government legislation and guidance.

### **Allegations of abuse made against teachers and other staff**

- if you witness inappropriate professional conduct by another member of staff (including supply staff and volunteers) towards a child or young person

OR

- A child or young person makes an allegation against a colleague (including a supply member of staff or a volunteer), then you must report this immediately to the headteacher or, in their absence, to the Designated Safeguarding Lead on site.

If an allegation is made against the headteacher then this must be reported immediately to the Chair of the AC and CEO, who will inform the Designated Lead Trustee and Chair of the Board of Trustees.

If an allegation is made against the CEO then this must be reported immediately to the chair of the board of trustees; [andrea.wills@learnmat.uk](mailto:andrea.wills@learnmat.uk)

- Learn@ MAT Policy and procedure on the management of allegations is available on the academy websites (See Appendix 5).

### **Boarding Academies and children's homes**

Children and young people may be particularly vulnerable in residential settings and there are additional requirements for our residential special academy.

All academies that provide residential accommodation and/or are registered as children's homes must comply with the relevant National Minimum Standards for their sector and work closely with the local authority and, where relevant, any local authorities that have placed their children there.

The relevant guidance for each sector is available on [www.gov.uk](http://www.gov.uk) and includes;

- National Minimum Standards for Boarding Academies
- The National Minimum Standards for Residential Special Academies
- The National Minimum Standards for Accommodation of Students under 18 by Further Education Colleges
- The National Minimum Standards for Children's Homes Boarding Academies and children's homes

### **What you should look out for in regard to accessing Early Help**

Many of our young people benefit from early help and many are already part of a child in need plan. For those who are not, signs for staff to be aware of are a child who:

- is disabled with additional special needs;
- has special educational needs (whether or not they have a statutory Education, Health Care Plan);
- is a young carer;
- is showing signs of being drawn into anti-social behaviour, including gang involvement and association with organised crime groups;
- is frequently missing from care or home;

- is at risk of modern slavery, trafficking or exploitation;
- is at risk of being radicalised or exploited;
- is in a family circumstance presenting challenges for the child, such as drug and alcohol misuse, adult mental health issues and domestic abuse;
- A child going missing from education (CME) is a potential indicator of abuse or neglect. Staff should follow the academy's procedures for dealing with children that go missing from education, particularly on repeat occasions, to help identify the risk of abuse and neglect, including sexual exploitation, and to help prevent the risks of their going missing in future. Initially concerns will be shared with the Attendance and Welfare Officer for that academy, who will investigate the case in detail and in conjunction with the Local Authority (LA) officers for that child. If concerns remain following the home visit and review by the attendance officer then the Designated Safeguarding Lead will be informed and the concern will be escalated to the relevant LA officer.

Anybody can make a referral. If the child's situation does not appear to be improving the staff member with concerns should press for re-consideration and consider the escalation of concerns policy <http://www.bristol.gov.uk/page/children-and-young-people/bristol-safeguarding-children-board-professionals>. Concerns should always lead to help for the child at some point e.g. via Early Help if they do not reach the threshold for Children's Services intervention

### **Abuse and neglect**

All members of staff will be aware that abuse, neglect and safeguarding issues are rarely standalone events that can be given a specific label and multiple issues often overlap one another.

All staff, especially the DSL and their deputies, will be aware that children and young people can at risk of abuse or exploitation in situations outside their families (extra-familial harms).

All staff members will be aware of the indicators of abuse and the appropriate action to take following a child or young person being identified as at potential risk of abuse or neglect.

When identifying children and young people at risk of potential harm, staff members will look out for a number of indicators including, but not limited to, the following:

- injuries in unusual places, such as bite marks on the neck, that are also inconsistent with their age
- lack of concentration and acting withdrawn
- knowledge ahead of their age, e.g. sexual knowledge
- Use of explicit language.

Fear of abandonment: depression and low self-esteem

All members of staff will be aware of the indicators of peer-on-peer abuse, such as those in relation to bullying, gender-based violence, sexual assaults and sexting.

All staff will be aware of the necessary procedures to follow to prevent peer-on-peer abuse, as outlined in [section 31](#) of this policy.

All staff will be aware of the behaviours linked to drug taking, alcohol abuse, absence and sexting, and will understand that these put children and young people in danger.

Staff members will be aware of the effects of a child or young person witnessing an incident of abuse, such as witnessing domestic violence at home.

### **Types of abuse and neglect**

Abuse and neglect are defined as the maltreatment of a child or young person whereby someone may abuse or neglect a child by inflicting harm, or by failing to prevent harm. They may be abused by an adult or adults or by another child or children.

The following are the definitions of abuse and neglect as set out in Working Together to Safeguard Children (2018). However, the ultimate responsibility to assess and define the type of abuse a child or young person may be subject to, is that of the Police and Children's Services. Our responsibility is to understand what each category of abuse is and how this can impact on the welfare and development of our children and where we have concerns that a child or young person may be at risk of abuse and neglect (one or more categories can apply) to take appropriate action as early as possible

**Abuse:** A form of maltreatment of a child which involves inflicting harm or failing to act to prevent harm. Children may be abused in a family, institutional or community setting by those known to them or, more rarely, by others, e.g. via the internet.

**Physical abuse:** A form of abuse which may involve actions such as hitting, throwing, burning, drowning and poisoning, or otherwise causing physical harm to a child. Physical abuse can also be caused when a parent fabricates the symptoms of, or deliberately induces, illness in a child.

**Emotional abuse:** A form of abuse that involves the emotional maltreatment of a child to cause severe and adverse effects on the child's emotional development. This may involve telling a child they are worthless, unloved, inadequate, not giving them the opportunities to express their views, deliberately silencing them, or often making them feel as though they are in danger.

**Sexual abuse:** A form of abuse that involves forcing or enticing a child to take part in sexual activities, not necessarily involving a high level of violence, and whether or not the child is aware of what is happening. This may involve physical assault, such as penetrative assault and touching, or non-penetrative actions, such as looking at sexual images or encouraging children to behave in inappropriate ways.

**Neglect:** A form of abuse that involves the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in serious impairment of a child's health or

development. This may involve providing inadequate food, clothing or shelter, or the inability to protect a child from physical or emotional harm or ensure access to appropriate medical treatment.

## **FGM**

For the purpose of this policy, FGM is defined as a procedure where the female genital organs are injured or changed and there is no medical reason for this.

The academy's procedures relating to managing cases of FGM and protecting children and young people will reflect multi-agency working arrangements.

FGM is considered a form of abuse in the UK and is illegal.

All staff will be alert to the possibility of a children or young people being at risk of FGM, or already having suffered FGM. If staff members are worried about someone who is at risk of FGM or who has been a victim of FGM, they are required to share this information with social care and/or the police.

Teaching staff are **legally required** to report to the police any discovery, whether through disclosure by the victim or visual evidence, of FGM on a children or young people under the age of 18. Teachers failing to report such cases will face disciplinary action. **NB:** This does not apply to any suspected or at-risk cases, nor if the individual is over the age of 18. In such cases, local safeguarding procedures will be followed.

There are a range of potential indicators that a child or young person may be at risk of FGM. While individually they may not indicate risk, if two or more indicators are present, this could signal there is a risk to them.

Victims of FGM are most likely to come from communities that are known to adopt this practice. It is important to note that the child or young person may not yet be aware of the practice or that it may be conducted on them, so staff will be sensitive when broaching the subject.

Indicators that may show a heightened risk of FGM include the following:

- the socio-economic position of the family and their level of integration into UK society
- any girl with a mother or sister who has been subjected to FGM
- Any girl withdrawn from PSHE.

Indicators that may show FGM could take place soon include the following:

- when a female family elder is visiting from a country of origin
- a girl may confide that she is to have a 'special procedure' or a ceremony to 'become a woman'
- a girl may request help from a teacher if she is aware or suspects that she is at immediate risk
- A girl, or her family member, may talk about a long holiday to her country of origin or another country where the practice is prevalent.

Staff will be vigilant to the signs that FGM has already taken place so that help can be offered, enquiries can be made to protect others, and criminal investigations can begin.

Indicators that FGM may have already taken place include the following:

- difficulty walking, sitting or standing
- spending longer than normal in the bathroom or toilet
- spending long periods of time away from a classroom during the day with bladder or menstrual problems
- prolonged or repeated absences from the academy followed by withdrawal or depression
- reluctance to undergo normal medical examinations
- Asking for help, but not being explicit about the problem due to embarrassment or fear.

Teachers will not examine a child or young person, and so it is rare that they will see any visual evidence, but they will report to the police where an act of FGM appears to have been carried out. Unless the teacher has a good reason not to, they should also consider and discuss any such case with the DSL and involve CSCS as appropriate.

FGM is also included in the definition of 'honour-based' abuse (HBA), which involves crimes that have been committed to defend the honour of the family and/or the community, alongside forced marriage and breast ironing.

All forms of HBA are forms of abuse and will be treated and escalated as such.

All staff will be alert to the signs of HBA, including concerns that a child or young person is at risk of HBA, or has already suffered from HBA. Staff will consult with the DSL who will activate local safeguarding procedures if concerns arise.

### **Forced marriage**

For the purpose of this policy, a 'forced marriage' is defined as a marriage that is entered into without the full and free consent of one or both parties. In addition, it is where violence, threats or any other form of coercion is used to cause a person to enter into the marriage. Forced marriage is classed as a crime in the UK.

As part of HBA, staff will be alert to the signs of forced marriage including, but not exclusively to, the following:

- becoming anxious, depressed and emotionally withdrawn with low self-esteem
- showing signs of mental health disorders and behaviours such as self-harm or anorexia
- displaying a sudden decline in their educational performance, aspirations or motivation
- regularly being absent from the academy
- a decline in punctuality
- An obvious family history of older siblings leaving education early and marrying early.

If staff members have any concerns regarding a child or young person who may have undergone, is currently undergoing. Or is at risk of forced marriage, they must speak to the DSL

and local safeguarding procedures will be followed – this could include a referral to the CSCS, the police or forced marriage unit.

### **Child sexual exploitation (CSE)**

For the purpose of this policy, '**child sexual exploitation**' is defined as: a form of sexual abuse where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person into sexual activity, for either, or both, of the following reasons:

- in exchange for something the victim needs or wants
- For the financial advantage, increased status or other advantage of the perpetrator or facilitator

CSE does not always involve physical contact, as it can also occur online. It is also important to note that a child can be sexually exploited even if the sexual activity appears consensual. It can include involving children in production of sexual imagery, encouraging children to behaviour in sexually inappropriate ways or grooming a child in preparation for abuse, including online. The Trust have adopted the following procedure for handling cases of CSE, as outlined by the DfE:

#### **Identifying cases**

Academy staff members will be aware of and look for the key indicators of CSE; these are as follows:

- having older boyfriends or girlfriends
- Suffering from sexually transmitted infections or becoming pregnant.

Other indicators outlined in child criminal exploitation may also be signs that a child is a victim of CSE.

#### **Referring cases**

Where CSE, or the risk of it, is suspected, staff will discuss the case with the DSL. If after discussion a concern still remains, local safeguarding procedures will be triggered, including referral to the LA.

#### **Support**

The LA and all other necessary authorities will then handle the matter to conclusion. The academy will cooperate as needed.

### **Child criminal exploitation (CCE)**

For the purpose of this policy, '**child criminal exploitation**' is defined as: where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child into criminal activity, for any, or all, of the following reasons:

- in exchange for something the victim needs or wants
- for the financial advantage or other advantage of the perpetrator or facilitator

- Through violence or the threat of violence to the young person or their families.

CCE may be in effect even if the criminal activity appears consensual, and can happen through the use of technology. A young person may be coerced into carrying weapons and/ or begin carrying weapons for their own protection. The experiences of girls and boys can be very different but have similar indicators.

Academy staff will be aware of the following indicators that a child is the victim of CCE:

- appearing with unexplained gifts or new possessions
- associating with other young people involved in exploitation
- suffering from changes in emotional wellbeing
- misusing drugs or alcohol
- going missing for periods of time or regularly coming home late
- Regularly missing from the academy or education or not taking part.

### **Mental health**

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

Staff will not attempt to make a diagnosis of mental health problems – the academy will ensure this is done by a trained mental health professional.

Staff will be encouraged to identify children and young people whose behaviour suggests they may be experiencing a mental health problem or may be at risk of developing one.

Staff who have a mental health concern about a child or young person that is also a safeguarding concern will act in line with this policy and speak to the DSL or a deputy.

The academies will access a range of advice to help them identify children and young people in need of additional mental health support, including working with external agencies.

### **Sexting and the sharing of indecent images of children and young people**

Academies will ensure that staff are aware to treat the sharing of indecent images of children and young people through sexting as a safeguarding concern, whether the production and or sharing of the imagery is consensual or not.

Staff will receive appropriate training regarding child sexual development and will understand the difference between sexual behaviour that is considered normal and expected for the age of the child or young person, and sexual behaviour that is inappropriate and harmful.

Staff will receive appropriate training around how to deal with instances of sexting in the academy community, including understanding motivations, assessing risks posed to children and young people depicted in the images, and how and when to report instances of sexting.

Staff will be aware that creating, possessing, and distributing indecent imagery of children and young people is a criminal offence, regardless of whether the imagery is created, possessed, and distributed by the individual depicted; however, staff will ensure that children and young people are not unnecessarily criminalised.

Where a member of staff becomes aware of an incidence of sexting that involves indecent images of a child or young person, they will refer this to the DSL as soon as possible.

Where a child or young person confides in a staff member about the circulation of indecent imagery, depicting them or someone else, the staff member will:

- refrain from viewing, copy, printing, sharing, storing or saving the imagery
- tell the DSL immediately if they accidentally view an indecent image and seek support
- explain to the child or young person that the incident will need to be reported
- respond positively to the child or young person without blaming or shaming anyone involved, and reassuring them that they can receive support from the DSL
- Report the incident to the DSL.

The DSL will attempt to understand what the image contains **without viewing it** and the context surrounding its creation and distribution – they will categorise the incident into one of two categories:

**Aggravated:** incidents which involve additional or abusive elements beyond the creation and distribution of indecent images of children and young people, including where there is an adult involved, where there is an intent to harm the child or young person depicted, or where the images are used recklessly.

**Experimental:** incidents involving the creation and distribution of indecent images of children and young people where there is no adult involvement or apparent intent to cause harm or embarrassment to the child or young person.

Where it is necessary to view the imagery, e.g. if this is the only way to make a decision about whether to inform other agencies, the DSL should:

- discuss this decision with the headteacher or member of the SLT
- ensure the image is, where possible, viewed by someone of the same sex as the individual depicted
- ensure viewing takes place on academy premises and with another member of staff present in the room – this staff member does not need to view the imagery
- Record how and why the decision was made to view the imagery in accordance with the GDPR policy.

Where the incident is categorised as 'aggravated', the situation will be managed in line with [section 31](#) of this policy.

Where the incident is categorised as 'experimental', the child or young persons involved are supported to understand the implications of sharing indecent imagery and to move forward from the incident.

Where there is reason to believe that indecent imagery being circulated will cause harm to a child or young person, the DSL escalates the incident to CSCS.

Where indecent imagery of a child or young person has been shared publicly, the DSL will work with the child or young person to report imagery to sites on which it has been shared and will reassure them of the support available.

## **Homelessness**

The DSL and deputy(s) will be aware of the contact details and referral routes into the Local Housing Authority so that concerns over homelessness can be raised as early as possible.

Indicators that a family may be at risk of homelessness include the following:

- household debt
- rent arrear
- domestic abuse
- anti-social behaviour
- Any mention of a family moving home because 'they have to'.

Referrals to the local housing authority do not replace referrals to CSCS where a child or young person is being harmed or at risk of harm.

For 16- and 17-year olds, homelessness may not be family-based and referrals to CSCS will be made as necessary where concerns are raised.

## **County lines**

For the purpose of this policy, '**county lines**' refers to organised criminal networks or gangs exploiting children to move drugs and money into one or more areas (within the UK). Drugs and money may also be stored by children for the purpose of criminal activity.

Staff will be made aware of any child or young person with missing episodes who may have been trafficked for the purpose of transporting drugs.

Staff members who suspect a child or young person may be vulnerable to, or involved in, county lines activity will immediately report all concerns to the DSL.

The DSL will consider referral to the National Referral Mechanism on a case-by-case basis and consider involving local services and providers who offer support to victims of county lines exploitation.

Indicators that a child or young person may be involved in county lines activity include the following:

- persistently going missing or being found out of their usual area
- unexplained acquisition of money, clothes or mobile phones
- excessive receipt of texts or phone calls
- relationships with controlling or older individuals or groups
- leaving home without explanation
- evidence of physical injury or assault that cannot be explained
- carrying weapons
- sudden decline in academic results
- becoming isolated from peers or social networks
- self-harm or significant changes in mental state
- Parental reports of concern.

### **Serious violence**

Through training, all staff will be made aware of the indicators which may signal a child or young person is at risk from, or is involved with, serious violent crime. These indicators include, but are not limited to, the following:

- increased absence from the academy
- a change in friendships
- new relationships with older individuals or groups
- a significant decline in academic performance
- signs of self-harm
- a significant change in wellbeing
- signs of assault
- unexplained injuries
- Unexplained gifts or new possession.

Staff will be made aware of some of the most significant risk factors that could increase a child or young person's vulnerability to becoming involved in serious violent crime. These risk factors include, but are not limited to, the following:

- being male
- having experienced child maltreatment
- a history of committing offences
- substance abuse

- anti-social behaviour
- frequent absence or exclusions from the academy
- Peers involved in crime and/or anti-social behaviour.

Staff members who suspect a child or young person may be vulnerable to, or involved in, serious violent crime will immediately report their concerns to the DSL.

### **Children and young people with family members in prison**

Children and young people with a family member in prison will be offered pastoral support as necessary. They will receive a copy of '[Are you a young person with a family member in prison?](#)' from Action for Prisoners' Families where appropriate and allowed the opportunity to discuss questions and concerns.

### **Children and young people required to give evidence in court**

Children and young people required to give evidence in criminal courts, either for crimes committed against them or crimes they have witnessed, will be offered appropriate pastoral support.

Children and young people will be provided with the booklet '[Going to Court](#)' from HMCTS where appropriate and allowed the opportunity to discuss questions and concerns.

Children and young people will be provided with the booklet '[Going to Court and being a witness](#)' from HMCTS where appropriate and allowed the opportunity to discuss questions and concerns.

### **Contextual safeguarding**

Safeguarding incidents can occur outside the academy and can be associated with outside factors. Academy staff, particularly the DSL and their deputy(s), will always consider the context of incidents – this is known as contextual safeguarding.

Assessment of children and young peoples' behaviour will consider whether there are wider environmental factors that are a threat to their safety and/or welfare.

The academy will provide as much contextual information as possible when making referrals to CSCS.

### **Preventing radicalisation**

For the purpose of this policy, we have used the following definitions:

- '**Radicalisation**' refers to the process by which a person comes to support terrorism and extremist ideologies

- **'Extremism'** refers to the vocal or active opposition to fundamental British values, e.g. individual liberty and the rule of law
- **'Terrorism'** refers to an action that endangers or causes serious violence to a person or people, property, or electronic system, which is designed to influence the government, intimidate the public, or advance a cause.

