

St Joseph’s RC Primary School

 Safeguarding Policy and Guidance

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| Policy Authors | Elizabeth Eccles (Head Teacher) |
| Last reviewed on | Reviewed and updated 06 February 2023 in line with new legislation |
| Ratified by the Governing Body | 06 February 2023 Next Review: February 2024 |
| To be reviewed | by Senior leaders and Governors |

Please note changes from kcsie are highlighted in gREEN- IN yellow FOR sEPT 2021and additional info added by author/ changes september 2022 highlighted in green / WORKING TOGETHER TO SAFEGUARD CHILDREN FACTUAL CHANGES JULY 2022

# INTRODUCTION AND AIMS:

At St Joseph’s RC Primary School we recognise our responsibility, under Section 175 of the Education and Inspections Act 2002, to have arrangements for safeguarding and promoting the welfare of children. This policy demonstrates the school’s commitment and compliance with safeguarding legislation. The procedures contained in this policy apply to all staff, volunteers, sessional workers, students, agency staff or anyone working on behalf of St Joseph’s RC Primary School. We expect that this policy takes priority over other agency policies when work is being delivered on this site or on our behalf, as we maintain a duty of care to all in our school community. Any expected exception to this must be named and negotiated ahead of work being undertaken.

Safeguarding and promoting the welfare of children and young people is everyone’s responsibility. Everyone who comes into contact with children, their families and carers has a role to play in safeguarding them and promoting their welfare. In order to fulfil this responsibility effectively, all professionals should make sure their approach is child-centred. This means that they should consider, at all times, what is in the best interests of the child.

No single professional can have a full picture of a child’s needs and circumstances. If children and families are to receive the right help at the right time, everyone who comes into contact with them has a role to play in identifying concerns, sharing information and taking prompt action. In line with this understanding, any adult working or volunteering in the school community has a responsibility to recognise when a child or young person may be in need or be vulnerable in some way, and to respond to this recognition in a timely and appropriate way.

The school aims to ensure that:

* Appropriate action is taken in a timely manner to safeguard and promote children’s welfare
* All staff are aware of their statutory responsibilities with respect to safeguarding
* Staff are properly trained in recognising and reporting safeguarding issues

STAFF INFORMATION:

|  |  |  |  |
| --- | --- | --- | --- |
| Designated Safeguarding Leads(Level 3) | Deputy Designated Safeguarding Lead (all level 3) | Safeguarding and LAC Governor | Designated Teacher for LAC |
| Elizabeth Eccles Headteacher | Emma BirdKerry Nathaniel Assistant Headteacher, Cheryl Maynard Business Manager | Julie Miles - Chair of Governors  | Kerry Nathaniel |

Concerns or allegations about a member of staff or volunteer should be shared with:

|  |  |  |
| --- | --- | --- |
| The Head Teacher  | Assistant Head (in the absence of the Head Teacher) | Chair of Governors(in the event of an allegation against the Head Teacher) |
| Elizabeth Eccles | Emma BirdKerry Nathaniel  | Julie Miles |

LEGISLATION AND STATUTORY GUIDANCE:

This policy is based on the Department for Education’s statutory guidance, [What to do if you're worried a child is being abused](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/419604/What_to_do_if_you_re_worried_a_child_is_being_abused.pdf), [Keeping Children Safe in Education](https://www.gov.uk/government/publications/keeping-children-safe-in-education--2) (latest version) and [Working Together to Safeguard Children](https://www.gov.uk/government/publications/working-together-to-safeguard-children--2) (latest version), and the [Governance Handbook](https://www.gov.uk/government/publications/governance-handbook). We comply with this guidance and the procedures set out by our local safeguarding children board. This policy is also based on the following legislation:

* Section 175 of the [Education Act 2002](http://www.legislation.gov.uk/ukpga/2002/32/section/175), which places a duty on schools and local authorities to safeguard and promote the welfare of pupils
* [The School Staffing (England) Regulations 2009](http://www.legislation.gov.uk/uksi/2009/2680/contents/made), which set out what must be recorded on the single central record and the requirement for at least one person on a school interview/appointment panel to be trained in safer recruitment techniques
* [The Children Act 1989](http://www.legislation.gov.uk/ukpga/1989/41) (and [2004 amendment](http://www.legislation.gov.uk/ukpga/2004/31/contents)), which provides a framework for the care and protection of children
* Section 5B(11) of the Female Genital Mutilation Act 2003, as inserted by section 74 of the [Serious Crime Act 2015](http://www.legislation.gov.uk/ukpga/2015/9/part/5/crossheading/female-genital-mutilation), which places a statutory duty on teachers to report to the police where they discover that female genital mutilation (FGM) appears to have been carried out on a girl under 18
* [Statutory guidance on FGM](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/512906/Multi_Agency_Statutory_Guidance_on_FGM__-_FINAL.pdf), which sets out responsibilities with regards to safeguarding and supporting girls affected by FGM
* [The Rehabilitation of Offenders Act 1974](http://www.legislation.gov.uk/ukpga/1974/53), which outlines when people with criminal convictions can work with children
* Schedule 4 of the [Safeguarding Vulnerable Groups Act 2006](http://www.legislation.gov.uk/ukpga/2006/47/schedule/4), which defines what ‘regulated activity’ is in relation to children
* Statutory [guidance on the Prevent duty](https://www.gov.uk/government/publications/prevent-duty-guidance), which explains schools’ duties under the Counter-Terrorism and Security Act 2015 with respect to protecting people from the risk of radicalisation and extremism
* The Childcare Disqualification Regulations and [Childcare Act 2006](http://www.legislation.gov.uk/ukpga/2006/21/contents), which set out who is disqualified from working with children
* This policy also meets requirements relating to safeguarding and welfare in the [statutory framework for the Early Years Foundation Stage](https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2).
* More information on the following in relation to safeguarding
* Human Rights Act 1998: being subjected to harassment, violence and/or abuse, including that of a sexual nature, may breach any or all of the rights which apply to schools under the European Convention on Human Rights (ECHR) (paragraph 85)
* Equality Act 2010: governing bodies and proprietors should carefully consider how they’re supporting their pupils and students regarding particular protected characteristics (including disability, sex, sexual orientation, gender reassignment and race) under the Equality Act (paragraph 88)
* Public Sector Equality Duty (PSED): you can take positive action to deal with particular disadvantages affecting pupils (where you can show it’s proportionate). This includes making reasonable adjustments for disabled pupils. You could consider using it, for example, to support girls where there’s evidence that they’re being disproportionately subjected to sexual violence or harassment (paragraph 89)
* Under the PSED, you must have due regard to eliminating unlawful discrimination, harassment and victimisation. The PSED helps your school to focus on key issues and how to improve student outcomes. Some pupils may be more at risk of harm from issues such as sexual violence, homophobic, biphobic, transphobic bullying or racial discrimination (paragraphs 92 and 93)

## DEFINITIONS:

## **Safeguarding**

Safeguarding and promoting the welfare of children is defined for the purposes of this guidance as: protecting children from maltreatment; preventing impairment of children’s health or development; ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and taking action to enable all children to have the best outcomes.

## **Child protection**

Child Protection is a part of the safeguarding agenda. It refers to the action that is required to be undertaken to protect children who are suffering, or are likely to suffer, significant harm.

**This policy encompasses child protection.**

**Abuse**

Abuse is a form of maltreatment of a child, and may involve inflicting harm or failing to act to prevent harm. Appendix 1 explains the different types of abuse.

**Neglect**

Neglect is a form of abuse and is the persistent failure to meet a child’s basic physical and/or psychological needs, likely to result in the serious impairment of the child’s health or development. Appendix 1 defines neglect in more detail.

## LANGUAGE:

‘Staff’ refers to all those working for or on behalf of the School in either a paid or voluntary capacity and will be used from this point on in this document.

‘Child’ refers to all young people who have not yet reached the age of 18.

‘Parent’ refers to birth parents and other adults who are in a parenting role including; step-parents, foster parents, carers and adoptive parents.

**The Human Rights Act 1998** (HRA) sets out the fundamental rights and freedoms that everyone in the UK is entitled to and contains the Articles and protocols of the European Convention on Human Rights (ECHR) (the Convention) that are deemed to apply in the UK. It compels public organisations, such as St Joseph’s, to respect and protect an individual’s human rights when they make individual decisions about them. In addition to this, as a Rights Respecting School, we uphold the United Nations Convention for The Rights of the Child.

EQUALITY STATEMENT:

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

We give special consideration to children who:

* Have special educational needs or disabilities
* Are young carers
* May experience discrimination due to their race, ethnicity, religion, gender identification or sexuality
* Have English as an additional language
* Are known to be living in difficult situations – for example, temporary accommodation or where there are issues such as substance abuse or domestic violence
* Are at risk of FGM, sexual exploitation, forced marriage or radicalisation
* Are asylum seekers

# CHILD-CENTRED:

We maintain an ethos where children feel safe and secure in an environment which allows them to learn, and develop on a journey to achieving their full potential. Children understand that there are adults in the school whom they can talk to if worried, scared or facing difficulty.

All staff are committed to safeguarding all children in our care. They will reassure victims that they are being taken seriously and that they will be supported and kept safe. A victim will never be given the impression that they are creating a problem by reporting abuse, sexual violence or sexual harassment. Victims will never be made to feel ashamed for making a report.

The curriculum is broad and balanced and teaches children how to be and feel safe in the world, as well as who they can talk to if they are worried, upset and scared.

We provide frequent, appropriate opportunities for Personal, Social, and Health Education throughout the curriculum, ensuring children develop skills and understanding on their journey to adulthood which will enable them to be safe; develop the skills to recognise healthy and unhealthy relationships (both online and in the physical world); and where to find sources of support. This includes Relationships Education which is now compulsory.