Protecting children and young people from the risk of radicalisation is part of the academy's wider safeguarding duties.

Our academies will actively assess the risk of children and young people being drawn into terrorism.

Staff will be alert to changes in children and young peoples' behaviour which could indicate that they may be in need of help or protection.

Staff will use their professional judgement to identify children and young people who may be at risk of radicalisation and act appropriately, which may include making a referral to the Channel programme. Our academies will work with local safeguarding arrangements as appropriate.

Our academies will ensure that they engage with parents and families, as they are in a key position to spot signs of radicalisation. In doing so, the academy will assist and advise family members who raise concerns and provide information for support mechanisms.

Any concerns over radicalisation will be discussed with the children and young people's parents, unless the academy has reason to believe that the child would be placed at risk as a result.

The DSL will undertake Prevent awareness training to be able to provide advice and support to other staff on how to protect children and young people against the risk of radicalisation. The DSL will hold formal training sessions with all members of staff to ensure they are aware of the risk indicators and their duties regarding preventing radicalisation.

Indicators of an identity crisis include the following:

- distancing themselves from their cultural and/or religious heritage
- Uncomfortable with their place in society.

Indicators of a personal crisis include the following:

- family tensions
- a sense of isolation
- low self-esteem
- disassociation from existing friendship groups
- Searching for answers to questions about identity, faith and belonging.

Indicators of vulnerability through personal circumstances includes the following:

- migration

- local community tensions
- events affecting their country or region of origin
- alienation from UK values
- A sense of grievance triggered by personal experience of racism or discrimination.

Indicators of vulnerability through unmet aspirations include the following:

- perceptions of injustice
- feelings of failure
- rejection of civic life
- indicators of vulnerability through criminality
- experiences of dealing with the police
- Involvement with criminal groups

### **Making a judgement**

When making a judgement, staff will ask themselves the following questions:

- Does the child or young person have access to extremist influences?
- Does the child or young person access the internet for the purposes of extremist activities (e.g. using closed network groups, accessing or distributing extremist material, contacting such groups covertly using video calling software)?
- Is there a reason to believe that the child or young person has been, or is likely to be, involved with extremist organisations?
- Is the child or young person known to have possessed, or be actively seeking, extremist literature or other media likely to incite racial or religious hatred?
- Does the child or young person sympathise with or support illegal or illicit groups?
- Does the child or young person support groups with links to extremist activity?
- Has the child or young person encountered peer, social, family or faith group rejection?
- Is there evidence of extremist ideological, political or religious influence on the child or young person?
- Have international events in areas of conflict and civil unrest had a noticeable impact on the child or young person?
- Has there been a significant shift in the child or young person's outward appearance that suggests a new social, political or religious influence?
- Has the child or young person come into conflict with family over religious beliefs, lifestyle or dress choices?
- Does the child or young person vocally support terrorist attacks, either verbally or in their written work?
- Has the child or young person witnessed or been the victim of racial or religious hate crimes?
- Is there a pattern of regular or extended travel within the UK?
- Has the child or young person travelled for extended periods of time to international locations?

- Has the child or young person employed any methods to disguise their identity?
- Does the child or young person have experience of poverty, disadvantage, discrimination or social exclusion?
- Does the child or young person display a lack of affinity or understanding for others?
- Is the child or young person the victim of social isolation?
- Does the child or young person demonstrate a simplistic or flawed understanding of religion or politics?
- Is the child or young person a foreign national or refugee, or awaiting a decision on their/their family's immigration status?
- Is there evidence of extremist ideological, political or religious influence on the child or young person?
- Have international events in areas of conflict and civil unrest had a noticeable impact on the child or young person?
- Has there been a significant shift in the child or young person's outward appearance that suggests a new social, political or religious influence?
- Has the child or young person come into conflict with family over religious beliefs, lifestyle or dress choices?
- Does the child or young person vocally support terrorist attacks, either verbally or in their written work?
- Has the child or young person witnessed or been the victim of racial or religious hate crimes?
- Is there a pattern of regular or extended travel within the UK?
- Has the child or young person travelled for extended periods of time to international locations?
- Has the child or young person employed any methods to disguise their identity?
- Does the child or young person have experience of poverty, disadvantage, discrimination or social exclusion?
- Does the child or young person display a lack of affinity or understanding for others?
- Is the child or young person the victim of social isolation?
- Does the child or young person demonstrate a simplistic or flawed understanding of religion or politics?
- Is the child or young person a foreign national or refugee, or awaiting a decision on their/their family's immigration status??
- Has the child or young person experienced any trauma in their lives, particularly trauma associated with war or sectarian conflict?
- Is there evidence that a significant adult or other person in the child or young person's life has extremist views or sympathies?

Critical indicators include where the child or young person is:

- in contact with extremist recruiters
- articulating support for extremist causes or leaders
- accessing extremist websites
- possessing extremist literature

- using extremist narratives and a global ideology to explain personal disadvantage
- justifying the use of violence to solve societal issues
- joining extremist organisations
- Making significant changes to their appearance and/or behaviour.

Any member of staff who identifies such concerns, because of observed behaviour or reports of conversations, will report these to the DSL.

The DSL will consider whether a situation may be so serious that an emergency response is required. In this situation, a 999 call will be made; however, concerns are most likely to require a police investigation as part of the Channel programme, in the first instance.

### **Channel programme**

Safeguarding children is a key role for both the academy and the LA, which is implemented through the use of the Channel programme. This service shall be used where a vulnerable child or young person is at risk of being involved in terrorist activities.

In line with statutory duties, Learn@ academies will cooperate with the local Channel Prevent panel and all partners of the panel as much as is appropriate and reasonably practical.

In cases where the academy believes a child or young person is potentially at serious risk of being radicalised, the headteacher or DSL will contact the Channel programme.

The DSL will also support any staff making referrals to the Channel programme.

The Channel programme ensures that vulnerable children and adults of any faith, ethnicity or background, receive support before their vulnerabilities are exploited by those that would want them to embrace terrorism, and before they become involved in criminal terrorist-related activity.

The programme identifies individuals at risk, assesses the extent of that risk, and develops the most appropriate support plan for the individuals concerned, with multiagency cooperation and support from the academy.

The delivery of the Channel programme may often overlap with the implementation of the LA's or academy's wider safeguarding duty, especially where vulnerabilities have been identified that require intervention from CSCS, or where the individual is already known to CSCS.

The academy will keep in mind that an individual's engagement with the Channel programme is voluntary at all stages.

### **Extremist speakers**

The Guest Speaker Policy will prevent speakers who may promote extremist views from using the academy premises.

### **Building children's resilience**

Our academies will:

- provide a safe environment for debating controversial issues
- promote fundamental British values, alongside children and young peoples' spiritual, moral, social and cultural development
- allow children and young people time to explore sensitive and controversial issues
- provide children and young people with the knowledge and skills to understand and manage potentially difficult situations, recognise risk, make safe choices, and recognise where pressure from others threatens their personal safety and wellbeing
- equip children and young people to explore political and social issues critically, weigh evidence, debate, and make reasoned arguments
- teach children and young people about how democracy, government and law making and enforcement occur
- Teach children and young people about mutual respect and understanding for the diverse national, regional, religious and ethnic identities of the UK.

## **Resources**

The academies will utilise the following resources when preventing radicalisation:

- Local safeguarding arrangements
- Local police (contacted via 101 for non-emergencies)
- The DfE's dedicated helpline (020 7340 7264)
- The Channel awareness programme
- The [Educate Against Hate](#) website

## **A child missing from education**

A child going missing from an academy is a potential indicator of abuse or neglect and, as such, these children are increasingly at risk of being victims of harm, exploitation or radicalisation.

Staff will monitor children and young people that go missing from our academies, particularly on repeat occasions, and report them to the DSL following normal safeguarding procedures, in accordance with the Children Missing Education Policy.

The academies will inform the LA of any child or young person who fails to attend regularly or has been absent without the academy's permission for a continuous period of 10 school days or more.

## **Admissions register**

Children and young people are placed on the admissions register at the beginning of the first day that is agreed by the academy, or when the academy have been notified that the child or young person will first be attending.

Our academies will notify the LA within 5 days of when a child or young person's name is added to the admissions register.

Our academies will ensure that the admissions register is kept up-to-date and accurate at all times and will inform parents when any changes occur.

Two emergency contact details will be held for each child or young person where possible.

Staff will monitor child or young person who do not attend the academy on the agreed date and will notify the LA at the earliest opportunity.

If a parent notifies the academy that their child will live at a different address, the academy will record the following information on the admissions register:

- the full name of the parent with whom the child or young person will live
- the new address
- The date from when the child or young person will live at that address.

If a parent notifies the academy that their child will be attending a different school, or is already registered at a different school, the following information will be recorded on the admissions register:

- the name of the new school
- the date on which the child or young person first attended, or is due to attend, that school
- Where a child or young person moves to a new school, our academies will use a secure internet system to securely transfer children and young people's data.

To ensure accurate data is collected to allow effective safeguarding, the academy will inform the LA of any child or young person who is going to be deleted from the admission register, in accordance with the Education (Pupil Registration) (England) Regulations 2006 (as amended), where they:

- have been taken out of the academy by their parents, and are being educated outside the national education system, e.g. home education
- have ceased to attend the academy, and no longer live within a reasonable distance of the premises
- have been certified by the academy's medical officer as unlikely to be in a fit state of health to attend, before ceasing to be of compulsory school age, and their parent has not indicated the intention to the child or young person continuing to attend the academy after ceasing to be of compulsory school age
- have been in custody for a period of more than four months due to a final court order and the academy does not reasonably believe they will be returning to the academy at the end of that period
- Have been permanently excluded.

The academies will also remove a child or young person from the admissions register where the academy and LA has been unable to establish the child or young person's whereabouts after making reasonable enquiries into their attendance.

If a child or young person is to be removed from the admissions register, our academies will provide the LA with the following information:

- the full name of the child or young person
- the full name and address of any parent with whom the child or young person lives
- at least one telephone number of the parent with whom the child or young person lives
- the full name and address of the parent with whom the child or young person is going to live, and the date that the child or young person will start living there, if applicable
- the name of the child or young person's new school and the child or young person's expected start date there, if applicable
- The grounds for removal from the admissions register under regulation 8 of the Education (Pupil Registration) (England) Regulations 2006 (as amended).

Our academies will work with the LA to establish methods of making returns for child or young person back into the academy.

Our academies will highlight to the LA where they have been unable to obtain necessary information from parents, e.g. where an address is unknown.

Our academies will also highlight any other necessary contextual information, including safeguarding concerns.

### **Child and young person with SEND**

Our academies recognise that children or young person with SEND can face additional safeguarding challenges and understands that further barriers may exist when determining abuse and neglect in this group of children and young people.

Staff will be aware of the following:

- certain indicators of abuse, such as behaviour, mood and injury, may relate to the young person's disability without further exploration; however, it should never be assumed that a child's indicators relate only to their disability
- children and young person with SEND can be disproportionately impacted by things like bullying, without outwardly showing any signs
- Communication barriers may exist, as well as difficulties in overcoming these barriers.

When reporting concerns or making referrals for children and young people with SEND, the above factors will always be taken into consideration.

When managing a safeguarding issue relating to a child or young person with SEND, the DSL will liaise with the academy's SENCO, as well as the child or young person's parents where appropriate, to ensure that the child or young person's needs are effectively met.

## **Alternative provision**

Our academies will remain responsible for a child or young person's welfare during their time at an alternative provider.

When placing a child or young person with an alternative provider, the academy must obtain written confirmation that the provider has conducted all relevant safeguarding checks on staff.

## **Elected home education**

Learn@ MAT recognises that home education can mean some children and young people are less visible to the services that are there to keep them safe and supported in line with their needs. Academies across the trust will work with local authorities and key professionals to coordinate a meeting with parents once they have expressed an intent to educate their child at home.

## **Work experience**

When a young person is sent on work experience, the academy will ensure that the provider has appropriate safeguarding policies and procedures in place.

Where the academy have young people conduct work experience at the academy, an enhanced DBS check will be obtained if the young person is over the age of 16.

## **Homestay exchange visits**

Academy-arranged homestays in UK

Where an academy is arranging for a visiting child to be provided with care and accommodation in the UK in the home of a family to which the child is not related, the responsible adults are considered to be in regulated activity for the period of the stay.

In such cases, the academy is the regulated activity provider; therefore, the academy will obtain all the necessary information required, including a DBS enhanced certificate with barred list information, to inform its assessment of the suitability of the responsible adults.

Where criminal record information is disclosed, the academy will consider, alongside all other information, whether the adult is a suitable host.

In addition to the responsible adults, our academies will consider whether a DBS enhanced certificate should be obtained for anyone else aged over 16 in the household.

## **Learn@ MAT-arranged homestays abroad**

Our academies will liaise with partner schools to discuss and agree the arrangements in place for the visit.

Our academies will consider, on a case-by-case basis, whether to contact the relevant foreign embassy or High Commission of the country in question to ascertain what checks may be possible in respect of those providing homestay outside of the UK.

Our academies will use its professional judgement to assess whether the arrangements are appropriate and sufficient to safeguard every child involved in the exchange.

Children and young people will be provided with emergency contact details to use where an emergency occurs or a situation arises that makes them feel uncomfortable.

### **Privately arranged homestays**

Where a parent or child or young person arranges their own homestay, this is a private arrangement and the academy is not the regulated activity provider.

### **Private fostering**

Where our academies become aware of a child or young person being privately fostered, they will notify the LA as soon as possible to allow the LA to conduct any necessary checks.

### **Concerns about a child or young person**

#### Reporting

If a member of staff is witness to an incident that raises a safeguarding concern, or is told about an incident by the young person involved or another young person or carer, they will make a written record using the CPOM's online reporting and recording system. The DSL or deputy DSL will formulate an action plan to ensure the safeguarding of the young person(s) involved, including any information sharing with other professionals such as the Safer Options Team, linked social workers or Strengthening Families workers, or if a First response referral is required. All DSL trained staff and key staff involved with the young person(s) will get an email alert and link to the record of the incident/ concern, and any actions that they are required to complete. Actions will be detailed on CPOMs. Weekly Quality assurance meetings with key DSL trained team members working most closely with the young person(s) involved will ensure all actions have been carried out and if any further actions are required. CPOM's is a secure site and only key staff for each child or young person and DSL trained staff can access the records for each child or young person.

If a member of staff has any concern about a child's or young person's welfare, they will act on them immediately by speaking to the DSL or a deputy, and then make a record of their concern using the CPOM's system.

All staff members are aware of the procedure for reporting concerns and understand their responsibilities in relation to confidentiality and information sharing, as outlined in [section 32](#) of this policy.

If a First Response referral is made about a child or young person by anyone other than the DSL, the DSL will be informed as soon as possible and this will be recorded on CPOM's. The referral form will be saved in the child's or young person's document vault within their CPOM's safeguarding file.

The LA will make a decision regarding what action is required within one working day of the referral being made and will notify the referrer.

Staff are required to monitor a referral if they do not receive information from the LA regarding what action is necessary for the child or young person.

If the situation does not improve after a referral, the DSL will ask for reconsideration to ensure that their concerns have been addressed and that the situation improves for the child or young person.

If early help is appropriate, the case will be kept under constant review. If the child or young person's situation does not improve, a referral will be considered.

If a child or young person is in immediate danger, a referral will be made to CSCS and/or the police immediately.

If a child or young person has committed a crime, such as sexual violence, the police will be notified without delay.

Where there are safeguarding concerns, the academy will ensure that the child's or young person's wishes are always taken into account, and that there are systems available for children or young to provide feedback and express their views.

When responding to safeguarding concerns, staff members will act calmly and supportively, ensuring that the child or young person feels like they are being listened to and believed.

An inter-agency assessment will be undertaken where a child and their family could benefit from coordinated support from more than one agency. These assessments will identify what help the child and family require in preventing needs escalating to a point where intervention would be needed.

### **Early help**

Early help means providing support as soon as a problem emerges, at any point in a child's life.

Any child or young person may benefit from early help, but in particular staff will be alert to the potential need for early help for children and young people who:

- have SEND (whether or not they have a statutory EHC plan)
- are young carers

- show signs of being drawn into anti-social or criminal behaviour, including gang involvement and association with organised crime groups
- are frequently missing or going missing from care or from home
- misuse drugs or alcohol
- are at risk of modern slavery, trafficking or exploitation
- are in a family circumstance presenting challenges such as substance abuse, adult mental health problems or domestic abuse
- are returned home to their family from care
- show early signs of abuse and/or neglect
- are at risk of being radicalised or exploited
- Are privately fostered.

Early help will also be used to address non-violent harmful sexual behaviour to prevent escalation.

All staff will be made aware of the local early help process and understand their role in it.

The DSL will take the lead where early help is appropriate.

### **Managing referrals**

The reporting and referral process outlined in [Appendix C](#) will be followed accordingly.

All staff members, in particular the DSL, will be aware of the LA's arrangements in place for managing referrals. The DSL will provide staff members with clarity and support where needed.

When making a referral to CSCS or other external agencies, information will be shared in line with confidentiality requirements and will only be shared where necessary to do so.

The DSL will work alongside external agencies, maintaining continuous liaison, including multi-agency liaison where appropriate, in order to ensure the wellbeing of the children and young people involved.

The DSL will work closely with the police to ensure the academy does not jeopardise any criminal proceedings, and to obtain help and support as necessary

Where a child or young person has been harmed or is in immediate danger or at risk of harm, the referrer will be notified of the action that will be taken within one working day of a referral being made. Where this information is not forthcoming, the referrer will contact the assigned social worker for more information.

The academy will not wait for the start or outcome of an investigation before protecting the victim and other children and young people: this applies to criminal investigations as well as those made by CSCS.

Where CSCS decide that a statutory investigation is not appropriate, the academy will consider referring the incident again if it is believed that the child or young person is at risk of harm.

Where CSCS decide that a statutory investigation is not appropriate and the academy agrees with this decision, the academy will consider the use of other support mechanisms, such as early help and pastoral support.

At all stages of the reporting and referral process, the child or young person will be informed of the decisions made, actions taken and reasons for doing so.

Discussions of concerns with parents will only take place where this would not put the child or young person or others at potential risk of harm.

Our academies will work closely with parents to ensure that the child or young person, as well as their family, understands the arrangements in place, such as in-academy interventions, is effectively supported, and knows where they can access additional support.

### **Concerns about staff members and safeguarding practices**

Staff are expected to conduct themselves in an appropriate manner which enables children and young people to remain safe at all times- this is detailed in the staff Code of Conduct Policy. If a staff member has concerns about another member of staff (including supply staff and volunteers), it will be raised with the headteacher. This may be a concern that meets the Harm Threshold or is a low level concern.

If the concern is with regards to the headteacher, it will be referred to the chair of Academy Council who will liaise with the LADO with the guidance and support of the CEO for Learn@ MAT.