Children are supported in recognising risks in various forms including on the internet. They are supported to understand what kind of physical contact is acceptable and recognise inappropriate pressure from others, including that which threatens their personal safety and well-being and give them strategies to counter this.

We use the mechanisms and services available to understand the range of issues which may make a child vulnerable and ensure children and young people receive the most appropriate support or referral and access to other provision; actively supporting multi agency planning for those children and, in doing so, providing information about the ‘voice of the child’ and the child’s personal experiences and perspectives as evidenced by observations or information provided.

Our school consults with, listens and responds to pupils through:

* School groups e.g. different council members/ Mini Vinnies
* Pupil voice surveys
* Use of the signs of safety ‘three houses model’
* PSHE
* PEPs in place for LAC pupils
* Personalised curriculum
* Educational psychology service
* Health visitors, school nurse and Early Help workers
* LA SEND team

Our school consults with, listens and responds to parents through:

* Parent voice surveys
* Parent workshops where needed
* Newsletters
* Parents evenings/ phone consultations (Covid 19)
* Staff on site to support and sign post vulnerable families
* Visible presence of senior leaders on the school yard first thing every morning
* Quick and easy access to staff when needed

## ROLES AND RESPONSIBILITIES:

Safeguarding and child protection is **everyone’s** responsibility. This policy applies to all staff, volunteers and governors in the school and is consistent with the procedures of MCSB. Our policy and procedures also apply to extended school and off-site activities.

It is important that everyone contributes to an effective safeguarding culture, where the smallest concerns regarding a child or an adult, whether they are staff, volunteers, contractors or parents, are shared promptly and effectively in order to keep children safe and to ensure safe practices by all who work in school.

**All staff**

**Everyone plays a role in preventative education.**

All staff will read and understand part 1 including Annex A of the Department for Education’s statutory safeguarding guidance, [Keeping Children Safe in Education](https://www.gov.uk/government/publications/keeping-children-safe-in-education--2) 2022, and review this guidance at least annually.

This is in the context of our whole-school approach to prepare pupils for life in modern Britain and a culture of zero tolerance to sexism, misogyny/misandry, homophobia, biphobic and sexual violence/harassment. This will be underpinned by:

• Our school behaviour policy

• Any pastoral support systems put in place to support children

• A planned programme of relationships and health education (RHE), which is inclusive and delivered regularly, tackling issues, in an age appropriate way, through the TEN TEN SCHEME.

All staff will be aware of:

* Our systems which support safeguarding, including the staff code of conductand the roleof the designated safeguarding lead (DSL)
* The early help process and their role in it, including identifying emerging problems, liaising with the DSL, and sharing information with other professionals to support early identification and assessment
* The process for making referrals to local authority children’s social care and for statutory assessments that may follow a referral, including the role they might be expected to play
* What to do if they identify a safeguarding issue or a child tells them they are being abused or neglected, including specific issues such as FGM, and how to maintain an appropriate level of confidentiality while liaising with relevant professionals
* The signs of different types of abuse and neglect, as well as specific safeguarding issues, such as child sexual exploitation (CSE), FGM and radicalisation

**The Designated Safeguarding Lead (DSL)**

Our DSL is **Elizabeth Eccles**. The DSL takes lead responsibility for child protection and wider safeguarding. At St Josephs’ the Safeguarding Team works together in their roles. The Assistant Head teachers and deputy DSLs will also act as the DSL so that cases and workloads are fairly distributed allowing each case the time and consideration it needs. The Safeguarding Team meet once a week and both the DSL and deputy DSLs will be given the time, funding, training, resources and support to:

* Provide advice and support to other staff on child welfare and child protection matters
* Take part in strategy discussions and inter-agency meetings and/or support other staff to do so
* Contribute to the assessment of children
* Refer suspected cases, as appropriate, to the relevant body (local authority children’s social care, Channel programme, Disclosure and Barring Service, and/or police), and support staff who make such referrals directly
* The DSL will also liaise with local authority case managers and designated officers for child protection concerns as appropriate.
* The DSLs will help to promote educational outcomes by sharing information about the welfare, safeguarding and child protection issues that children (including those with a social worker) are experiencing, or have experienced, with teachers and other staff. This could be done by, for example:
* The DSLs will make sure that staff know who these children are, understand their academic progress and attainment, and maintain a culture of high aspirations for them
* The DSLs will support teaching staff to identify the challenges that children in this group might face, and the additional academic support and adjustments that they could make to best support them

**The Governing Body**

The governing body will approve this policy at each review, and hold the Head Teacher to account for its implementation. The governing body will appoint a senior board level (or equivalent) lead to monitor the effectiveness of this policy in conjunction with the full governing body. This is always a different person from the DSL. Our Safeguarding Lead Governor is **Julie Miles.** The chair of governors will act as the ‘case manager’ in the event that an allegation of abuse is made against the Head Teacher, where appropriate.