Any concerns regarding the safeguarding practices at the academy will be raised with the SLT, and the necessary whistleblowing procedures will be followed, as outlined in the Whistleblowing Policy.

If a staff member feels unable to raise an issue with the SLT, they should access other whistleblowing channels such as the NSPCC whistleblowing helpline (0800 028 0285).

Any allegations of abuse made against staff members, including those that meet the harms test, will be dealt with in accordance with the academy's policies and procedures.

For the purpose of this policy, the "**harms test**" refers to a situation where a person would pose a risk of harm if they continued to work in regular or close contact with children or young people in their present position, or in any capacity.

### **Dealing with allegations of abuse against staff**

All allegations against staff, supply staff and volunteers, will be dealt with in line with the academy's policies and procedures.

The academies will ensure all allegations against staff, including those who are not employees of the academy, are dealt with appropriately and that the academy liaises with the relevant parties.

When using an agency to access supply staff, the academy will inform them of its processes for managing allegations, including any updates to the relevant policies, and liaise with the agency's human resources manager/provider where necessary.

When an allegation is made, an investigation will be carried out to gather enough evidence to establish whether it has a foundation, and the academy will ensure there is sufficient information to meet the [DBS referral criteria](#).

On conclusion of a case, where an individual is removed from regulated activity – this could be due to suspension, redeployment to work that is not in regulated activity, dismissal or resignation – the academy will refer the case to the DBS as soon as possible.

If a case manager is concerned about the welfare of other children in the community following a staff member's suspension, they may report this concern to CSCS.

The academies will preserve records which contain information about allegations of sexual abuse for the Independent Inquiry into Child Sexual Abuse (IICSA), for the term of the inquiry in question.

### **Allegations of abuse against other pupils (peer-on-peer abuse)**

#### Sexual harassment

Sexual harassment refers to unwanted conduct of a sexual nature that occurs online or offline. Sexual harassment violates a child's and young person's dignity and makes them feel intimidated, degraded or humiliated, and can create a hostile, sexualised or offensive environment.

If left unchallenged, sexual harassment can create an atmosphere that normalises inappropriate behaviour and may lead to sexual violence. The Learn@ Trust has a zero tolerance approach to sexual harassment.

- Sexual comments.
- Sexual "jokes" and taunting.
- Physical behaviour, such as deliberately brushing against another child or young person.
- Online sexual harassment, including non-consensual sharing of images and videos and consensual sharing of sexual images and videos (often known as sexting), inappropriate comments on social media, exploitation, coercion, and threats – online sexual harassment may be isolated or part of a wider pattern.

- **Sexual violence**

Sexual violence refers to the three following offences:

- **Rape:** A person (A) commits an offence of rape if they intentionally penetrate the vagina, anus or mouth of another person (B) with their 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 they intentionally penetrate the vagina or anus of another person (B) with a part of their 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 they intentionally touch another person (B), the touching is sexual, B does not consent to the touching and A does not reasonably believe that B consents.

### **Harmful sexual behaviours**

The term "**harmful sexual behaviour**" is used to describe behaviour that is problematic, abusive and violent, and that may cause developmental damage. Harmful sexual behaviour may include:

- using sexually explicit words and phrases
- inappropriate touching
- sexual violence or threats
- full penetrative sex with other children or adults
- sexual interest in adults or children of very different ages to their own
- forceful or aggressive sexual behaviour
- compulsive habits
- sexual behaviour affecting progress and achievement
- Abuse within intermate personal relationships between peers.

Sexual behaviour can also be harmful if one of the children is much older (especially where there is a difference of two years or more, or where one child is pre-pubescent and the other is not) and where the child may have SEND.

### **A preventative approach**

In order to prevent peer-on-peer abuse and address the wider societal factors that can influence behaviour, the academy will educate children and young people about abuse, its forms and the importance of discussing any concerns and respecting others through the curriculum, assemblies and PSHE lessons.

The academies will also ensure that children and young people are taught about safeguarding, including online safety, as part of a broad and balanced curriculum in PSHE lessons, RSE and group sessions. Such content will be age and stage of development specific, and tackle issues such as the following:

- healthy relationships
- respectful behaviour

- gender roles, stereotyping and equality
- LGBTQ+ identities and relationships
- body confidence and self-esteem
- prejudiced behaviour
- that sexual violence and sexual harassment is always wrong
- use of sexualised language and behaviours
- Addressing cultures of sexual harassment.

Children and young people will be allowed an open forum to talk about concerns and sexual behaviour. They are taught how to raise concerns and make a report, including concerns about their friends or peers, and how a report will be handled.

## **Awareness**

All staff will be aware that children and young people of any age and sex are capable of abusing their peers and will never tolerate abuse as 'banter' or 'part of growing up'.

All staff will be aware that peer-on-peer abuse can be manifested in many different ways, including sexting and issues that disproportionately affect a certain gender, such as girls being sexually touched or assaulted, and boys being subjected to hazing/initiation type of violence which aims to cause physical, emotional or psychological harm.

All staff will be made aware of the heightened vulnerability of children and young people with SEND, who evidence suggests are more likely to be abused than their peers. Staff will not assume that possible indicators of abuse relate to the child's or young person's SEND and will always explore indicators further.

Residential settings within the Trust will adhere to the National Minimum Standards requirements with reference to safeguarding.

LGBTQ+ children and young people are also more likely to be targeted by their peers. In some cases, children and young people who are perceived to be LGBTQ+, whether they are or not, can be just as vulnerable to abuse as LGBTQ+ children and young people.

The academies' response to sexual violence and sexual harassment between children and young people of the same sex will be equally as robust as it is for incidents between children of the opposite sex.

Children and young people will be made aware of how to raise concerns or make a report and how any reports will be handled. This includes the process for reporting concerns about friends or peers.

Support available if a child has been harmed, is in immediate danger or at risk of harm  
If a children or young person has been harmed, is in immediate danger or is at risk of harm, a referral will be made to CSCS.

Within one working day, a social worker will respond to the referrer to explain the action that will be taken.

Support available if early help, section 17 and/or section 47 statutory assessments are appropriate  
If early help, section 17 and/or section 47 statutory assessments (assessments under the Children Act 1989) are appropriate, Learn@ MAT staff may be required to support external agencies. The DSL and deputies will support staff as required.

### **Support available if a crime may have been committed**

Rape, assault by penetration and sexual assault are crimes. Where a report includes such an act, the police will be notified, often as a natural progression of making a referral to CSCS. The DSL will be aware of the local process for referrals to both CSCS and the police.

Whilst the age of criminal responsibility is 10 years of age, if the alleged perpetrator is under 10, the principle of referring to the police remains. In these cases, the police will take a welfare approach rather than a criminal justice approach.

Academies within the Trust have a close relationship with the local police force and the DSL will liaise closely with the local police presence.

Support available if reports include online behaviour

Online concerns can be especially complicated. The academy recognise that there is potential for an online incident to extend further than the local community and for a victim, or the alleged perpetrator, to become marginalised and excluded both online and offline. There is also strong potential for repeat victimisation if the content continues to exist.

If the incident involves sexual images or videos held online, the [Internet Watch Foundation](#) will be consulted to have the material removed.

Staff will not view or forward illegal images of a child. If they are made aware of such an image, they will contact the DSL.

### **Managing disclosures**

Victims will always be taken seriously, reassured, supported and kept safe. Victims will never be made to feel like they are causing a problem or made to feel ashamed.

If a friend of a victim makes a report or a member of staff overhears a conversation, staff will take action – they will never assume that someone else will deal with it. The basic principles remain the same as when a victim reports an incident; however, staff will consider why the victim has not chosen to make a report themselves and the discussion will be handled sensitively and with the help of CSCS where necessary. If staff are in any doubt, they will speak to the DSL.

Where an alleged incident took place away from the academy or online but involved children or young people from the academy, the academies' duty to safeguard children and young people remains the same.

All staff will be trained to handle disclosures. Effective safeguarding practice includes:

- never promising confidentiality at the initial stage
- only sharing the report with those necessary for its progression
- explaining to the victim what the next steps will be and who the report will be passed to
- recognising that the person the child or young person chose to disclose the information to is in a position of trust
- being clear about boundaries and how the report will be progressed
- not asking leading questions and only prompting the child or young person with open questions
- waiting until the end of the disclosure to immediately write a thorough summary. If notes must be taken during the disclosure, it is important to still remain engaged and not appear distracted
- only recording the facts as the child or young person presents them – not the opinions of the note taker
- where the report includes an online element, being aware of searching, screening and confiscation advice and [UKCCIS sexting advice](#)
- Wherever possible, managing disclosures with two staff members present (preferably with the DSL or a deputy as one of the staff members).

Informing the DSL or deputy as soon as possible after the disclosure if they could not be involved in the disclosure

The DSL will be informed of any allegations of abuse against children or young people with SEND. They will record the incident in writing and, working with the SENCO, decide what course of action is necessary, with the best interests of the child or young person in mind at all times.

## **Confidentiality**

The academy will only engage staff and agencies required to support the victim and/or be involved in any investigation. If a victim asks the academy not to tell anyone about the disclosure, the academy cannot make this promise. Even without the victim's consent, the information may still be lawfully shared if it is in the public interest and protects children from harm.

The DSL will consider the following when making confidentiality decisions:

parents will be informed unless it will place the victim at greater risk.

if a children or young person is at risk of harm, is in immediate danger or has been harmed, a referral will be made to CSCS.

rape, assault by penetration and sexual assault are crimes – reports containing any such crimes will be passed to the police.

The DSL will weigh the victim's wishes against their duty to protect the victim and others. If a referral is made against the victim's wishes, it will be done so extremely carefully and the reasons for referral will be explained to the victim. Appropriate specialist support will always be offered.

### **Anonymity**

There are legal requirements for anonymity where a case is progressing through the criminal justice system. The academy will do all they can to protect the anonymity of children involved in any report of sexual violence or sexual harassment. They will carefully consider, based on the nature of the report, which staff will be informed and what support will be in place for the children involved.

When deciding on the steps to take, the academy will consider the role of social media in potentially exposing victims' identities and facilitating the spread of rumours.

### **Risk assessment**

Academies will put detailed risk assessments in place for children and young people. These will be reviewed and updated following a report of sexual violence. Risk assessments are not intended to replace the detailed assessments of experts, and for incidents of sexual violence it is likely that a professional risk assessment by a social worker or sexual violence specialist will be required.

Risk assessments will consider:

- the victim the alleged perpetrator
- Other child or young person at the academy, especially any actions that are appropriate to protect them.

Risk assessments will be recorded in the child's or young person's electronic file and kept under review in accordance with the academy's Data Protection Policy.

### **Taking action following a disclosure**

The DSL or a deputy will decide the academy's initial response, taking into consideration:

- the victim's wishes
- the nature of the incident
- the ages and developmental stages of the children or young people involved
- any power imbalance between the children or young people
- whether the incident is a one-off or part of a pattern
- any ongoing risks
- any related issues and the wider context, such as whether there are wider environmental factors in a child's or young person's life that threaten their safety and/or welfare
- the best interests of the child or young person
- That sexual violence and sexual harassment are always unacceptable and will not be tolerated.

Immediate consideration will be given as to how to support the victim, alleged instigator and any other children or young people involved.

For reports of rape and assault by penetration, whilst the academy establishes the facts, the alleged instigator will be removed from any classes shared with the victim. The academy will consider how to keep the victim and alleged instigator apart on academy premises, and on transport where applicable. This may require a change of residential care area for either the victim or the instigator, depending on circumstances. If it is considered too difficult to keep the instigator and victim apart consistently, the instigator may be required to go home and will be provided with remote learning while investigations take place. These actions will not be seen as a judgement of guilt on the alleged instigator.

For reports of sexual violence and sexual harassment, the proximity of the victim and alleged instigator and the suitability of shared classes, premises and transport will be considered immediately.

In all cases, the initial report will be carefully evaluated and the wishes of the victim, nature of the allegations and requirement to protect all children will be taken into consideration.

Where a child or young person is found to have been involved in harmful sexual behaviour, e.g. no consensually sharing indecent imagery of another child or young person, the academy will help the child or young person to move forward from the incident by supporting them in adopting more positive behaviour patterns and attitudes.

## **Managing the report**

The decision of when to inform the alleged instigator of a report will be made on a case by-case basis. If a report is being referred to CSCS or the police, the academy will speak to the relevant agency to discuss informing the alleged instigator.

There are four likely outcomes when managing reports of sexual violence or sexual harassment:

- managing internally
- providing early help
- referring to CSCS
- reporting to the police.

Whatever outcome is chosen, it will be underpinned by the principle that sexual violence and sexual harassment are never acceptable and will not be tolerated. All concerns, discussion, decisions and reasons behind decisions will be recorded either on paper or electronically.

The following situations are statutorily clear and do not allow for contrary decisions:

- The age of consent is 16
- A child under the age of 16 can never consent to sexual activity

- Sexual intercourse without consent is rape
- Rape, assault by penetration and sexual assault are defined in law
- Creating and sharing sexual photos and videos of children under 18 is illegal – including children making and sending images and videos of themselves.

### **Managing internally**

In some cases, e.g. one-off incidents, the academy may decide to handle the incident internally through behaviour and bullying policies and by providing pastoral support.

### **Providing early help**

The academy may decide that statutory interventions are not required, but that children or young people may benefit from early help – providing support as soon as a problem emerges. This approach can be particularly useful in addressing non-violent harmful sexual behaviour and may prevent the escalation of sexual violence.

### **Referral to CSCS**

If a child or young person has been harmed, is at risk of harm or is in immediate danger, the academy will make a referral to CSCS. Parents will be informed unless there is a compelling reason not to do so (if referral will place the victim at risk). This decision will be made in consultation with CSCS.

The academies will not wait for the outcome of an investigation before protecting the victim and other children.

The DSL will work closely with CSCS to ensure that the academy's actions do not jeopardise any investigation. Any related risk assessment will be used to inform all decisions.

If CSCS decide that a statutory investigation is not appropriate, the academy will consider referring the incident again if they believe the child or young person to be in immediate danger or at risk of harm.

If the academy agrees with the decision made by CSCS, they will consider the use of other support mechanisms such as early help, pastoral support and specialist support.

### **Reporting to the police**

Reports of rape, assault by penetration or sexual assault will be passed on to the police – even if the alleged perpetrator is under 10 years of age. Generally, this will be in parallel with referral to CSCS. The DSL and deputies will follow the local process for referral.

Parents will be informed unless there is a compelling reason not to do so. Where parents are not informed, it is essential for the academy to support the child or young person with any decision they take, in unison with CSCS and any appropriate specialist agencies.

The DSLs and Academy Councils will agree what information will be disclosed to staff and others, in particular the alleged perpetrator and their parents. They will also discuss the best way to protect the victim and their anonymity.

The DSL will be aware of local arrangements and specialist units that investigate child abuse.

In some cases, it may become clear that the police will not take further action, for whatever reason. In these circumstances, the academy will continue to engage with specialist support for the victim as required.

### **Bail conditions**

Police bail is only used in exceptional circumstances. It is unlikely that a child or a young person will be placed on police bail if alternative measures can be used to mitigate risks.

The academies will work with CSCS and the police to support the victim, alleged perpetrator and other children (especially witnesses) during criminal investigations. The academy will seek advice from the police to ensure they meet their safeguarding responsibilities.

The term 'released under investigation' (RUI) is used to describe alleged perpetrators released in circumstances that do not warrant the application of bail.

Where bail is deemed necessary, the academy will work with CSCS and the police to safeguard children – ensuring that the victim can continue in their normal routine and continue to receive a suitable education.

### **Managing delays in the criminal justice system**

The academy will not wait for the outcome (or even the start) of criminal proceedings before protecting the victim, alleged perpetrator and other children. The associated risk assessment will be used to inform any decisions made.

The DSL will work closely with the police to ensure the academy does not jeopardise any criminal proceedings, and to obtain help and support as necessary.

### **The end of the criminal process**

Risk assessments will be updated if the alleged perpetrator receives a caution or is convicted. If the perpetrator remains in the same academy as the victim, the academy will set out clear expectations regarding the perpetrator, including their behaviour and any restrictions deemed reasonable and proportionate with regards to the perpetrator's timetable.

The academy will ensure that the victim and perpetrator remain protected from bullying and harassment (including online).

Where an alleged perpetrator is found not guilty or a case is classed as requiring "no further action", the academy will offer support to the victim and alleged perpetrator for as long as is

necessary. The victim is likely to be traumatised and the fact that an allegation cannot be substantiated does not necessarily mean that it was unfounded. The academy will discuss decisions with the victim and offer support.

The alleged perpetrator is also likely to require ongoing support, as they have also been through a difficult and upsetting experience.

### **Ongoing support for the victim**

Any decisions regarding safeguarding and supporting the victim will be made with the following considerations in mind:

- the terminology the academy uses to describe the victim
- the age and developmental stage of the victim
- the needs and wishes of the victim
- whether the victim wishes to continue in their normal routine
- the victim will not be made to feel ashamed about making a report
- What a proportionate response looks like.

Victims may not disclose the whole picture immediately and they may be more comfortable talking about the incident on a piecemeal basis; therefore, a dialogue will be kept open and the victim can choose to appoint a designated trusted adult.

Victims may struggle in a normal classroom environment. Whilst it is important not to isolate the victim, the victim may wish to be withdrawn from lessons and activities at times. This will only happen when the victim wants it to, not because it makes it easier to manage the situation.

The academy will provide a physical space for victims to withdraw to.

Victims may require support for a long period of time and the academy will be prepared to offer long-term support in liaison with relevant agencies.

Everything possible will be done to prevent the victim from bullying and harassment as a result of any report they have made.

If the victim is unable to remain in the academy, alternative provision or a move to another school will be considered – this will only be considered at the request of the victim and following discussion with their parents.

If the victim does move to another school, the DSL will inform the school of any ongoing support needs and transfer the child protection file.

### **Ongoing support for the alleged instigator**

Any decisions made regarding the support required for an alleged instigator will be made with the following considerations in mind:

- the terminology the academy uses to describe the alleged instigator

- the balance of safeguarding the victim and providing the alleged instigator with education and support
- The reasons why the alleged instigator may have abused the victim – and the support necessary.

Their age and developmental stage

- What a proportionate response looks like.

Whether the behaviour is a symptom of their own abuse or exposure to abusive practices and/or materials

- What the outcome of the investigation was.

When making a decision, advice will be taken from CSCS, specialist sexual violence services and the police as appropriate.

If the alleged instigator moves to another school (for any reason), the DSL will inform the destination school of any ongoing support needs and transfer the child protection file.

If the reported abuse is found to have taken place, the academy will work with professionals as required to understand why the abuse took place and provide a high level of support to help the child or young person understand and overcome the reasons for their behaviour and reduce the likelihood of them abusing again.

### **Disciplining the alleged instigator**

Disciplinary action can be taken whilst investigations are ongoing and the fact that investigations are ongoing does not prevent the academy reaching its own conclusion and imposing an appropriate penalty.

The academy will make such decisions on a case-by-case basis, with the DSL taking a leading role. The academy will take into consideration whether any action would prejudice an investigation and/or subsequent prosecution. The police and CSCS will be consulted where necessary.

The academy will also consider whether circumstances make it unreasonable or irrational for the academy to make a decision about what happened while an investigation is considering the same facts.

Disciplinary action and support can take place at the same time.

The academy will be clear whether action taken is disciplinary, supportive or both.

### **Shared classes/ care areas**

Once the DSL has decided to progress a report, they will again consider whether the victim and alleged instigator will be separated in classes, on academy premises, in residential care areas and on academy transport – balancing the academy's duty to educate against its duty to safeguard. The best interests of the child or young person will always come first.

Where there is a criminal investigation into rape or assault by penetration, the alleged instigator will be removed from classes and care areas with the victim and potential contact on academy premises and transport will be prevented.

Where a criminal investigation into rape or assault by penetration leads to a conviction or caution, in all but the most exceptional circumstances, this will constitute a serious breach of discipline and result in the view that allowing the instigator to remain in the academy would harm the education or welfare of the victim and potentially other children or young people.

Where a criminal investigation into sexual assault leads to a conviction or caution, the academy will consider suitable sanctions and permanent exclusion. If the instigator will remain at the academy, the academy will keep the victim and instigator in separate classes and residential care areas and manage potential contact on academy premises and transport. The nature of the conviction or caution, alongside the wishes of the victim, will inform any discussions made

Where a report of sexual assault does not lead to a police investigation, this does not mean that the offence did not happen or that the victim has lied. Both the victim and alleged instigator will be affected and appropriate support will be provided. Considerations regarding sharing classes and potential contact will be made on a case-by-case basis.

In all cases, the academy will record its decisions and be able to justify them. The needs and wishes of the victim will always be at the heart of the process.

### **Working with parents and carers**

In most sexual violence cases, the academies will work with the parents of both the victim and alleged instigator. For cases of sexual harassment, these decisions will be made on a case-by-case basis.

The academies will meet the victim's parents with the victim present to discuss the arrangements being put in place to safeguard the victim, and to understand their wishes in terms of support arrangements and the progression of the report.

Academies will also meet with the parents of the alleged instigator to discuss arrangements that will impact their child, such as moving them out of classes with the victim. Reasons behind decisions will be explained and the support being made available will be discussed. Clear policies regarding how the academies will handle reports of sexual violence and how victims and alleged instigators will be supported will be made available to parents.

### **Safeguarding other children**

Children who have witnessed sexual violence, especially rape and assault by penetration, will be provided with support.

It is likely that children will "take sides" following a report, and the academy will do everything in its power to protect the victim, alleged instigator and witnesses from bullying and harassment.

The academies will keep in mind that contact may be made between the victim and alleged instigator, and that harassment from friends of both parties could take place via social media, and will do everything in its power to prevent such activity.

As part of the academy's risk assessment following a report, transport arrangements will be considered, as it is a potentially vulnerable place for both the victim and alleged instigator. Academies will consider any additional support that can be put in place.

### **Communication and confidentiality**

All child protection and safeguarding concerns will be treated in the strictest of confidence in accordance with academy data protection policies.

Where there is an allegation or incident of sexual abuse or violence, the victim is entitled to anonymity by law; therefore, the academies will consult its policy and agree on what information will be disclosed to staff and others, in particular the alleged instigator and their parents.

Where a report of sexual violence or sexual harassment is progressing through the criminal justice system, the academy will do all it can to protect the anonymity of the children or young people involved in the case.

Concerns will only be reported to those necessary for its progression and reports will only be shared amongst staff members and with external agencies on a need-to-know basis.

During the disclosure of a concern by a child or young person, staff members will not promise the child or young person confidentiality and will ensure that they are aware of what information will be shared, with whom and why.

Where it is in the public interest, and protects children and young people from harm, information can be lawfully shared without the victim's consent, e.g. if doing so would assist the prevention, detection or prosecution of a serious crime.

Before doing so, the DSL will weigh the victim's wishes against their duty to protect the victim and others.

Where a referral is made against the victim's wishes, it is done so carefully with the reasons for the referral explained to the victim and specialist support offered.

Depending on the nature of a concern, the DSL will discuss the concern with the parents of the child or young person involved.

Discussions with parents will not take place where they could potentially put a child or young person at risk of harm.

Discussion with the victim's parents will relate to the arrangements being put in place to safeguard the victim, with the aim of understanding their wishes in terms of support arrangements and the progression of the report.

Discussion with the alleged instigator's parents will have regards to the arrangements that will impact their child, such as moving classes, with the reasons behind decisions being explained and the available support discussed.

External agencies will be invited to these discussions where necessary.

Where confidentiality or anonymity has been breached, the academies will implement the appropriate disciplinary procedures as necessary and will analyse how damage can be minimised and future breaches be prevented.

Where a child or young person is leaving the academy, the DSL will consider whether it is appropriate to share any information with the child's or young person's new provider, in addition to the child protection file, that will allow the new provider to support the child or young person and arrange appropriate support for their arrival.

### **Online safety**

As part of a broad and balanced curriculum, all children and young people will be made aware of online risks and taught how to stay safe online.

Through training, all staff members will be made aware of the following:

Children's and young people's attitudes and behaviours which may indicate they are at risk of potential harm online

- The procedure to follow when they have a concern regarding a child's or young person's online activity
- That online safety has to consider the 4 C's;
  - **Content**- being exposed to illegal, inappropriate or harmful content
  - **Contact**- being subjected to harmful online interactions
  - **Conduct**- the child's or young person's personal online behaviour
  - **Commerce**- risks such as online gambling, inappropriate adverts etc

The academies will ensure that suitable filtering systems are in place on ICT equipment to prevent children accessing terrorist and extremist material, in accordance with the academy's Data and E-Security Breach Prevention and Management Plan.

The use of mobile phones by staff, children and young people is closely monitored by the academies, in accordance with the Personal Electronic Devices Policy.

The academies will ensure that the use of filtering and monitoring systems does not cause “over blocking” which may lead to unreasonable restrictions as to what children and young people can be taught regarding online teaching.

Further information regarding the academy’s approach to online safety can be found in the Online Safety Policy and is a running and inter-related theme across other academy policies.

Where children and young people need to learn online from home, the academies will support them to do so safely in line with the Pupil Remote Learning Policy and government [guidance](#).

### **Mobile phone and camera safety**

Staff members will not use personal mobile phones or cameras when children or young people are present.

Staff may use mobile phones on academy premises outside of working hours when no children or young people are present.

Staff may use mobile phones in the staffroom during breaks and non-contact time.

Mobile phones will be safely stored and in silent mode whilst children and young people are present.

Staff will use their professional judgement in emergency situations.

Staff may take mobile phones on trips, but they must only be used in emergencies and should not be used when children and young people are present.

Mobile devices will not be used to take images or videos of children, young people or staff in any circumstances.

The sending of inappropriate messages or images from mobile devices is strictly prohibited.

Staff who do not adhere to this policy will face disciplinary action.

ICT technicians and the e-safety officer will review and authorise any downloadable apps – no apps or programmes will be downloaded without express permission.

The academies will adhere to the terms of the Online Safety Policy at all times.

Photographs and videos of children and young people will be carefully planned before any activity with particular regard to consent and adhering to the academy’s Data Protection Policy.

The DPO will oversee the planning of any events where photographs and videos will be taken.

Where photographs and videos will involve children or young people who are LAC, adopted children or young people, or children, young people for whom there are security concerns, the headteacher will liaise with the DSL to determine the steps involved.

The DSL will, in known cases of children and young people who are LAC or who have been adopted, liaise with the child's or young person's social workers, carers or adoptive parents to assess the needs and risks associated with the child or young person.

The academies will adhere to its Photography Policy at all times.

Staff will report any concerns about another staff member's use of mobile phones to the DSL, following the procedures outlined in the Child Protection and Safeguarding Policy and the Allegations of Abuse Against Staff Policy.

## **Upskirting**

Under the Voyeurism (Offences) Act 2019, it is an offence to operate equipment and to record an image beneath a person's clothing without consent and with the intention of observing, or enabling another person to observe, the victim's genitals or buttocks (whether exposed or covered with underwear), in circumstances where their genitals, buttocks or underwear would not otherwise be visible, for a specified purpose.

A "**specified purpose**" is namely:

- obtaining sexual gratification (either for themselves or for the person they are enabling to view the victim's genitals, buttocks or underwear)
- To humiliate, distress or alarm the victim.

**"Operating equipment"** includes enabling, or securing, activation by another person without that person's knowledge, e.g. a motion-activated camera.

Upskirting will not be tolerated by the academies

Any incidents of upskirting will be reported to the DSL, who will then decide on the next steps to take, which may include police involvement.

## **Sports clubs and extracurricular activities**

Clubs and extracurricular activities hosted by external bodies, e.g. charities or companies, will work in collaboration with the academy to effectively safeguard children and young people and adhere to local safeguarding arrangements.

Paid and volunteer staff running sports clubs and extracurricular activities are aware of their safeguarding responsibilities and promote the welfare of children and young people.

Paid and volunteer staff understand how they should respond to child protection concerns and how to make a referral to CSCS or the police, if necessary.

All national governing bodies of sport that receive funding from either Sport England or UK Sport, must aim to meet the Standards for Safeguarding and Protecting Children in Sport.

### **Safer recruitment**

An enhanced DBS check with barred list information will be undertaken for all staff members engaged in regulated activity. A person will be considered to be in 'regulated activity' if, as a result of their work, they:

- are responsible on a daily basis for the care or supervision of children
- regularly work in the academy at times when children are on the premises
- Regularly come into contact with children under 18 years of age.

The DfE's [DBS Workforce Guides](#) will be consulted when determining whether a position fits the child workforce criteria.

### **Pre-employment checks**

The Academy Councils will assess the suitability of prospective employees by:

- verifying the candidate's identity, preferably from the most current photographic ID and proof of address except where, for exceptional reasons, none is available
- obtaining a certificate for an enhanced DBS check with barred list information where the person will be engaged in regulated activity
- obtaining a separate barred list check if an individual will start work in regulated activity before the DBS certificate is available
- checking that a candidate to be employed as a teacher is not subject to a prohibition order issued by the Secretary of State, using the [TRA Teacher Services' System](#) where applicable
- verifying the candidate's mental and physical fitness to undertake their working responsibilities, including asking relevant questions about disability and health to establish whether they have the physical and mental capacity for the specific role
- checking the person's right to work in the UK. If there is uncertainty about whether an individual needs permission to work in the UK, the advice set out on the [Gov.UK](#) website will be followed
- if the person has lived or worked outside the UK, making any further checks that the academy considers appropriate
- checking professional experience, QTS and qualifications as appropriate using Teacher Services
- Confirming that an individual taking up a management position is not subject to a section 128 direction.

An enhanced DBS certificate will be obtained from candidates before appointment. An online update check may be undertaken through the DBS update service if an applicant has subscribed to it and gives their permission.

## **Internal candidates**

References from internal candidates will always be scrutinised before appointment.

## **ITT candidates**

Where applicants for ITT are salaried by the academy, the academy will ensure that enhanced DBS checks with barred list information are carried out.

Written confirmation will be obtained to ensure that an enhanced DBS certificate and barred list check has been carried out for all fee-funded trainees.

## **Academy Councillors**

The trust requires enhanced DBS checks on all members of the academy trust, individual charity trustees, and the chair of the board of charity trustees.

Before an individual becomes a trustee, the academy will carry out an enhanced DBS check and confirm their identity.

Where a trustee also engages in any regulated activity, a barred list check will also be requested.

An additional check is required for those in management positions, to ensure that they are not prohibited under section 128 provisions. Where a barred list check has been performed, the section 128 direction will also be shown and will not require a separate check.

If the individual lives or has lived outside of the UK, consideration will be given as to further checks that may be necessary.

The chair of trustees will complete a suitability check with the ESFA as soon as they are appointed.

To process a suitability check, the chair of Academy Council will provide the EFSA with:

- Information about their identity verified by a recognised professional, using the EFSA's [verification form](#).
- Information confirming their right to work in the UK.
- The outcome of an enhanced DBS check.
- An overseas criminal records check or certificate of good character if they have lived outside of the UK.

## **Those who have lived or worked outside of the UK**

As of 1 January 2021, the Teaching Regulation Agency (TRA) ceased to maintain a list of EEA teachers with sanctions. The academy must continue to carry out safer recruitment checks on all candidates and must conduct any further checks on candidates from overseas that academies think relevant.

For candidates who have lived or worked outside the UK, all mandatory checks outlined in this policy will be carried out, along with any additional checks where necessary.

For candidates who have lived or worked outside the UK, the academy will make further checks where necessary, including, but not limited to:

- obtaining an enhanced DBS certificate (with barred list information for candidates applying for roles that involve regulated activity), including for candidates who have not been to the UK before
- for teaching staff, obtaining proof of their past conduct as a teacher, in the form of a letter of professional standing from the professional regulating authority in the country in which they worked
- Where a professional letter of standing cannot be obtained, conducting a risk assessment or seeking alternative methods of checking suitability to support informed decision-making.

### **Barred list check**

An enhanced DBS check may be requested for anyone working in the academy that is not in regulated activity but does not have a barred list check.

If there are concerns about an applicant, an enhanced DBS check with barred list information may be requested, even if they have worked in regulated activity in the three months prior to appointment.

Written information about their previous employment history will be obtained from candidates and the appropriate checks undertaken to ensure information is not contradictory or incomplete.

### **References**

References will be obtained directly from referees and scrutinised, with all concerns satisfactorily resolved prior to confirmation of employment.

References will only be accepted from a senior person and not from a colleague.

References will be sought on all short-listed candidates, including internal ones, before an interview and checked on receipt to ensure that all specific questions were answered satisfactorily.

References will be obtained prior to interviews taking place and discussed during interviews.

Open testimonials will not be considered.

Information about past disciplinary actions or allegations will be considered carefully when assessing an applicant's suitability for a post.

Information sourced directly from a candidate or online source will be carefully vetted to ensure they originate from a credible source.

### **Volunteers**

No volunteer will be left unsupervised with a child or young person or allowed to work in regulated activity until the necessary checks have been obtained.

An enhanced DBS certificate with barred list check will be obtained for all new volunteers in regulated activity that will regularly teach or look after children on an unsupervised basis or provide personal care on a one-off basis.

Personal care includes helping a child with eating and drinking for reasons of illness, or care in connection with toileting, washing, bathing and dressing for reasons of age, illness or disability.

A supervised volunteer who regularly teaches or looks after children is not in regulated activity

The academies will obtain an enhanced DBS certificate with barred list check for existing volunteers that provide pastoral care.

Unless there is cause for concern, the academies will not request any new DBS certificates with barred list check for existing volunteers that have already been checked.

A risk assessment will be undertaken for volunteers not engaged in regulated activity when deciding whether to seek an enhanced DBS check.

### **Associate members**

Associate members (i.e. individuals that are appointed by the Academy Councils to serve on one or more committees) will not be required to obtain enhanced DBS checks.

### **Contractors**

The academies will ensure that any contractor or employee of the contractor working on the premises has been subject to the appropriate level of DBS check.

Checks will be conducted to ensure that the contractor presenting themselves for work is the same person on whom the checks have been made.

Contractors without a DBS check will be supervised if they will have contact with children. The identity of the contractor will be checked upon their arrival at the academies

### **Data retention**

DBS certificates will be securely destroyed as soon as practicable, but not retained for longer than six months from receipt.

A copy of the other documents used to verify the successful candidate's identity, right to work and required qualifications will be kept for the personnel file. The personnel file will be held for the duration of the employee's employment plus six years.

### **Referral to the DBS**

The academies will refer to the DBS anyone who has harmed a child or poses a risk of harm to a child, or if there is reason to believe the member of staff has committed an offence and has been removed from working in regulated activity. The duty will also apply in circumstances where an individual is deployed to another area of work that is not in regulated activity or they are suspended.

## Ongoing suitability

Following appointment, consideration will be given to staff and volunteers' ongoing suitability – to prevent the opportunity for harm to children or placing children at risk.

### Single central record (SCR)

The academies each keep an SCR which records all staff, including supply staff and teacher trainees on salaried routes, who work at the academies

The MAT holds a central SCR containing information that is easily accessible and recorded in such a way that allows for details for each individual academy to be provided separately, and without delay, to all who need to see it, including Ofsted.

All members of the proprietor body are also recorded on the SCR.

The following information is recorded on the SCR:

- an identity check
- a barred list check
- an enhanced DBS check
- a prohibition from teaching check
- a section 128 check
- a check of professional qualifications
- a check to determine the individual's right to work in the UK
- Additional checks for those who have lived or worked outside of the UK.

For agency and third-party supply staff, the academies will also record whether written confirmation from the employment business supplying the member of staff has been received which indicates that all the necessary checks have been conducted and the date that confirmation was received.

If any checks have been conducted for volunteers, this will also be recorded on the SCR.

If risk assessments are conducted to assess whether a volunteer should be subject to an enhanced DBS check, the risk assessment will be recorded.

## Training

Staff members will undergo safeguarding and child protection training at induction, which will be regularly updated on a termly basis or whenever there is a change in legislation.

The induction training will cover:

- The Child Protection and Safeguarding Policy.
- The Engagement for Learning (Behavioural) Policy.

- The Staff Code of Conduct.
- The safeguarding response to children who go missing from education.
- The identity of the DSL and any deputies.
- The role of the DSL and deputy DSLs.

All staff members will also receive regular safeguarding and child protection updates as required, but at least annually.

Training will cover, at a minimum:

- the issues surrounding sexual violence and sexual harassment
- Contextual safeguarding.

How to keep previously LAC safe

Child criminal exploitation and the need to refer cases to the National Referral Mechanism

Staff will receive opportunities to contribute towards and inform the safeguarding arrangements in the academy.

The DSL and deputy DSL will undergo updated child protection training every two years, as well as additional training to refresh their skills and knowledge at regular intervals (at least annually) to allow them to keep up-to-date with any developments relevant to their role.

The DSL and deputy DSL will also undergo Prevent awareness training every year which will enable them to understand and support the academy with regards to the Prevent duty and equip them with the knowledge needed to advise staff.

The DSL and their deputy(s) will undergo online safety training to help them recognise the additional risks that children and young people with SEND face online, for example, from online bullying, grooming and radicalisation, to ensure they have the capability to support children and young people with SEND to stay safe online.

Online training will also be conducted for all staff members as part of the overall safeguarding approach.

### **Monitoring and review**

This policy is reviewed annually by the CEO

Any changes made to this policy will be communicated to all members of staff within the MAT

All members of staff are required to familiarise themselves with all processes and procedures outlined in this policy as part of their induction programme.

This policy should be read in conjunction with the following policy documents;

- Attendance Policy

- Behaviour policy
- Anti-bullying policy
- Positive handling Policy
- Health and Safety Policy
- Complaints Policy
- Staff code of conduct

The next scheduled review date for this policy is August 2022.