**It is the role of governors to make sure:**

* Your designated safeguarding lead and team (DSL/DDSL) have the appropriate status and authority to carry out their job. Governing bodies need to give the DSL the additional time, funding, training, resources and support needed to carry out their role effectively (paragraph 104)
* Online safety is a running and interrelated theme whilst devising and implementing their whole school or college approach to safeguarding and related policies/procedures (this has now been specified as a responsibility of governing bodies and proprietors) (paragraph 137)
* Your school has appropriate filtering and monitoring systems in place and regularly review their effectiveness (paragraph 141)
* The leadership team and relevant staff are aware of and understand the filters and monitoring systems in place, manage them effectively and know how to escalate concerns (paragraph 141)
* Your school has procedures to manage any safeguarding concerns (no matter how small) or allegations that do not meet the harm threshold (low-level concerns), about staff members (including supply staff, volunteers and contractors). See paragraph 152
* The child protection policy reflects that children with special educational needs or disabilities (SEND), or certain medical or physical health conditions can face additional barriers, including cognitive understanding (being unable to understand the difference between fact and fiction in online content and then repeating the content/behaviours in schools or colleges, or the consequences of doing so). See paragraph 199
* Seek assurance that where another body is providing services or activities that they have appropriate safeguarding and child protection policies/procedures in place. This applies regardless of whether or not the children who attend these services/activities are children on the school roll/attend the college (paragraph 167)

**The Head Teacher**

The Head Teacher is responsible for the implementation of this policy, including:

* Ensuring that staff (including temporary staff) and volunteers are informed of this policy as part of their induction
* Communicating this policy to parents when their child joins the school and via the school website
* Ensuring that the DSL/deputy DSLs have appropriate time, funding, training and resources, and that there is always adequate cover if the DSL is absent
* Ensuring that all staff undertake appropriate safeguarding and child protection training and update this regularly
* Acting as the ‘case manager’ in the event of an allegation of abuse made against another member of staff or volunteer, where appropriate (see appendix 3)
* Ensuring the relevant staffing ratios are met, where applicable
* Making sure each child in the Early Years Foundation Stage is assigned a key person

 The Head Teacher/DSL will notify any Lead Social Worker if:

* a pupil subject to a Child Protection Plan (CPP) is excluded (fixed term or permanent)
* there is an unexplained absence of a pupil on a CPP of more than 2 days or 1 day following a weekend, or as agreed as part of a CPP.
* a child is missing and there is a need to follow Manchester’s policy and any statutory guidance on Children Missing Education (CME).

**The Management of Safeguarding: This is for Headteachers, Designated Safeguarding Lead (DSL) team and Governors.**

KCSIE provides information on supporting children who need a social worker. It explains that:

• Children may need a social worker due to safeguarding or welfare needs, such as abuse, neglect and complex family circumstances

• These experiences can leave children vulnerable to further harm, as well as potentially creating barriers to attendance, learning, behaviour and mental health

• The local authority should tell school if a child has a social worker, and the DSL should hold and use this information in the best interests of the child's safety, welfare and educational outcomes, such as when decisions are made on:

1. Responding to unauthorised absence or missing education where there are known safeguarding risks
2. The provision of pastoral and/or academic support

There's further information in the findings from the Children in Need review, including the steps the government is taking to support this

Information on supporting children who require mental health support is also available. KCSIE makes clear that:

• Schools have an important role to play in supporting the mental health and wellbeing of their pupils

• The Governing Body should ensure there are clear systems and processes in place for identifying possible mental health problems, including routes to escalate and clear referral and accountability systems

The DfE will be supporting the costs of:

* A training programme for senior mental health leads to develop a whole school approach to mental health (this should be available by 2025)
* The national rollout of the Link Programme

**Inspection**

Since September 2019, Ofsted’s inspections of early years and schools are carried out under: Ofsted's Education Inspection Framework. Inspectors will always report on whether or not arrangements for safeguarding children and learners are effective.

In addition to the framework and inspections handbooks, Ofsted publishes specific guidance to inspectors on inspecting safeguarding: Inspecting safeguarding in early years, education and skills settings.

**Multi-agency working**

Schools and colleges have a pivotal role to play in multi-agency safeguarding arrangements. Governing bodies and proprietors should ensure that the school or college contributes to multi-agency working in line with statutory guidance Working Together to Safeguard Children.

New safeguarding partners and child death review partner arrangements are now in place. Locally, the three safeguarding partners (the local authority; a clinical commissioning group for an area within the local authority; and the chief officer of police for an area (any part of which falls) within the local authority area) will make arrangements to work together with appropriate relevant agencies to safeguard and promote the welfare of local children, including identifying and responding to their needs.

It is especially important that school understands its role in the three safeguarding partner arrangements. Governing bodies and their senior leadership teams, especially their designated safeguarding leads, should make themselves aware of and follow their local arrangements.