## **a) Coronavirus (COVID-19): safeguarding during the pandemic**

### **Statement of intent**

We understand that we face a time of great uncertainty and, as an academy, we are doing all we can to provide clarity and safety to the academy community. This appendix includes provisions which the academy will have due regard for during the coronavirus pandemic. The information in this section is under constant review and is updated to reflect changes to government and local guidance as it is released.

### **Key definitions**

For the purpose of this policy, the following definitions will be utilised:

- **Children of critical workers:** critical workers are defined by the government as those whose work is critical to the coronavirus (COVID-19) and EU transition response and includes those who work in health and social care and in other key sectors as outlined below:
  - Health and social care, e.g. doctors, nurses, social workers and care workers
  - Education and childcare, e.g. teachers, DSLs and support staff
  - Key public services, e.g. the justice system, frontline workers in public services and charities
  - Local and national government, e.g. administrative occupations essential to the effective delivery of the coronavirus response, and the delivery of and response to EU transition, as well as essential public services
  - Food and other necessary goods, e.g. those involved in food production, processing, distribution, sales and delivery
  - Public safety and national security, e.g. police and ministry of defence workers
  - Transport, e.g. those who will keep the air, water, road and rail passenger and freight transport modes operating during the coronavirus response and EU transition
  - Utilities, communication and financial services, e.g. bankers, oil workers, and telecommunications (999 and 111 critical services and postal workers)
- **Vulnerable children:** vulnerable children are defined as children who:
  - are supported by social care

- are on the edge of receiving support from social care
- have safeguarding and welfare needs
- have child in need plans
- have child protection plans
- are LAC
- are young carers
- are disabled
- have an EHC plan
- are adopted
- are living in temporary accommodation
- are at risk of becoming not in education, employment, or training (NEET).
- are assessed as otherwise vulnerable by education providers or LAs.
- may have difficulty engaging with remote education at home (for example due to a lack of devices or quiet space to study).
- are care leavers.
- Are at the academy and LA's discretion, including children and young people who need to attend to receive support or manage risks to their mental health.

A child may also be deemed to be vulnerable if they have been assessed as being in need or otherwise meet the definition in section 17 of the Children Act 1989.

### **The role of the DSL and their deputies**

In light of the current pandemic, the academy will have additional measures in place to ensure the safety and wellbeing of its children and young people – this approach will be led by the DSL.

Wherever possible, the academy will endeavour to have a trained DSL or their deputy onsite while children and young people are attending the academy.

In circumstances where, due to operational challenges, it is not possible to have a trained DSL or deputy on-site, for example when working from home, a trained DSL (or deputy) from the academy, or, where necessary, a partner school, will be available to be contacted via phone or online video.

Where a DSL or deputy are unavailable, e.g. due to illness, a member of the SLT will take responsibility for coordinating safeguarding within the academy. Their role will include:

- updating and managing access to child protection files
- liaising with the offsite DSL or deputy
- Liaising with children's social care services where required.

During the pandemic, the DSL and their deputy(s) will be responsible for:

- sharing their time and resources with other schools, where necessary
- ensuring staff are kept up-to-date with the latest safeguarding information and developments, including via the safeguarding partners, newsletters and professional advice groups
- being responsible for amending Appendix A (this section) in line with the continual changes to education policy released by the DfE and communicating all changes to staff and volunteers
- working with the VSH and wider LA to protect vulnerable children
- providing support to teachers and pastoral staff to ensure that contact is maintained with children and young people who are self-isolating or shielding at home and their families
- ensuring staff are aware of reporting channels for safeguarding concerns
- ensuring there is a consistent approach to safeguarding children throughout the coronavirus pandemic
- speaking to children and young people directly where possible to identify any concerns and ensuring the children and young people are provided with clear communication channels so they can report any concerns they have, including reports of peer-on-peer abuse
- providing all volunteers and volunteer staff with copies of this policy
- identifying a suitable member of the SLT to assume the role of temporary DSL should both themselves and their deputies become unable to work, e.g. due to illness
- sharing their contact information with the academy community
- Identifying vulnerable children and communicating additional safeguarding provisions to child and young person and their families.

The DSL will report back to the Academy Council on all relevant safeguarding concerns.

The DSL will work with the local safeguarding partners and relevant agencies and services to identify harm and ensure children and young people are appropriately supported.

Where children and young people are required to return to remote learning, e.g. they must self-isolate or the academy is required to limit attendance, the DSL will ensure that they, and other members of staff, exercise extra vigilance to ensure children and young people remain safe while learning at home.

The academy will ensure that the DSL and their deputies are given sufficient time and assistance to support staff, children and young people with new safeguarding and welfare concerns and to handle referrals to relevant agencies where appropriate.

All online or telephone communication will be made using academy accounts or telephone numbers. If any staff need to use their personal number, this is withheld.

## **Attendance**

From 8 March 2021, attendance will be mandatory and the academy will have the power to issue fines for unauthorised absence – this will only be used as a last resort.

The academy will resume its regular attendance register to record attendance after fully opening.

The academy will follow up on absences of children or young people who are expected to be in the academy but where a parent wishes for their child to be absent. The DSL or deputy DSL will discuss any concerns parents may have and work with them to achieve the best possible outcome for the child or young person.

Parents/carers will not be penalised if their child does not attend the academy due to following clinical or public health advice to stay at home. Children and young people will engage in remote learning where they are unable to attend the academy for reasons related to coronavirus, provided they are well enough to do so.

For those children and young people not attending the academy premises and learning remotely at home, the academy will ensure that appropriate systems for checking attendance and levels of child and young people engagement each day are in place, and work with parents to rapidly identify effective solutions where engagement is a concern.

The academy will ensure that all children and young people emergency contact information is correct and encourage parents to provide as many contact numbers as possible.

If the academy must limit attendance at any point, e.g. due to a local increase in coronavirus cases, in line with DfE restrictions, the academy will ensure that priority to attend full time is given to vulnerable children and young people and that of critical workers.

### **Staff training and safeguarding induction**

The academy will ensure that all existing academy staff have read part one of the most up to-date version of 'Keeping children safe in education' (KCSIE) and are suitably trained in this policy and any local safeguarding arrangements.

The DSL and headteacher will risk assess any volunteers or staff from other schools to determine their suitability to work with children.

Under no circumstances will volunteers who have not been checked be left unsupervised or allowed to work in regulated activity.

The DSL and headteacher will ensure any volunteers or staff from other schools are suitably trained in safeguarding and ensure that they have read the relevant sections of KCSIE, are aware of the academy's safeguarding policy and procedures, and any additional local safeguarding arrangements.

The DSL and headteacher will use their professional judgement to assess how much additional safeguarding training temporary staff or volunteers require.

The academy will follow safer recruitment processes, in line with the relevant policies, when acquiring new staff.

New staff or volunteers will continue to be provided with a safeguarding induction and the most up-to-date copy of this policy.

Individuals who have not undergone suitable DBS checks will not be left unattended with children or young people.

The academy will carry out a check on any existing staff who cause a concern.

All staff will receive updates from the DSL regarding confirmation of local safeguarding processes and confirmation of the DSL and their deputy's arrangements, e.g. working schedule and contact information.

The academy will report individuals who they consider a safeguarding risk to the Teaching Regulation Agency (TRA) by emailing [Misconduct.Teacher@education.gov.uk](mailto:Misconduct.Teacher@education.gov.uk) – all referrals received by the TRA will continue to be considered but hearings may not be scheduled for the current time.

The academy will continue to maintain records that allow the headteacher to be aware of who will not be in the academy at any one given time.

The academy will ensure the SCR is kept up-to-date in line with KCSIE. The SCR will be used as a record of attendance for staff and volunteers as well as a log of any risk assessments carried out on volunteers and staff on loan from other schools.

### **Online safety and security**

The academy will continue to ensure that appropriate filters and monitoring systems are in place to protect children and young people when they are online on the academy's IT systems, whether in the academy or at home.

All online programmes used will be checked by the Learn@ MAT's DPO and DSL to ensure they are reputable and UK GDPR-compliant.

The ICT technician will work to ensure any loaned devices are secure and have the necessary antivirus malware protection downloaded.

Any online queries which require the ICT technician will be addressed over the phone or online as much as possible – face-to-face contact is kept to a minimum.

Where the ICT technician is unavailable, the academy will seek the support of other ICT staff, either internally or from another academy from within the trust.

The DSL will report back to the Academy Council how they are ensuring children and young people remain safe online.

Children and young people will report any suspicious online activity they encounter to the DSL or headteacher.

Staff will adhere to the Staff Code of Conduct at all times when delivering education online.

Staff will continue to look out for signs of a child being at risk online and report concerns over a child or young person's safety online to the DSL. Where relevant, the DSL will make referrals to the police and children's social care.

The academy will collaborate with parents/carers to reinforce the importance of online safety, and encourage parents to set age-appropriate parental controls on digital devices and use internet filters to block malicious websites.

Children and young people will be provided with useful information and contact details of individuals and organisations they can turn to should they feel unsafe online, e.g. Childline or the UK Safer Internet Centre.

### **Mental health and pastoral care**

The academy understands how the coronavirus pandemic can cause children, young people and staff to feel anxious and concerned and will offer any essential support required to those in need.

Staff will be aware that some children and young people may return to the academy having experienced difficulties over the period of lockdown, including bereavement, mental illness and welfare harms, and will be vigilant with regards to indicators that a child or young person requires support.

The headteacher will encourage line managers to hold one-to-one meetings with their staff to ensure they feel supported during this stressful time.

Children and young people will be provided with different resources they can access to help them cope with their mental health, including Childline and other online services.

Face-to-face support will only be provided where two-metre social distancing can be adhered to.

The academies will have due regard for the Social, Emotional and Mental Health (SEMH) Policy when identifying early signs of mental health issues in children or young people.

Teachers will have due regard for the negative impact the current pandemic may have had on child or young person, especially when setting expectations for their work.

Pastoral support will be offered to any family who requires it.

For children or young people who are receiving education at home, e.g. if they are advised to shield, the academy will follow set timetables to provide parents, children and young people with a familiar structure that includes time for education, playing and relaxing.

The academies will consider one-to-one support for those who may benefit the most from it, e.g. for children or young people with SEND.

### **Remote education**

Teachers will plan online lessons with the safety of children and young people in mind.

Staff communicating with children, young people or parents/carers via videocall will do so from within the academy, or from a quiet room with a neutral background if working from home.

Teachers will ensure all online planning processes for children and young people who are working online will have clear reporting routes to the academy and external agencies so they can raise concerns whilst online.

The academies will collaborate with the LA where possible when planning online lessons and activities, and considering online safety.

The DSL will ensure every child and young person has their contact information so they know how they can contact them about any safeguarding concern.

Children and young people will be provided with online safety information by their teacher.

Children and young people will be directed to practical online support, such as Childline, where they feel unsafe and require support outside of the academy.

Parents/carers will be given a list of websites their child may access and any information regarding online sessions with staff that their child will be participating in.

Parents/carers will be provided with the contact details of the DSL so they can report any concerns.

When communicating online, staff will:

- communicate within academy hours as much as possible
- communicate through the academy channels approved by the SLT
- use academy email accounts over personal accounts wherever possible
- use academy devices over personal devices wherever possible
- Not share personal information.

## **Peer-on-peer abuse**

The DSL will implement robust reporting procedures for peer-on-peer abuse, whether this abuse takes place in person or online, and communicate these to staff, children, young people and parents.

Reports made regarding peer-on-peer abuse will be risk assessed by the DSL on a case-by-case basis and, where required, investigated immediately and reported to the relevant authority, e.g. the police or CSCS where required.

Both the alleged perpetrator and victim will be provided with support whilst the report is being investigated.

Children and young people will be provided with the contact details of relevant bodies who can provide support to them during this time, e.g. Childline.

The DSL will keep the victim, the alleged perpetrator and their families up-to-date where necessary with details of the investigation, including the conclusion and how appeals can be made.

Individuals will be given a copy of the academy's Complaints Procedures Policy to assist them with the appeals process.

Communications with parents will be made online or by telephone unless face-to-face contact is unavoidable.

## **Children and young people moving schools**

Where children and young people are moving to another setting, the academy will continue to do whatever it reasonably can to provide the receiving institution with any relevant welfare and child protection information.

The DSL will ensure that the receiving school has access to child's and young person's EHC plans, child in need plans, child protection plans or, for LAC, their personal education plan, and is informed who the child's social worker is (and, for LAC, who the responsible VSH is).

## **Monitoring and review**

The DSL will be responsible for continually monitoring DfE updates and updating this appendix in line with any government guidance changes and up-to-date guidance from the local safeguarding partners.

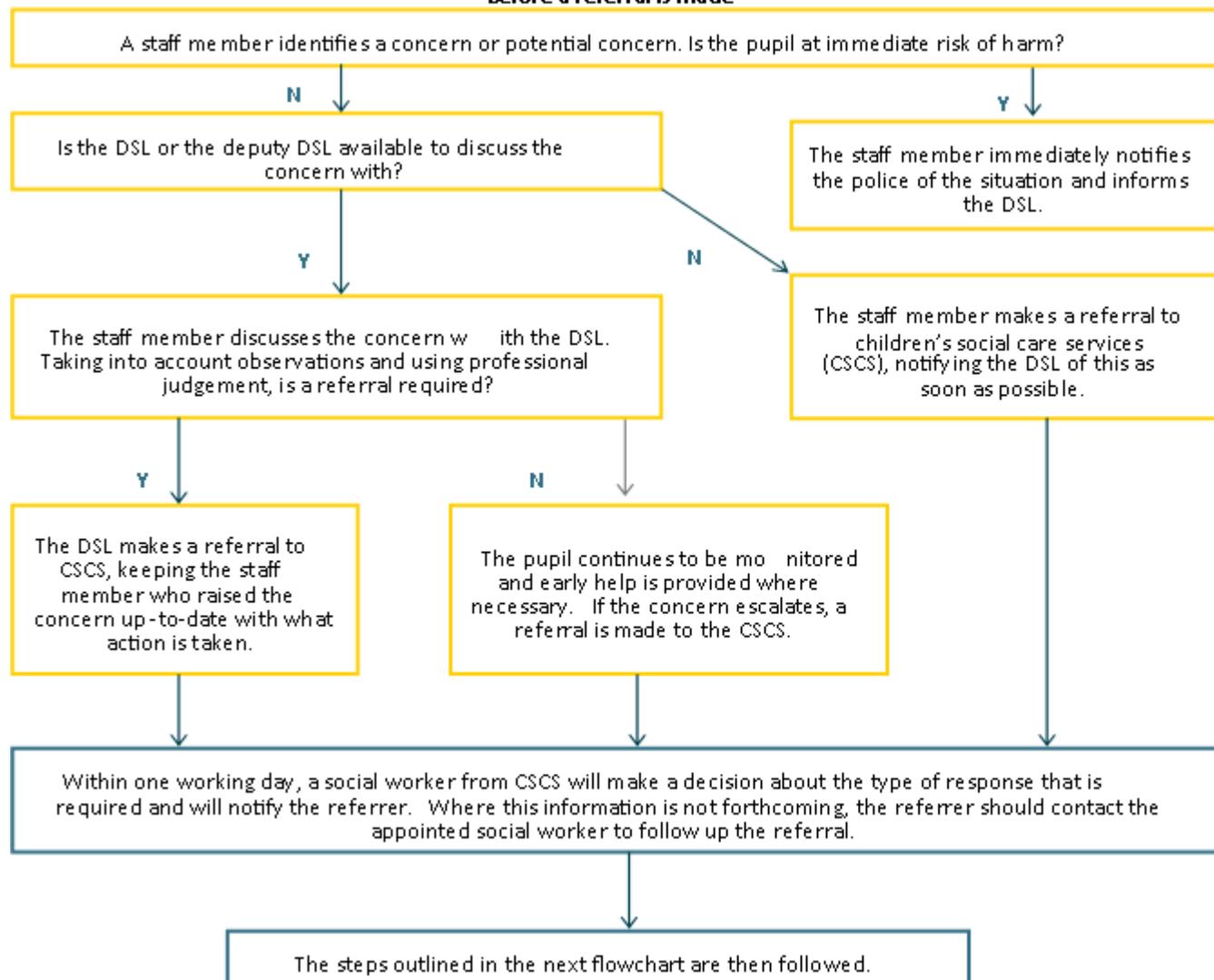
Any changes to this appendix will be communicated to all staff, parents and relevant stakeholders.

## **b) Safeguarding Reporting Process**

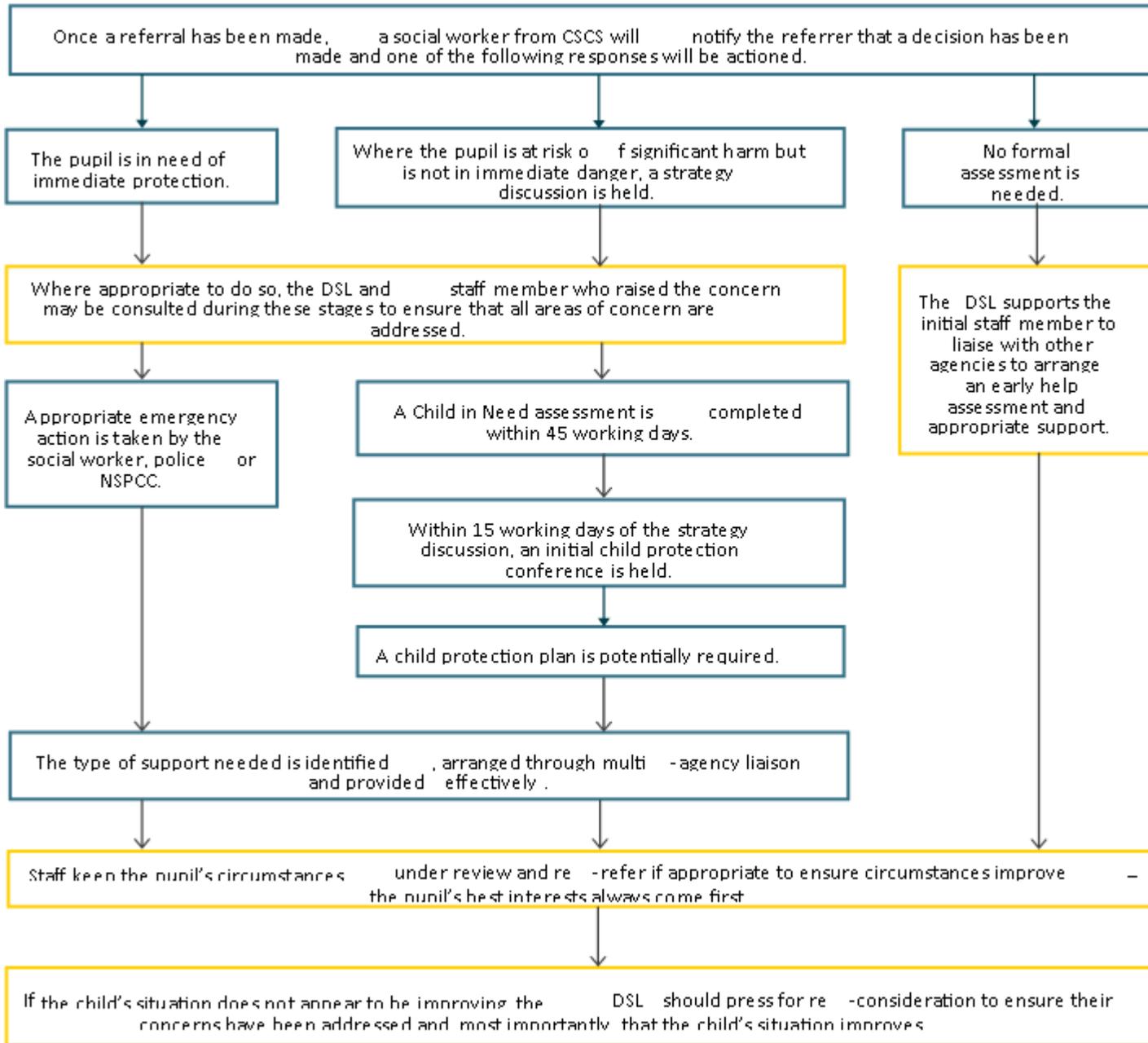
The process outlined within the first section should be followed where a staff member has a safeguarding concern about a child. Where a referral has been made, the process outlined in the 'After a referral is made' section should be followed.

The actions taken by the academy are outlined in yellow, whereas actions taken by another agency are outlined in blue.

### Before a referral is made



**After a referral is made**



## c) Contacts and Advice

### Expert organisations

- [Barnardo's](#)
- [Lucy Faithfull Foundation](#)
- [NSPCC](#)
- [Rape Crisis](#)
- [University of Bedfordshire: Contextual Safeguarding](#)
- [UK Safer Internet Centre](#)

### Support for victims

- [Anti-Bullying Alliance](#)
- [MoJ Victim Support](#)
- [Rape Crisis](#)
- [The Survivor's Trust](#)
- [Victim Support \*\*Toolkits\*\*](#)
  
- [Brook](#)
- [NSPCC](#)
- [Safeguarding Unit, Farrer and Co, and Carlene Firmin, MBE, University of Bedfordshire](#)

### Further information on confidentiality and information sharing

- [Gillick Competency Fraser Guidelines](#)
- [Government Information Sharing Advice](#)
- [Information Commissioner's Office: Education](#)
- [NSPCC: Things to Know and Consider](#)

### Further information on sexting

- [UK Council for Child Internet Safety: Sexting Advice](#)
- [London Grid for Learning – Collection of Advice](#)

### Support for parents

- [Parentzone](#)
- [Parentsafe – London Grid for Learning](#)
- [CEOP Thinkuknow – Challenging Harmful Sexual Attitudes and their Impact](#)
- [CEOP Thinkuknow – Supporting Positive Sexual Behaviour](#)

<p><b>Child and Adolescent Mental Health</b></p> <p>All staff should 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.</p> <p>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 they may be experiencing a mental health problem or be at risk of developing one.</p> <p>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.</p> <p>Good mental health and resilience are fundamental to our physical health, our relationships, education and to achieving our potential. Learn@ MAT has a designated 'Mental Health Lead' at each Academy and an overarching MAT Lead Practitioner who ensures a comprehensive and effective strategy for Mental Health and Wellbeing is in place across Learn' MAT. We engage respected specialists to advise and support us in ensuring the welfare of our young people and our staff is given paramount importance.</p>	<p><b>Faith abuse</b></p> <p>The National Action Plan to Tackle Child Abuse Linked to Faith or Belief is intended to help raise awareness of the issue of child abuse linked to faith or belief and to encourage practical steps to be taken to prevent such abuse. We have adopted the Bristol policy in regard to the Spiritual and Cultural Religious Education programme (SaCRE) and deliver knowledge and understanding of faiths across the World alongside a comprehensive Personal, Social and Health Education programme (PSHE).</p> <p><b>Elective Home Education</b></p> <p>Learn@ MAT recognises that home education can mean some children and young people are less visible to the services that are there to keep them safe and supported in line with their needs. Academies across the trust will work with local authorities and key professionals to coordinate a meeting with parents once they have expressed an intent to educate their child at home.</p>
<p><b>Radicalisation:</b></p> <p>The Academy is aware of its responsibilities under the Counter Terrorism and Security Act 2015, specifically Section 26, and the Prevent Strategy to safeguard young people who are at risk of radicalisation by identifying and risk assessing individual who may be drawn into terrorism, violent or non-violent extremism. We provide a safe environment for our young</p>	<p><b>Private Fostering</b></p> <p>This is essentially when arrangements are made privately for the care of a child under the age of 16 (under 18, if disabled) by someone other than a parent or close relative with the intention that it should last for 28 days or more. A relative, under the Children Act 1989, is a grandparent, brother, sister, uncle or aunt (whether of the full or half blood</p>

<p>people to explore, understand and discuss sensitive topics including terrorism and extremist ideology. We use the curriculum and pastoral support to educate our young people and to enable them to challenge these ideas. Staff are aware of the risk posed by other students and adults who may have been radicalised and the impact of radicalisation via social media. Staff have received appropriate training and have the knowledge and confidence to identify young people at risk of being drawn into terrorism and extremism and challenge extremist ideals. Our IT filters are regularly reviewed in order to prevent access to terrorist and extremist materials on line at the Academy.</p>	<p>or by marriage) or step-parent. A private foster carer may be a friend of the family, the parent of a friend of the child, or someone previously unknown to the child's family who is willing to privately foster a child. The period for which the child is cared for and accommodated by the private foster carer should be continuous, but that continuity is not broken by the occasional short break.</p> <p>Learn@ MAT has a responsibility to refer to Children's Services any private fostering arrangement. Children's Services will undertake an assessment to ensure the needs and welfare of the child or young person is being met and that adults caring for them have access to advice and support.</p>
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## Confidentiality

All aspects of Child protection concerns, allegations, records and referrals must be dealt with in a professional and confidential manner. It is essential that all concerns are passed on in a timely and efficient way which ensures a child and young person's safety is of paramount concern in our actions. A formal electronic process is in place across all our Academies, (C-Poms – Child Protection online monitoring system), which ensures accurate records are maintained and shared securely. The Learn@ MAT GDPR practices and policy reinforce the need for timely but secure information sharing in regard to Safeguarding.

Information must only be shared on a 'need to know' basis, but you do not need consent to share information if a child or young person is suffering, or at risk of serious harm.

Staff should never promise a child or young person that they will not tell anyone about an allegation, as this may not be in the child's best interests.

Confidentiality is also explained in this policy with respect to record-keeping in section 14, and allegations of abuse against staff in appendix 5.

## Recognising abuse and taking action

Staff, volunteers, Academy Councillors, Trustees and Members must follow the procedures set out below in the event of a safeguarding issue.

- **If a child is in immediate danger**

Make a referral to children’s social worker immediately if a child is in immediate danger or at risk of harm and already known to Social Services. Anyone can make a referral.

Bristol City Council First Response Team Telephone Number: 0117 903 6444

Bristol City Council First Response Team (Out of Hours) Telephone Number: 01454 615165

Pass on immediately to the DSL who will make a ‘First Response’ referral for any new case/concern through the locally agreed procedures using the appropriate portal.

Tell the DSL (see section 4) as soon as possible if you make a referral directly.

Further information on who and how to make local referrals is available on:

<https://www.gov.uk/report-child-abuse-to-local-council>

- **If a child or young person makes a disclosure to you**

If a child or young person discloses a safeguarding issue to you, you should:

- listen to and believe them
- allow them time to talk freely and do not ask leading questions
- stay calm and do not show that you are shocked or upset
- tell the child or young person they have done the right thing in telling you
- do not tell them they should have told you sooner
- explain what will happen next and that you will have to pass this information on
- do not promise to keep it a secret
- write up your conversation as soon as possible in the child or young person’s own words.
- stick to the facts and do not put your own judgement on it
- sign and date the write-up and pass it on to the DSL
- When required make a referral to children’s social care and/or the police directly (see 10.1), and tell the DSL as soon as possible that you have done so.

- **If you discover that ‘Honour –based violence’ including FGM has taken place or a child or young person is at risk of such violence as FGM**

- The Department for Education’s Keeping Children Safe in Education explains that FGM comprises ‘all procedures involving partial or total removal of the external female genitalia, or other injury to the female genital organs.

- FGM is illegal in the UK and a form of child abuse with long-lasting, harmful consequences. It is also known as 'female genital cutting', 'circumcision' or 'initiation'.
- Possible indicators that a child or young person has already been subjected to FGM, and factors that suggest a child or young person may be at risk, are set out in appendix 4.
- **Any teacher who discovers that an act of FGM appears to have been carried out on a child or young person under 18 must immediately report this to the police, personally. This is a statutory duty, and teachers will face disciplinary sanctions for failing to meet it.**
- The duty above does not apply in cases where a child or young person is *at risk* of FGM or FGM is suspected but is not known to have been carried out. Staff should not examine young people.
- Any other member of staff who discovers that an act of FGM appears to have been carried out on a child or young person under 18 must speak to the DSL and follow our local safeguarding procedures.
- Any member of staff who suspects a child or young person is *at risk* of FGM or discovers that a young person age 18 or over appears to have been a victim of FGM, must speak to the DSL and follow our local safeguarding procedures. All DSL's will have had up to date training in local referral procedures.

### **If you have concerns about a child or young person (as opposed to a child or young person being in immediate danger)**

- Appendix 1 illustrates the procedure to follow if you have concerns about a child's welfare and the child is not in immediate danger.
- Where possible, speak to the DSL first to agree a course of action. Alternatively, make a referral to local authority children's social care directly (see 'Referral' below).
- You can also contact the charity NSPCC on 0808 800 5000 if you need advice on the appropriate action.

### **Early help**

If early help is appropriate, the DSL will support you in liaising with other agencies and setting up an inter-agency assessment as appropriate.

The DSL will keep the case under constant review and the Academy will consider a referral to local authority children's social care if the situation does not seem to be improving. Timelines of interventions will be monitored and reviewed.

### **Referral**

If it is appropriate to refer the case to local authority children's social care or the police, the DSL will make the referral or support you to do so.

If you make a referral directly, you must tell the DSL as soon as possible.

The local authority will make a decision within 1 working day of a referral about what course of action to take and will let the person who made the referral know the outcome. The DSL or person who made the referral must follow up with the local authority if this information is not made available, and ensure outcomes are properly recorded.

If the child's situation does not seem to be improving after the referral, the DSL or person who made the referral must contact the local authority and make sure the case is reconsidered to ensure the concerns have been addressed and the child's situation improves.

### **If you have concerns about extremism**

- If a child is not at immediate risk of harm, where possible, speak to the DSL first to agree a course of action. Alternatively, make a referral to local authority children's social care directly if appropriate (see 'Referral' above).
- Where there is a concern, the DSL will consider the level of risk and decide which agency to make a referral to. This could include [Channel](#), the government's programme for identifying and supporting individuals at risk of being drawn into terrorism, or the local authority children's social care team.
- The Department for Education also has a dedicated telephone helpline, 020 7340 7264, that Academy staff, Academy Councillors, Trustees and Members can call to raise concerns about extremism with respect to a child or a young person. You can also email [counter.extremism@education.gov.uk](mailto:counter.extremism@education.gov.uk). Note that this is not for use in emergency situations.
- In an emergency, call 999 or the confidential anti-terrorist hotline on 0800 789 321 if you:
  - think someone is in immediate danger
  - think someone may be planning to travel to join an extremist group
  - see or hear something that may be terrorist-related

### **Concerns about a staff member, supply staff or volunteer**

- If you have concerns about a member of staff, supply staff or volunteer, speak to the headteacher. If you have concerns about the headteacher, speak to the chair of the academy council.
- You can also discuss any concerns about any staff member, supply staff or volunteer with the headteacher.
- The headteacher/chair of the academy council/DSL will then follow the procedures set out in appendix 5, if appropriate.

## **Allegations of abuse made against other young people**

- We recognise that children are capable of abusing their peers. Abuse will never be tolerated or passed off as 'banter' or 'part of growing up'.
- Most cases of young people hurting other young people will be dealt with under our academy's Behaviour Policy, but this Child Protection and Safeguarding Policy will apply to any allegations that raise safeguarding concerns. This might include where the alleged behaviour:
  - is serious, and potentially a criminal offence
  - could put young people in the Academy at risk
  - is violent
  - involves young people being forced to use drugs or alcohol
  - Involves sexual exploitation or sexual abuse, such as indecent exposure, sexual assault, or sexually inappropriate pictures or videos (including sexting).

## **If a child or young person makes an allegation of abuse against another child or young person:**

- you must tell the DSL and record the allegation, but do not investigate it
- the DSL will contact the local authority children's social care team and follow its advice, as well as the police if the allegation involves a potential criminal offence
- the DSL will put a risk assessment and support plan into place for all children involved – both the victim(s) and the child(ren) against whom the allegation has been made – with a named person they can talk to if needed
- The DSL will contact the children and adolescent mental health services (CAMHS), if appropriate.

## **We will minimise the risk of peer-on-peer abuse by:**

- challenging any form of derogatory or sexualised language or behaviour
- being vigilant to issues that particularly affect different genders – for example, sexualised or aggressive touching or grabbing towards female young people, and initiation or hazing type violence with respect to boys
- ensuring our curriculum helps to educate children and young people about appropriate behaviour and consent
- ensuring children and young people know they can talk to staff confidentially by 1:1 sessions with their key worker and/or learning mentor
- ensuring staff are trained to understand that a child or young person harming a peer could be a sign that the child is being abused themselves, and that this would fall under the scope of this policy.

## **Notifying parents**

Where appropriate, we will discuss any concerns about a child or young person with their parents or carers. The DSL will normally do this in the event of a suspicion or disclosure.

Other staff will only talk to parents/carers about any such concerns following consultation with the DSL.

If we believe that notifying the parents/carers would increase the risk to the child, we will discuss this with the local authority children's social care team before doing so.

In the case of allegations of abuse made against other children, we will normally notify the parents/carers of all the children involved.

## **Mobile phones, cameras and On-line Safety**

Staff are allowed to bring their personal phones into our academies for their own use, but will limit such use to non-contact time when young people are not present. Staff members' personal phones will remain in their bags or cupboards during contact time with children and young people.

Staff will not take pictures or recordings of young people on their personal phones or cameras.

We will follow the General Data Protection Regulation and Data Protection Act 2018 when taking and storing photos and recordings for use in the academy.

Young people often enjoy the feedback of videos and photos of themselves and their learning and achievements. The academies will provide academy resources to do this and such images will be treated with respect, in line with the signed agreements made regularly with parents and the young person, following our policy on use of photographs and personal images. No personal images will be shared publicly (web-site, Newspapers, TV, Twitter, Facebook or newsletters) without approval of the young person and their parent/carers in line with our Data Protection Policy.

We are providing a more blended learning approach for a larger number of young people, which includes increasingly working online. We ensure our IT provider, Oakford IT Solutions, install robust firewalls and appropriate filters in all our systems and these are monitored regularly. All the laptops we provide for working at home are fully compliant with our expectations on filtering access on site. We follow the UK Safer Internet Centre: appropriate filtering and monitoring guidelines.

## **Complaints and concerns about Academy safeguarding practices**

### **Complaints against staff**

- Complaints against staff that are likely to require a child protection investigation will be handled in accordance with our procedures for dealing with allegations of abuse made against staff (see appendix 5).

### **Other complaints**

- Please refer to the Learn@ MAT Complaints Procedure, available on our web-site.

### **Whistle-blowing**

- Learn@ MAT follows a separate policy for whistle blowing which is available on our central web-site at, [www.learnmat.uk](http://www.learnmat.uk)
- If you have any concerns of malpractice or wrong doing please follow the guidance in this policy. It is hoped that you would raise these concerns in the first instance with the headteacher of the specific Academy and if the concern is about the headteacher's practices then with the chair of the Academy Council. In addition to these contacts you may also contact Stephen Bradshaw, Interim Chief Executive Officer of Learn@ MAT, who has overall responsibility for all the Academies within the Trust.
- All concerns raised through the Whistleblowing Policy will be dealt with in complete confidence without reference to the source of any concern raised. To achieve the best practices and outcomes for all our children and young people we need a professional ethos of trust and confidence, which can only be achieved by openness in raising concerns and confidentiality and trust in dealing with them.

### **Record-keeping and sharing confidential information**

We will hold records in line with our records retention schedule. We use the C-Poms system of recording, reporting and monitoring child protection.

All safeguarding concerns, discussions, decisions made and the reasons for those decisions, must be recorded in writing. If you are in any doubt about whether to record something, discuss it with the DSL.

Non-confidential records will be easily accessible and available. Confidential information and records will be held securely and only available to those who have a right or professional need to see them. We understand 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 is not reasonable to expect the Academy to gain consent, or to gain consent would place a child at risk.

We understand that we do not provide personal data when the serious harm test under legislation has been met and in line with the Data Protection Act 2018 and the GDPR.

Safeguarding records relating to individual children and young people will be retained for a reasonable period of time after they have left the Academy. (See Data Protection Policy).

All our academies use the CPOMs electronic system of recording information and sharing information securely, with password protection.

The Academy passes on relevant records to any Academy a young person is moving on to through secure means in line with our Data Protection Policy.

Records are kept up to the 25<sup>th</sup> birthday of a young person and then are reviewed to determine if further retention is required dependent on any ongoing concerns or enquiries. Otherwise they may be disposed of securely at this point.

In addition:

- Appendix 5 sets out our policy on record-keeping with respect to allegations of abuse made against staff.

## **Training**

### **All staff**

- All staff members will undertake safeguarding and child protection training at induction, as well as learning about our whistle-blowing procedures, to ensure they understand the Academy's safeguarding systems and their responsibilities, and can identify signs of possible abuse or neglect. This training will be regularly updated and will be in line with advice from our local safeguarding children board.
- All staff will have training on the government's anti-radicalisation strategy, Prevent, to enable them to identify children at risk of being drawn into terrorism, other forms of extremism and to challenge extremist ideas.
- Staff will also receive regular safeguarding and child protection updates (for example, through emails, e-bulletins and staff meetings) as required, but at least annually. This will include all key updates to statutory guidance for schools in England when they occur.
- Volunteers will receive appropriate training, if applicable.

### **The DSL**

- The nominated DSL(s) will undertake child protection and safeguarding training at least every 2 years.
- In addition, they will update their knowledge and skills at regular intervals and at least annually (for example, through e-bulletins, meeting other DSLs, or taking time to read and understand safeguarding developments).
- All DSLs will also undertake Prevent awareness training.

### **Academy Councillors, Trustees and Members**

- All Academy Councillors receive training about safeguarding, to make sure they have the information, knowledge and understanding needed to perform their functions and responsibilities.
- All Academy Councillors, Trustees and Members are subject to enhanced DBS checks and Section 128 checks. Any person on the Section 128 list will not be permitted to join our Multi-Academy Trust. These checks are maintained throughout the period a person remains a member of our governance team, and if their situation changes they will be removed from our organisation.