The three safeguarding partners have a shared and equal duty to work together to safeguard and promote the welfare of children. To fulfil this role, they must set out how they will work together and with any relevant agencies. Relevant agencies are those organisations and agencies whose involvement that the three safeguarding partners consider may be required to safeguard and promote the welfare of children with regard to local need. The three safeguarding partners will have set out in their published arrangements which organisations and agencies they will be working with and the expectations placed on any agencies and organisations by the arrangements.

The three safeguarding partners should make arrangements to allow all schools (including those in multi-academy trusts) and colleges in the local area to be fully engaged, involved and included in safeguarding arrangements. It is expected that, locally, the three safeguarding partners will name schools and colleges as relevant agencies and will reach their own conclusions on the best way to achieve the active engagement with individual institutions in a meaningful way.

The designated safeguarding lead and any deputies should liaise with the three safeguarding partners and work with other agencies in line with Working Together to Safeguard Children and the NSPCC- When to call the police (see appendix 9 below) which should help designated safeguarding leads and the deputy DSLs understand when they should consider calling the police and what to expect when they do.

# CONFIDENTIALITY

St Joseph’s recognises the importance of sensitivity and confidentiality when dealing with safeguarding issues. It also recognises that:

* Timely information sharing is essential to effective safeguarding
* Information must be shared on a ‘need-to-know’ basis, but you do not need consent to share information if a child is suffering, or at risk of, serious harm
* Staff should never promise a child that they will not tell anyone about an allegation, as this may not be in the child’s best interests
* Confidentiality is also addressed in this policy with respect to record-keeping

NOTE: It is the responsibility of all staff to follow data protection protocol. It is the school’s responsibility to store, share and when to provide/not provide information appropriately in accordance with Data Protection Act 2018 and the GDPR. This will include assessing risk against the HARM TEST. The Data Protection Act 2018 and GDPR do not prevent the sharing of information for the purposes of keeping children safe. Fears about sharing information must not be allowed to stand in the way of the need to safeguard and promote the welfare and protect the safety of children. In KCSIE 2020 there is a link to Data protection: toolkit for schools - Guidance to support schools with data protection activity, including compliance with the GDPR for further information.

In December 2020’s Working Together to Safeguard Children, information was refined in response to the Data Protection Act 2018 and General Data Protection Regulation (GDPR). This includes guidance about appropriate information sharing of safeguarding and child protection concerns, including the explicit statement that data protection legislation does not prevent the sharing of information to keep a child safe and that consent is not required when sharing information for safeguarding and protecting the welfare of a child (p.19).

In making decisions about appropriate information sharing, the guidance recommends using GDPR lawful bases for sharing, i.e. legal obligation (the exercise of official authority) or public task (a task performed in the public interest). Further information about this is available in the new appendices of this document in Appendix B, and includes a useful myth busting guide to information sharing (p.21).

It is also stated that (p.15), while encouraged, the agreement of the child and parents is not required to share information, although it is important to explain the reasons for this.

**WORKING TOGETHER TO SAFEGUARD CHILDREN (DEC 2020) CLEARLY STATES:**

**Myth-busting guide to information sharing**

Sharing information enables practitioners and agencies to identify and provide appropriate services that safeguard and promote the welfare of children. Below are common myths that may hinder effective information sharing.

**Data protection legislation is a barrier to sharing information**

No – the Data Protection Act 2018 and GDPR do not prohibit the collection and sharing of personal information, but rather provide a framework to ensure that personal information is shared appropriately. In particular, the Data Protection Act 2018 balances the rights of the information subject (the individual whom the information is about) and the possible need to share information about them.

**Consent is needed to share personal information**

No – you do not need consent to share personal information. It is one way to comply with the data protection legislation but not the only way. The GDPR provides a number of bases for sharing personal information. It is not necessary to seek consent to share information for the purposes of safeguarding and promoting the welfare of a child provided that there is a lawful basis to process any personal information required. The legal bases that may be appropriate for sharing data in these circumstances could be ‘legal obligation’, or ‘public task’ which includes the performance of a task in the public interest or the exercise of official authority. Each of the lawful bases under GDPR has different requirements. It continues to be good practice to ensure transparency and to inform parent/ carers that you are sharing information for these purposes and seek to work cooperatively with them.

**Personal information collected by one organisation/agency cannot be disclosed to another**

No – this is not the case, unless the information is to be used for a purpose incompatible with the purpose for which it was originally collected. In the case of children in need, or children at risk of significant harm, it is difficult to foresee circumstances where information law would be a barrier to sharing personal information with other practitioners16.

**The common law duty of confidence and the Human Rights Act 1998 prevent the sharing of personal information**

No – this is not the case. In addition to the Data Protection Act 2018 and GDPR, practitioners need to balance the common law duty of confidence and the Human Rights Act 1998 against the effect on individuals or others of not sharing the information.

**IT Systems are often a barrier to effective information sharing**

No – IT systems, such as the Child Protection Information Sharing project (CP-IS), can be useful for information sharing. IT systems are most valuable when practitioners use the shared data to make more informed decisions about how to support and safeguard a child.

**Working together to safeguard children**

This is a factual update to Working Together to Safeguard Children to reflect recent changes to legislation, including:

Integrated Care Boards: from 1 July 2022, integrated care boards have replaced clinical commissioning groups as a result of the Health and Care Act 2022

Public Health England: has now been replaced by the UK Health Security Agency and the Office for Health Improvement and Disparities (OHID), which is part of the Department of Health and Social Care, and by the UK Health Security Agency. The Chief Public Health Nurse role has transferred to OHID

Domestic Abuse Act 2021: references to the Domestic Abuse Bill should be read as the Domestic Abuse Act 2021

UK GDPR: references to the GDPR should be read as the UK GDPR. The UK GDPR is the retained EU law version of the GDPR. The UK GDPR sits alongside the Data Protection Act 2018

# RECOGNISING ABUSE AND TAKING ACTION

All staff should be aware that children may not feel ready or know how to tell someone that they are being abused, exploited, or neglected, and/or they may not recognise their experiences as harmful. For example, children may feel embarrassed, humiliated, or are being threatened. This could be due to their vulnerability, disability and/or sexual orientation or language barriers. This should not prevent staff from having

a professional curiosity and speaking to the designated safeguarding lead (DSL) if they have concerns about a child. It is also important that staff determine how best to build trusted relationships with children and young people which facilitate communication.

All staff should be able to identify signs of abuse- physical, sexual and emotional as well as neglect.

All staff should be aware of safeguarding issues that can put children at risk of harm. Behaviours linked to issues such as drug taking and/or alcohol misuse, deliberately missing education and consensual and non- consensual sharing of nude and semi-nude images and/or videos can be signs that children are at risk. Other safeguarding issues all staff should be aware of include:

* Child sexual exploitation
* Child criminal exploitation
* Female genital Mutilation
* Mental Health
* Serious violence
* child on child

Staff, volunteers and governors must follow the procedures set out below in the event of a safeguarding issue.

**If a child is in immediate danger**

If a child is in immediate danger or is at risk of serious significant harm, the DSL, deputy DSLs or the member of staff should contact the Police (999) **immediately** and also make a referral to children’s social services**.**

Remember **anyone can make a referral.**

Tell the DSL as soon as possible if you make a referral directly. (See ‘reporting child abuse to your local council’ at <https://www.gov.uk/report-child-abuse-to-local-council> for further details.)

**These responsibilities for staff working in schools are also staff responsibilities when staff are not in school i.e. out of school hours e.g. evenings, weekends, and holidays.**

**If a child makes an allegation about someone to you**

If a child raises a safeguarding issue to you, you should:

* Listen to 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 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’s own words. Stick to the facts, and do not put your own judgement on it
* Add the write-up to CPOMS and alert the DSL. Alternatively, if appropriate, make a referral to children’s social care and/or the police directly and tell the DSL as soon as possible that you have done so

**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](https://www.gov.uk/government/publications/channel-guidance), 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, which school staff and governors can call to raise concerns about extremism with respect to a pupil. The school can also email counter.extremism@education.gov.uk. (Note that this is not for use in emergency situations.)

In an emergency, 999 should be called 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

**If you discover that FGM has taken place or a pupil is at risk of 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 pupil has already been subjected to FGM, and factors that suggest a pupil may be at risk, are set out in appendix 2.

**Any teacher** who discovers that an act of FGM appears to have been carried out on a **pupil 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 pupil is *at risk* of FGM or FGM is suspected but is not known to have been carried out. Staff should not examine pupils.

**Any other member of staff** who discovers that an act of FGM appears to have been carried out on a **pupil under 18** must speak to the DSL and follow our local safeguarding procedures.

**Any member of staff** who suspects a pupil is *at risk* of FGM, must speak to the DSL and follow our local safeguarding procedures.

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

Figure 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/ deputy DSLs 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. If early help is appropriate, the DSL/ deputy DSLs will liaise with other agencies and will set up an inter-agency assessment as appropriate. The DSL will keep the case under constant review and the school 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. (See ‘Early Help’ section for further details.)

**Contextual Safeguarding**

* All staff, especially DSLs, should be aware that safeguarding incidents and/or behaviours can be associated with factors outside school and/or can occur between children outside of the school or home environment.
* All staff should consider whether children are at risk of abuse or exploitation in situations outside their families (e.g. sexual exploitation, criminal exploitation, serious youth violence).

Contextual safeguarding was renamed in Working Together to Safeguard Children (Dec 20) as “assessment of risk outside the home” (p.25) and teenage relationship abuse has been added as an area of risk.

**Referral**

If it is appropriate to refer the case to local authority children’s social services or the police, the DSL will make the referral or support the member of staff to do so.