### **Recruitment – interview/appointment panels**

- At least one person on any interview/appointment panel for a post at the MAT/Academy will have undertaken safer recruitment training. This will cover, as a minimum, the contents of the Department for Education’s statutory guidance, KCSiE, and be in line with local safeguarding procedures.

### **Monitoring arrangements**

This policy will be reviewed **annually** by the CEO. At every review, it will be approved by the full Trust Board.

### **Multi-agency working**

Learn@ MAT are committed to working as part of a Multi-agency approach in line with statutory guidance ‘Working Together to Safeguard Children’.

The three safeguarding partners are the Local Authority for that child (or for allegations of abuse by a member of staff the local LADO for that Academy), the regional clinical commissioning group for that area within the local authority (often the regional health trust), and the chief officer of police for that area. They should be held accountable for ensuring agencies and procedures are in place to safeguard young people in their area, promote the welfare of young people, including identifying and responding to their needs.

All our Academies, including their Academy council, are fully aware of the safeguarding partners they work with and have established systems in place to work with these partners. Each Academy has experienced staff, such as DSL’s, Learning Mentors, and Care Leads, who are in regular contact with relevant agencies appointed by the safeguarding partners and supply information as requested by these other agencies. We are fully aware and compliant with local protocol for assessment and we have an online recording and monitoring system, C-POMS, across all our Academies to ensure we can raise concerns for Early Help at the early stage of concern to support speedy response and help. Staff must be aware that they are part of a wider team responsible for the children and young people in their educational care. Staff may at times have to attend

relevant multi-agency meetings and provide relevant reports for such meetings in the best interests of the child.

We are aware of the process to escalate our concerns when it is felt there has been no response or no appropriate response from social care and/or health.

### **The child's wishes**

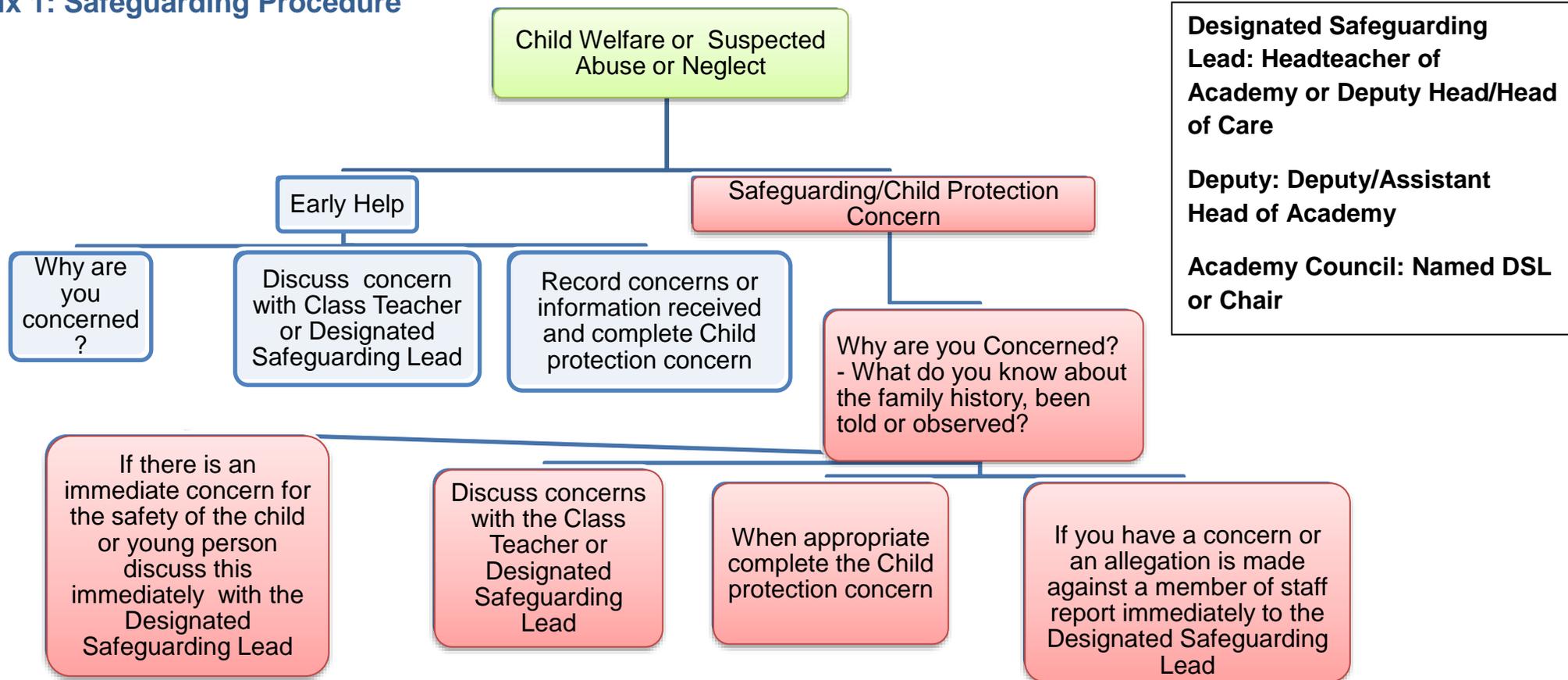
The child's wishes are central to what we do and how we do it. We ensure that throughout any safeguarding process there is opportunity for the young person to express their views and give feedback.

### **Links with other policies**

This policy links to the following policies and procedures:

- Behaviour Policy
- Data Protection Policy
- Staff Code of Conduct
- Complaints Policy
- Whistleblowing Policy
- Health, Safety and Wellbeing Policy
- Attendance Policy
- E- safety Policy
- Sex and relationship education Policy
- Recruitment and Selection Policy

## Appendix 1: Safeguarding Procedure



**Designated Safeguarding Lead: Headteacher of Academy or Deputy Head/Head of Care**

**Deputy: Deputy/Assistant Head of Academy**

**Academy Council: Named DSL or Chair**

All records should be dated and contain factual information, include date, context (who, what, when), identify the author and the date the record was made. If there is a specific disclosure or allegation do not ask children and young people to write the account – it is your responsibility to record what the child or young person has said - in their own words, and any parental explanation obtained

## Appendix 2: Designated Safeguarding Leads and Deputy Designated Safeguarding Leads

**Trustee**  
Eileen Flynn (DSL)

**Interim CEO**  
Stephen Bradshaw

### Knowle DGE Academy

Kate Lee-Wells  
(Headteacher)

Nick Lee-Wells  
(Deputy Headteacher)

Suzanne Nelson  
(Assistant Headteacher)

Matt Franzke  
(Assistant Headteacher)

Jon Jones  
(Assistant Headteacher)

**Academy Councillor  
with responsibility  
for Safeguarding**  
Lucia Thompson

### Lansdown Park Academy

Paul Todd  
(Headteacher)

Victoria Jones  
(Operations Lead)

Kate Truscott  
(Assistant Headteacher)

Emma Moorcroft  
(Operations Lead)

Alix Jepps  
(Assistant Headteacher)

Beccy Wainwright  
(Assistant Headteacher)

**Academy Councillor  
with responsibility  
for Safeguarding**  
Jake Shepherd

### Notton House Academy

Michelle Reysenn  
(Headteacher)

Linda Hawkey  
(SEND/CO)

**Academy Councillor with  
responsibility for  
Safeguarding**  
Trystan Williams

### Sky Academy

Bex Jones  
(Headteacher)

Rod Cockram  
(Head of Care)

Kai Francis  
(Academy Pastoral  
Lead)

Anna Roden  
(PFSA)

Fiona Barnes  
(Assistant Patronal  
Support)

**Academy Councillor with  
responsibility for  
Safeguarding**  
Gus Grimshaw

### Soundwell Academy

Craig Abbs  
(Headteacher)

Catherine Roberts  
(Deputy Headteacher)

Andy Welsh  
(Assistant Headteacher)

Fiona Carter  
(Teacher)

Martha Green  
(Head of Hub)

Jo Everitt  
(Head of Hub)

Leanne Bush  
(HLTA)

Claire Buttery  
(HLTA)

**Academy Councillor  
with responsibility  
for Safeguarding**  
Peter Hitchman

### St Matthias Academy

Aileen Morrison  
(Headteacher)

Simon Quinn  
(Deputy Headteacher)

Caletta Jordan (Learning  
Mentor)

Simon Kershaw  
(Assistant Head)

Sarah Jones  
(Assistant Headteacher)

Julie Price  
(Learning Mentor)

Dan McConville  
(Learning Mentor)

Kamila Zielinska  
(Learning Mentor)

**Academy Councillor  
with responsibility for  
Safeguarding**  
Eileen Flynn

### Learn@ MAT Central ALP

Robyn Gibb  
(Assistant  
Headteacher)

Sarah Yuen  
(Assistant  
Headteacher)

Emmy Lathom  
(PSHE Tutor and  
Mental Health Support)

Tracey Wills  
(Learning and  
Community Facilitator)

Tyler James  
(SEMH Lead)

**Academy Councillor  
with responsibility  
for Safeguarding**  
Eileen Flynn

## Appendix 3: Child Protection Concern Reporting Form

### CONFIDENTIAL

If you feel a child or young person is at risk of emotional, physical, sexual abuse or neglect, please fill in all details as fully as possible and pass the form to the Designated Safeguarding Lead.

Child or young person's name:	
Class:	
Name of person completing form:	
Department:	

Details (as told by child or young person, if applicable):

Incident witnessed by:	
Date of concern:	
Signed:	
Name (please print):	

Brief details of phone call to parents/ carers made by tutor:

Further action needed: Yes/ No

Social worker name/ office:	
Contacted by:	
Date:	
How social worker was contacted:	Date:
	Time:
	Method: Fax/ Phone/ Email

Any follow up action:

Headteacher's comments:

**These forms are no longer used by Learn@ MAT employees across our Academies as all have adopted the C-POMS on-line system for all staff to log concerns and related information to a concern and on-going case. Training and access codes are provided to all staff as part of their induction programme.**

## Appendix 4: specific safeguarding issues

### Children missing from education

A child going missing from education is a potential indicator of abuse or neglect, and such children are at risk of being victims of harm, exploitation or radicalisation.

There are many circumstances where a child may become missing from education, but some children are particularly at risk. These include children who:

- are at risk of harm or neglect
- come from Gypsy, Roma, or Traveller families
- come from the families of service personnel
- go missing or run away from home or care
- are supervised by the youth justice system
- cease to attend an Academy
- Come from new migrant families.

We will follow our procedures for unauthorised absence and for dealing with children who go missing from education, particularly on repeat occasions, to help identify the risk of abuse and neglect, including sexual exploitation, and to help prevent the risks of going missing in future. This includes informing the local authority if a child leaves the Academy without a new Academy being named, and adhering to requirements with respect to sharing information with the local authority, when applicable, when removing a child's name from the admission register at non-standard transition points. All our procedures in this regard are directed and monitored by our Attendance and Welfare Officer for Learn@ MAT. (See Attendance Policy).

Staff will be trained in signs to look out for and the individual triggers to be aware of when considering the risks of potential safeguarding concerns which may be related to being missing, such as travelling to conflict zones, FGM and forced marriage.

If a staff member suspects that a child is suffering from harm or neglect, we will follow local child protection procedures which include making reasonable enquiries. We will make an immediate referral to the local authority children's social care team, and the police, if the child is in immediate danger or at risk of harm.

### Child sexual exploitation

Child sexual exploitation (CSE) is a form of sexual abuse where children are sexually exploited for money, power or status.

This can involve violent, humiliating and degrading sexual assaults, but does not always involve physical contact and can happen online. For example, young people may be persuaded or forced

to share sexually explicit images of themselves, have sexual conversations by text, or take part in sexual activities using a webcam.

Children or young people who are being sexually exploited may not understand that they are being abused. They often trust their abuser and may be tricked into believing they are in a loving, consensual relationship.

If a member of staff suspects CSE, they will discuss this with the DSL. The DSL will trigger the local safeguarding procedures, including a referral to the local authority's children's social care team and the police, if appropriate.

Indicators of sexual exploitation can include a child:

- appearing with unexplained gifts or new possessions
- associating with other young people involved in exploitation
- having older boyfriends or girlfriends
- suffering from sexually transmitted infections or becoming pregnant
- displaying inappropriate sexualised behaviour
- suffering from changes in emotional wellbeing
- misusing drugs and/or alcohol
- going missing for periods of time, or regularly coming home late
- Regularly missing Academy or education, or not taking part in education.

### **Honour-based Violence: FGM**

The DSL will make sure that staff have access to appropriate training to equip them to be alert to children affected by FGM or at risk of FGM.

Section 7.3 of this policy sets out the procedures to be followed if a staff member discovers that an act of FGM appears to have been carried out or suspects that a child or young person is at risk of FGM.

Indicators that FGM has already occurred include:

- a child or young person confiding in a professional that FGM has taken place
- a mother/family member disclosing that FGM has been carried out
- A family/child or young person already being known to social services in relation to other safeguarding issues.
- A girl:
  - having difficulty walking, sitting or standing, or looking uncomfortable
  - finding it hard to sit still for long periods of time (where this was not a problem previously)

- spending longer than normal in the bathroom or toilet due to difficulties urinating
- having frequent urinary, menstrual or stomach problems
- avoiding physical exercise or missing PE
- being repeatedly absent from their Academy, or absent for a prolonged period
- demonstrating increased emotional and psychological needs – for example, withdrawal or depression, or significant change in behaviour
- being reluctant to undergo any medical examinations
- asking for help, but not being explicit about the problem
- Talking about pain or discomfort between her legs.

Potential signs that a child or young person may be at risk of FGM include:

- the girl's family having a history of practising FGM (this is the biggest risk factor to consider)
- FGM being known to be practised in the girl's community or country of origin
- a parent or family member expressing concern that FGM may be carried out
- a family not engaging with professionals (health, education or other) or already being known to social care in relation to other safeguarding issues.
- a girl:
  - having a mother, older sibling or cousin who has undergone FGM
  - having limited level of integration within UK society
  - confiding to a professional that she is to have a 'special procedure' or to attend a special occasion to 'become a woman'
  - talking about a long holiday to her country of origin or another country where the practice is prevalent, or parents stating that they or a relative will take the girl out of the country for a prolonged period
  - requesting help from a teacher or another adult because she is aware or suspects that she is at immediate risk of FGM
  - talking about FGM in conversation – for example, a girl may tell other children or young people about it (although it is important to consider the context of the discussion)
  - being unexpectedly absent from their Academy
  - Having sections missing from her 'red book' (child health record) and/or attending a travel clinic or equivalent for vaccinations/anti-malarial medication.

The above indicators and risk factors are not intended to be exhaustive.

### **Honour-based Violence: Forced marriage**

Forcing a person into marriage is a crime. 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 a marriage. Threats can be physical or emotional and psychological.

Staff will receive training around forced marriage and the presenting symptoms. We are aware of the 'one chance' rule, i.e. we may only have one chance to speak to the potential victim and only one chance to save them.

If a member of staff suspects that a child or young person is being forced into marriage, they will speak to the child or young person about their concerns in a secure and private place. They will then report this to the DSL.

The DSL will:

- speak to the child or young person about the concerns in a secure and private place
- activate the local safeguarding procedures and refer the case to the local authority's designated officer
- seek advice from the Forced Marriage Unit on 020 7008 0151 or [fm@fco.gov.uk](mailto:fm@fco.gov.uk)
- refer the child or young person to an education welfare officer, pastoral tutor, learning mentor, or Academy counsellor, as appropriate.

### **Preventing radicalisation**

Radicalisation refers to the process by which a person comes to support terrorism and other forms of extremism. Extremism is vocal or active opposition to fundamental British values, such as democracy, the rule of law, individual liberty, and mutual respect and tolerance of different faiths and beliefs.

Academies have a duty to prevent children from being drawn into terrorism. The DSL will undertake Prevent awareness training and make sure that staff have access to appropriate training to equip them to identify children at risk.

We will assess the risk of children in our Academy being drawn into terrorism. This assessment will be based on an understanding of the potential risk in our local area, in collaboration with our local safeguarding children board and local police force.

We will ensure that suitable internet filtering is in place, and equip our young people to stay safe online in our Academies and at home.

There is no single way of identifying an individual who is likely to be susceptible to an extremist ideology. Radicalisation can occur quickly or over a long period.

Staff will be alert to changes in young people's behaviour.

The government website [Educate Against Hate](#) and charity [NSPCC](#) say that signs that a child or young person is being radicalised can include:

- refusal to engage with, or becoming abusive to, peers who are different from themselves
- becoming susceptible to conspiracy theories and feelings of persecution
- changes in friendship groups and appearance
- rejecting activities they used to enjoy
- converting to a new religion
- isolating themselves from family and friends
- talking as if from a scripted speech
- an unwillingness or inability to discuss their views
- a sudden disrespectful attitude towards others
- increased levels of anger
- increased secretiveness, especially around internet use
- expressions of sympathy for extremist ideologies and groups, or justification of their actions
- accessing extremist material online, including on Facebook or Twitter
- possessing extremist literature
- Being in contact with extremist recruiters and joining, or seeking to join, extremist organisations.

Children and young people who are at risk of radicalisation may have low self-esteem, or be victims of bullying or discrimination. It is important to note that these signs can also be part of normal teenage behaviour – staff should have confidence in their instincts and seek advice if something feels wrong.

If staff are concerned about a child or young person, they will follow our procedures set out in section 7.5 of this policy, including discussing their concerns with the DSL.

Staff should **always** take immediate action if they are worried.

Further information on the Academy's measures to prevent radicalisation are set out in other Trust policies and procedures, including e-safety policy and behaviour policy.

## **Serious Violence**

Staff across the trust will understand the indicators, which may signal a child or young person is at risk of, or involved with serious violent crime. These may include increased absence from their setting, a change in friendships or relationships with older individuals or groups, a significant decline in performance, signs of self-harm or a significant change in wellbeing, or signs of assault or unexplained injuries. Unexplained gifts or new possessions could also indicate that a child or young person have been approached by, or involved with, individuals associated with criminal networks or gangs and may be at risk of criminal exploitation.

Any member of staff across the trust **must** always take immediate action if they are worried

## **Checking the identity and suitability of visitors**

All visitors will be required to verify their identity to the satisfaction of staff and requested to leave their belongings, including their mobile phone(s), in a safe place during their visit if they are accessing spaces used by young people. Otherwise they must be escorted and supervised throughout their visit by a responsible employee.

If the visitor is unknown to the setting, we will check their credentials and reason for visiting before allowing them to enter the setting. Visitors will be asked to produce photographic identification.

Visitors must sign the visitors' book and wear a visitor's badge.

All visitors to our setting, including visiting speakers, will be accompanied by a member of staff at all times. We will not invite into the Academy any speaker who is known to disseminate extremist views, and will carry out appropriate checks to ensure that any individual or organisation using Academy facilities is not seeking to disseminate extremist views or radicalise young people or staff.