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.

**Figure 1: School procedure if you have concerns about a child’s welfare (no immediate danger)**

***(KCSIE 2022 September also has a flowchart ‘Actions where there are concerns about a child on page 22)’***



**Concerns about a staff member, visitor or volunteer**

If you have concerns about a member of staff or volunteer, speak to the Head Teacher. If you have concerns about the Head Teacher, speak to the chair of governors.

You can also discuss any concerns about any staff member or volunteer with the DSL or a deputy DSL. Once a concern is raised, it will be referred to as ‘allegation’. Low-level concerns can arise in several ways from various sources, e.g. suspicion, complaint or a disclosure (paragraph 428). If the Headteacher or DSL is in any doubt as to whether a low-level concern meets the harm threshold, then the procedure will be to consult the local authority designated officer (LADO) (paragraph 435).

The Procedures set out in part 4 of KCSIE should apply to anyone working in the school who has behaved, or may have behaved, in a way that indicates they may not be suitable to work with children.

When dealing with an allegation, the school’s policy is to refer to Part 4 of KCSIE in determining whether an allegation may meet the harm threshold or whether the allegation/concerns does not meet this threshold i.e. low level concerns.

**Allegations that may meet the harms threshold**

This guidance should be followed when it is alleged that anyone working in the school including supply teachers, volunteers or contractors has:

* Behaved in a way that has harmed a child, or may have harmed a child and/or;
* Possibly committed a criminal offence against or related to a child and/or;
* Behaved towards a child/ren in a way that indicates he or she may pose a risk of harm to children and/or;
* Behaved or may have behaved in a way that indicates they may not be suitable to work with children. This may also include behaviour that may have happened outside school and is known as transferable risk. Where this is the case, an assessment of transferable risk to children should be completed. The Local Authority’s Designated Officer (LADO) will give advice.

When school identifies a child has been harmed, that there may be an immediate risk of harm or if the situation is an emergency, school will make contact with social services and the police in line with Part 1 of KCSIE. The first consideration is the welfare of the child and in ensuring that the child is not at risk, referring cases of suspected abuse to social services in line with this policy.

**NOTE: Should the allegation become part of a police investigation, it would not be investigated by school. As a school, we will fully co-operate with the police and other appropriate agencies, whilst they are carrying out their investigations.**

**Investigating and supporting the person subject to the allegation.**

The case manager will discuss with the LADO the nature, content and context of the allegation and agree a course of action. When dealing with allegations, the case manager will:

* Apply common sense and judgement;
* Deal with allegations quickly, fairly and consistently;
* Provide effective protection for the child and support the person subject to the allegation;
* Understand the local authority’s arrangements and requirements for managing allegations;
* Conduct basic enquiries in line with local procedures;
* Be careful not to jeopardise any future police investigation;
* Record the decision and justification if no further action is needed, in discussion with the LADO;
* Work with the LADO if further enquiries are required;
* Appoint an independent investigator if necessary which will be monitored by the case manager.

Note: the LADO’s role is not to investigate but to ensure that an appropriate investigation is carried out whether that is by the police, social services, school or a combination of these.

Where allegations concern someone who works in the school but is not directly employed by the school, KCSIE states that:

• School should make sure allegations are dealt with properly, and you shouldn't decide to stop using a supply teacher due to safeguarding concerns without finding out the facts and liaising with your LADO to determine a suitable outcome

• the Headteacher or governing body should discuss with the agency whether it's appropriate to suspend the supply teacher, or redeploy them to another part of the school, while they carry out their investigation

• Agencies/employers should be fully involved and co-operate in any enquiries, but that the school will usually take the lead as the agency won't be able to collect the necessary information

• The allegations management meeting should address issues such as information sharing, to ensure previous concerns or allegations known to the agency are taken into account

• When using an agency, the school should inform them of our process for managing allegations, including inviting the agency's HR manager or equivalent to meetings and keeping them up to date with information about your policies

The Head Teacher/chair of governors/DSL will then follow the procedures set out in appendix 3 of our policy, if appropriate. Where appropriate, the school will inform Ofsted of the allegation and actions taken, within the necessary timescale (see appendix 3 for more detail).

**Governors**

Allegations against governors will be investigated. Where an allegation against a governor is substantiated, school will follow procedures to consider their removal from office.

**Suspension**

This should not be an automatic response when an allegation is made. It should be considered only in cases where there is cause to suspect a child/ren are at risk of harm or the case is so serious that it might be grounds for dismissal. The case manager will seek advice from both the LADO and the HR advisor- One Education, and where appropriate the police and social services.

**Duty of Care**

The welfare of a child is paramount. The school has a duty of care to support those involved. Protocols regarding confidentiality, record keeping and information sharing must be appropriately followed.

Where serious allegations are substantiated the school will take appropriate action and report it to relevant agencies.