## **Non-collection of children**

If a child is not collected or no responsible adult is at home to receive them off Academy transport at the end of the session/day, we will:

Continue to try and contact parent(s)/carer(s) and emergency family contacts on our records; messages will be left on all phone contacts, e-mail addresses and by note if the child is on Academy transport;

We will not leave a child at an address not approved and agreed in advance with the parents, nor if there is no responsible adult (family member over 14yrs or approved family member/friend) there to meet them;

If the child's welfare is already of concern to the Academy and/or other agencies we will record all such late arrival by parents/approved persons on their personal record and a pattern of such behaviour will be discussed formally with parents/carers before being shared with Social Care and if relevant the Hope Virtual Academy (CiC).

If a child has had to be maintained in the extended care of the Academy for more than an hour a phone call to social care, early help will be made and if necessary, the child will be handed to their care for the evening/weekend. Such an occurrence is rare and will necessitate a full multi-agency case review meeting, at which the DSL will represent the Academy.

## **Upskirting:**

This is a criminal offence and is defined as, 'taking a picture under a person's clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm.' (DfE, 2019a). Such incidents will be reported to the headteacher and dealt with under disciplinary procedures as well as being reported through the DSL to the appropriate level of social care. Immediate care and support will be provided to the victim and their family from our specialist support team.

### **Gangs and youth violence.**

All staff are aware of the indicators of a young person being at risk of involvement in serious crime. Such as unusual absences from the academy., a change of friendships or relationships, with older individuals or groups, significant decline in performance, signs of self-harm or a significant change in well-being. Unexplained gifts or new possessions could also indicate that children have been approached by, or are involved with individuals associated with criminal networks or gangs. Teachers and designated staff have a range of powers in relation to discipline to tackle problems, including violence, in the Academy environment. Such powers cover disciplinary actions, the power to restrain violent young people, and the power to search young people for prohibited items. All our Academies request and expect referring LA's, schools and agencies to inform them at consultation stage of any known involvement a young person may have in gangs. We require our local community police officers to keep us up to date on all relevant information regarding our young people and their involvement in gangs and/or youth violence

County Lines: a specific type of gang involvement and drug related crime. All staff are aware of the associated risks and understand the measures in place to monitor and counteract these issues locally, and who to refer concerns to. These local services have been set up as part of the Home Office strategy to 'prevent youth violence and gang involvement and its criminal exploitation of children and vulnerable adults: county lines guidance.' (DfE, 2019a).

### **Missing young people**

Our procedures are designed to ensure that a missing child is found and returned to effective supervision as soon as possible. If a child goes missing, we will expect that Academy to follow their absconding policy and record all incidents for monitoring purposes.

## Appendix 5: Safer recruitment and allegations of abuse made against staff

### I. Safer Recruitment

Learn@ MAT and all the Academies within it follow the Safer Recruitment guidance in KCSiE (September 2021). This covers the particular risks when employing supply staff. We will follow the same processes as outlined below if allegations of abuse arise regarding a person on supply in one of our Academies. The Academy DSL will take the lead in this process. See also the Learn@ MAT Recruitment and Selection Policy.

### II. Allegations of abuse made against staff.

This section of this policy applies to all cases in which it is alleged that a potential recruitment or a current member of staff, supply staff or volunteer has:

- behaved in a way that has harmed a child, or may have harmed a child, or
- possibly committed a criminal offence against or related to a child, or
- behaved towards a child or children in a way that indicates he or she would pose a risk of harm to children
- Behaved or may behave in a way that indicates they may not be suitable to work with children. This could be where a person's behaviour outside of the academy may suggest 'transferable risk'. For example, where a member of staff, supply staff or volunteer is involved in an incident outside the academy which did not involve children but could have an impact on their suitability to work with children.

It applies regardless of whether the alleged abuse took place in the Academy. Allegations against a teacher who is no longer teaching and historical allegations of abuse will be referred to the police.

Leaders within the Trust will deal with any allegation of abuse against a member of staff, supply staff or volunteer very quickly, in a fair and consistent way that provides effective child protection while also supporting the individual who is the subject of the allegation.

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

### Suspension

Suspension will not be the default position, and will only be considered in cases where there is reason to suspect that a child or other children is/are at risk of harm, or the case is so serious that it might be grounds for dismissal. In such cases, we will only suspend an individual if we have considered all other options available and there is no reasonable alternative.

Based on an assessment of risk, we will consider alternatives such as:

- redeployment within the Academy 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 the individual to alternative work in the Academy so that they do not have unsupervised access to children
- moving the child or children to classes where they will not come into contact with the individual, making it clear that this is not a punishment and parents have been consulted
- Temporarily redeploying the individual to another role in a different location, for example to an alternative Academy or other work for Learn@ Trust.

### **Definitions for outcomes 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.
- **False:** there is sufficient evidence to disprove the allegation.
- **Unsubstantiated:** there is insufficient evidence to either prove or disprove the allegation (this does not imply guilt or innocence).

### **Procedure for dealing with allegations**

In the event of an allegation that meets the criteria above, the headteacher (or CEO/chair of the AC where the headteacher is the subject of the allegation) – the ‘case manager’ – will take the following steps:

- immediately discuss the allegation with the designated officer at the local authority. This is to consider the nature, content and context of the allegation and agree a course of action, including whether further enquiries are necessary to enable a decision on how to proceed, and whether it is necessary to involve the police and/or children’s social care services. (The case manager may, on occasion, consider it necessary to involve the police *before* consulting the designated officer – for example, if the accused individual is deemed to be an immediate risk to children or there is evidence of a possible criminal offence. In such cases, the case manager will notify the designated officer as soon as practicably possible after contacting the police)
- inform the accused individual of the concerns or allegations and likely course of action as soon as possible after speaking to the designated officer (and the police or children’s social care services, where necessary). Where the police and/or children’s social care services are involved, the case manager will only share such information with the individual as has been agreed with those agencies
- where appropriate (in the circumstances described above), carefully consider whether suspension of the individual from contact with children at the Academy is justified or whether alternative arrangements such as those outlined above can be put in place. Advice will be sought from the designated officer, police and/or children’s social care services, as appropriate
- **if immediate suspension is considered necessary**, agree and record the rationale for this with the designated officer. The record will include information about the alternatives to

suspension that have been considered, and why they were rejected. Written confirmation of the suspension will be provided to the individual facing the allegation or concern within 1 working day, and the individual will be given a named contact at the Academy and their contact details

- **if it is decided that no further action is to be taken** in regard to the subject of the allegation or concern, record this decision and the justification for it and agree with the designated officer what information should be put in writing to the individual and by whom, as well as what action should follow both in respect of the individual and those who made the initial allegation
- **if it is decided that further action is needed**, take steps as agreed with the designated officer to initiate the appropriate action in Academy and/or liaise with the police and/or children's social care services as appropriate
- provide effective support for the individual facing the allegation or concern, including appointing a named representative to keep them informed of the progress of the case and consider what other support is appropriate. (Such as who they can turn to for advice – trade union representatives, or a colleague, for example – and Learn@ MAT arrangements for welfare counselling or medical advice through our approved providers)
- inform the parents or carers of the child/children involved about the allegation as soon as possible if they do not already know (following agreement with children's social care services and/or the police, if applicable). The case manager will also inform the parents or carers of the requirement to maintain confidentiality about any allegations made against teachers (where this applies) while investigations are ongoing. Any parent or carer who wishes to have the confidentiality restrictions removed in respect of a teacher will be advised to seek legal advice
- keep the parents or carers of the child/children involved informed of the progress of the case and the outcome, where there is not a criminal prosecution, including the outcome of any disciplinary process (in confidence)
- Make a referral to the DBS where it is thought that the individual facing the allegation or concern has engaged in conduct that harmed or is likely to harm a child, or if the individual otherwise poses a risk of harm to a child.

If the Academy is made aware that the secretary of state has made an interim prohibition order in respect of an individual, we will immediately suspend that individual from teaching, pending the findings of the investigation by the National College for Teaching and Leadership.

Where the police are involved, wherever possible the Learn@ MAT Board will ask the police at the start of the investigation to obtain consent from the individuals involved to share their statements and evidence for use in the Academy's disciplinary process, should this be required at a later point.

## **Timescales**

- Any cases where it is clear immediately that the allegation is unsubstantiated or malicious will be resolved within 1 week.
- If the nature of an allegation does not require formal disciplinary action, we will institute appropriate action within 3 working days.

- If a disciplinary hearing is required and can be held without further investigation, we will hold this within 15 working days.

## **Specific actions**

### **Action following a criminal investigation or prosecution**

The case manager will discuss with the local authority's designated officer whether any further action, including disciplinary action, is appropriate and, if so, how to proceed, taking into account information provided by the police and/or children's social care services.

### **Conclusion of a case where the allegation is substantiated**

If the allegation is substantiated and the individual is dismissed or the Academy ceases to use their services, or the individual resigns or otherwise ceases to provide their services, the case manager and the Academy's Human Resources adviser will discuss with the designated officer whether to make a referral to the DBS for consideration of whether inclusion on the barred lists is required.

If the individual concerned is a member of teaching staff, the case manager and personnel adviser will discuss with the designated officer whether to refer the matter to the NCTL to consider prohibiting the individual from teaching.

### **Individuals returning to work after suspension**

If it is decided on the conclusion of a case that an individual who has been suspended can return to work, the case manager will consider how best to facilitate this.

The case manager will also consider how best to manage the individual's contact with the child or children who made the allegation, if they are still attending the Academy.

### **Unsubstantiated or malicious allegations**

If an allegation is shown to be deliberately invented, or malicious, the headteacher, or other appropriate person in the case of an allegation against the headteacher, will consider whether any disciplinary action is appropriate against the child or young person(s) who made it, or whether the police should be asked to consider whether action against those who made the allegation might be appropriate, even if they are not a child or young person.

### **Confidentiality**

The Academy will make every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered.

The case manager will take advice from the local authority's designated officer, police and children's social care services, as appropriate, to agree:

- who needs to know about the allegation and what information can be shared
- how to manage speculation, leaks and gossip, including how to make parents or carers of a child/children involved aware of their obligations with respect to confidentiality
- what, if any, information can be reasonably given to the wider community to reduce speculation
- How to manage press interest if, and when, it arises.

### **Record-keeping**

The case manager will maintain clear records about any case where the allegation or concern meets the criteria above and store them on the individual's confidential personnel file for the duration of the case. Such records will include:

- a clear and comprehensive summary of the allegation
- details of how the allegation was followed up and resolved
- Notes of any action taken and decisions reached (and justification for these, as stated above).

If an allegation or concern is not found to have been malicious, the Academy/Trust will retain the records of the case on the individual's confidential personnel file, and provide a copy to the individual. We will retain these records at least until the individual has reached normal pension age, or for 10 years from the date of the allegation if that is longer.

The records of any allegation that is found to be malicious will be deleted from the individual's personnel file.

### **References**

When providing employer references, we will not refer to any allegation that has been proven false, unsubstantiated or malicious or any history of allegations where all such allegations have been proven to be false, unsubstantiated or malicious.

### **Learning lessons**

After any cases where the allegations are *substantiated*, we will review the circumstances of the case with the local authority's designated officer to determine whether there are any improvements that we can make to the Academy's/Trust's procedures or practice to help prevent similar events in the future.

This will include consideration of (as applicable):

- Issues arising from the decision to suspend the member of staff
- The duration of the suspension
- Whether or not the suspension was justified

- The use of suspension when the individual is subsequently reinstated. We will consider how future investigations of a similar nature could be carried out without suspending the individual

## Appendix 6

Domestic abuse: The hidden legacy of the pandemic

Written by: [Pete Henshaw](#) | Published: 02 September 2020 SecEd



Image: Adobe Stock

[Comment on this article](#)

**Domestic abuse in the family can have significant implications for the welfare and wellbeing of young people – and lockdown has seen a dramatic rise in cases. Sara Alston looks at what we can expect as pupils return in September**

Hidden within the effects of the [Covid-19 pandemic](#) is a terrifying rise in domestic abuse.

Last year, 830,000 children experienced domestic abuse in their own homes. In the first three months of lockdown, there was a 70 to 80 per cent increase in calls to domestic abuse helplines. [And this will be only those who are willing or able to request help \(Townsend, 2020; SecEd, 2020\).](#)

These figures are only the tip of the iceberg. There will be many more who are living with unreported abuse. On average, victims live with abuse for two to three years, experiencing 50 incidents of abuse before getting help (SafeLives, 2015). Victims need to be asked multiple times by a professional about their abuse before they make disclosures (Price et al, 2007).

### The risks

For families already under strain, the impact of the lockdown restricting social interactions and increasing health and financial worries will have tipped tense situations into abuse. The trauma of lockdown may have been a “trigger event”, sparking violence and abuse.

Lockdown saw an increase in mental health and substance abuse issues which commonly co-occur with domestic abuse (IAS, 2020). The situation will have been exacerbated for many families as their access to outside sources of support including schools, GPs and social workers were cut off.

What is domestic abuse?

The statutory guidance [Keeping children safe in education \(DfE, 2020\)](#) uses the cross-government definition of domestic abuse and violence: "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; and emotional."

Within this definition there is an implicit challenge to many common misconceptions about domestic abuse. It is important that all academy staff understand that:

- domestic abuse is not synonymous with physical assault. The majority of domestic abuse does not include violence (ONS, 2019)
- victims and perpetrators can be of any gender
- domestic abuse occurs in both same and different sex relationships
- domestic abuse can be perpetrated by children against their parents and within intimate relationships between children
- abuse can occur both within and outside the home, over the phone or online
- a victim of domestic abuse does not have to live with the perpetrator
- Risk does not end because a relationship has ended.

Abuse in intimate relationships between children

KCSiE September 2021

In the version of KCSiE 2020 put out for consultation in February 2020, but suspended due to Covid, there was a key strand that looked at domestic abuse within children's own relationships, particularly those in their later teens. This has not been included in the finalised version, coming into force in September 2021.

Nevertheless, as a Trust we are conscious of this issue and ensure that we provide a safe and supportive place for those who need to seek help. As with adult domestic abuse, acts of abuse range from disparaging comments, constant checking or controlling actions and financial exploitation, to offences of extreme physical or sexual violence. Academies need to consider that age or power discrepancies between the partners could additionally, be an indicator of sexual or criminal exploitation.

### **The impact on children and young people**

The Children Act 2002 recognised as a risk of harm 'any impairment to the child's health or development as a result of witnessing the ill treatment of another person' including domestic abuse. The current Domestic Abuse Bill explicitly identifies domestic abuse and coercive control as key risks to children's health and wellbeing.

In KCSiE, there is clear recognition of the adverse impact and serious long-lasting emotional and psychological impacts for children of witnessing domestic abuse.

The work on adverse childhood experiences (ACEs) considers the long-term impact of domestic abuse on children. Domestic abuse impacts children's mental health and development, including their ability to form and maintain social relationships. It may impact their social understanding and empathy. Children may feel angry, guilty, insecure, alone, frightened, powerless or confused. They may have ambivalent feelings towards both the abuser and the non-abusing parent.

The Royal College of Psychiatrists (2020) has identified impacts including that children may:

- become anxious or depressed
- have difficulty sleeping
- have nightmares or flashbacks
- be easily startled
- complain of physical symptoms such as bed-wetting, tummy aches and other illnesses
- have temper tantrums and problems with school
- behave as though they are much younger than they are
- become aggressive or may internalise their distress and withdraw from other people
- have a lowered sense of self-worth
- Begin to play truant, start to use alcohol or drugs, begin to self-harm or develop an eating disorder (for older children).

Children living in a home where domestic abuse occurs are at increased risk of physical, emotional and sexual abuse and neglect.

How children communicate about domestic abuse

As with any other safeguarding issue, there will be children who make disclosures about the abuse they have experienced. These should be handled in the same way as any other safeguarding concern or disclosure.

Many children will communicate their experiences through their behaviour. Particularly as children return to school after the lockdown, we must question what a child is communicating through their behaviour, rather than responding to the behaviour in a punitive manner as such a response, in turn, could compound and exacerbate the abuse. Many children who have experienced abuse will need to rebuild relationships with staff before they can make a disclosure.

## **Support to children**

Given the huge potential impact on our school communities of domestic abuse we need to consider how we can support children as they return to our sites. Domestic abuse is a child protection issue and the most common cause of children being identified as "in need" and allocated a social worker.

The school's approach must be reflected in robust safeguarding procedures, policies and practices. Key to this will be safeguarding training to ensure all staff have a full understanding of domestic abuse and its impacts. Schools should be ready to use Early Help Assessments, safeguarding referrals and engage with local and national domestic abuse services to safeguard their children.

The new relationships and sex education (RSE) curriculum became statutory from September 2020 (although schools that have had their preparations delayed due to the lockdown have been given until the beginning of the summer term 2021 to start delivery). The statutory curriculum (DfE, 2019) explicitly states that children should be equipped to understand:

- healthy and unhealthy behaviours in themselves and others
- emotions and the impact that these have upon themselves and others
- the impact of a person's behaviour on those around them
- that rules and expectations exist across society and within relationships
- that abuse is never acceptable
- That domestic abuse is socially unacceptable.

It is key this is used effectively to support children's understanding of healthy and unhealthy relationships.

With the return to school sites, we will need to regard all children as potential victims of domestic abuse. Of course, schools have lists of vulnerable children, but we need to be sensitive to and aware of the experiences of the children who were not on anyone's list.

Abuse does not just happen to those we expect, and we need to be conscious of our own cultural assumptions and expectations, including the risks of staff being groomed by a perpetrator, which may blind us to child's emotional and safeguarding needs.

Our safeguarding responsibilities include the need to ensure an understanding of the risks for all children; they must receive the protection and support they need.

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#### Further information & resources

- DfE: Keeping children safe in education, DfE, June 2020: <http://bit.ly/1XOPREp>
- DfE: Relationships education, relationships and sex education (RSE) and health education, June 2019: <http://bit.ly/2kQwtgL>
- Institute of Alcohol Studies: Alcohol consumption during the Covid-19 lockdown, June 2020: <https://bit.ly/33EpXOC>
- ONS: Partner abuse in detail, England and Wales (for year ending March 2018), November 2019.
- Price, Baird & Salmon: Does routine antenatal enquiry lead to an increased rate of disclosure of domestic abuse? Evidence-Based Midwifery (vol 5), December 2007.
- Royal College of Psychiatrists: Domestic violence and abuse – the impact on children and adolescents, accessed August 2020: <https://bit.ly/3dy9s7w>
- SafeLives: Statistics on domestic violence and abuse, accessed 2020: <https://bit.ly/31jsTwR>

- SafeLives: Insights Idva National Dataset 2013/14, SafeLives, 2015.
- SecEd: Vulnerable children 'hidden and at risk' during coronavirus lockdown, April 2020: <https://bit.ly/2W34Uzm>
- Townsend: Revealed: surge in domestic violence during Covid-19 crisis, The Guardian, April 2020: <https://bit.ly/3fQKnGh>

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