If an allegation is determined to be unsubstantiated, unfounded, false or malicious, the LADO and the case manager should consider child and/or person making the allegation is in need of help or may have been abused by someone else. In such circumstances a referral to social services may be appropriate.

**Dismissal**

Where a teacher’s employer, including an agency, dismisses or ceases to use the services of a teacher because of serious misconduct, or might have dismissed them or ceased to use their services had they not first left, school **must** consider whether to refer the case to the secretary of state (via the Teaching Regulation Agency). Details about how to make a referral can be found on GOV.UK

**Learning Lessons**

Where allegations are substantiated the LADO and the case manager will review the circumstances of the case to ensure lessons are learned in order to keep children safe.

For all other cases, where the allegation concluded to be unfounded, false, malicious or unsubstantiated, the case manager (and if they have been involved, the LADO) should consider the facts and determine whether any lessons can be learned and if improvements can be made.

This will be in the form of a-post-process ‘Debrief’ meeting, where a member of the governing body, SLT and where appropriate the LADO or other agencies will discuss and agree priority learning, actions and time frames. This will be recorded and progress monitored and reviewed so ensure that all improvements are securely in place, understood and adhered to in a timely manner.

**Allegations that do not meet the threshold**

These are considered low level concerns and may be addressed with the help of a variety of school procedures, for example, Code of Conduct and Capability policies, as well as creating a culture of transparency of good safeguarding practices and in line with this policy. Staff should not:

* Be over friendly with children
* Have favourites
* Take photographs of children on their mobile phones without prior agreement
* Engage with a child on a one-to-one basis in a secluded area or behind a closed door
* Use inappropriate or offensive language
* Humiliating pupils

**Staff must report all concerns regarding staff or volunteers to safeguard the children of St Joseph’s School.**

**More information about school’s procedure regarding allegations against staff or volunteers can be found in Appendix 3 of this policy.**

**Allegations of abuse made against other pupils (Child on Child Abuse)**

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”. It is important that staff recognise peer on peer abuse and know how to respond. Child on child abuse can happen both in school and outside school and online. It is essential that we acknowledge and understand the potential scale of harassment and abuse and the seriousness negative impact it has.

(Greater clarity provided) Child-on-child abuse is most likely to include, but may not be limited to:

* bullying (including cyberbullying, prejudice-based and discriminatory bullying)
* abuse in intimate personal relationships between children (sometimes known as teenage relationship abuse’)
* physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm (this may include an online element which facilitates, threatens and/or encourages physical abuse)
* sexual violence, such as rape, assault by penetration and sexual assault; (this may include an online element which facilitates, threatens and/or encourages sexual violence)
* sexual harassment, such as sexual comments, remarks, jokes and online sexual harassment, which may be standalone or part of a broader pattern of abuse
* causing someone to engage in sexual activity without consent, such as forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party
* consensual and non-consensual sharing of nude and semi-nude images and/or videos (also known as sexting or youth produced sexual imagery)
* upskirting, which typically involves taking a picture under a person’s clothing without their permission, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress, or alarm, and
* initiation/hazing type violence and rituals (this could include activities involving harassment, abuse or humiliation used as a way of initiating a person into a group and may also include an online element).

This section of the document outlines each staff members’ statutory obligations and therefore it is to be read in conjunction with Part 1 of the KCSIE 2022 document. All staff need to read and understand Part 1 and will be asked to sign to say they have done so. Any queries must be raised before signing. Part 5 should be used as reference for incidents of **Child on child sexual violence and sexual harassment**. It is important to remember that how we as a school respond to an incident of sexual violence or sexual harassment will impact future victims. It is essential that any victim of abuse is safeguarded and support in line with effective safeguarding practice which protects the child. It is important to remember that victims of peer on peer abuse, including sexual violence, could experience trauma and struggle to function in everyday life and may as a result have a range of health needs

The DSL and safeguarding team want staff to deal confidently with safeguarding issues and are happy to provide any additional training required.

Most cases of pupils hurting other pupils will be dealt with under our school’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 pupils in the school at risk
* Is violent
* Involves pupils 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)

It is important to be aware that a child might not tell staff about abuse, so it may be that staff overhear conversations or see changes in the child’s behaviour, which alerts their concerns.

If a pupil makes an allegation of abuse against another pupil:

* It is essential that the pupil is reassured that s/he is being taken seriously and that they will be supported and kept safe.
* 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 ask parents/carers to contact the children and adolescent mental health services (CAMHS), if appropriate via their GP

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 pupils, and initiation or hazing type violence with respect to boys
* Ensuring our curriculum helps to educate pupils about appropriate behaviour and consent
* Ensuring pupils know they can talk to staff if they are worried or concerned
* Ensuring staff are trained to understand that a pupil 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
* Completing risk assessments to keep children safe

# NOTIFYING PARENTS

Where appropriate, we will discuss any concerns about a child with the child’s parents. The DSL or Deputy DSL will normally do this in the event of a suspicion or allegation. Other staff will only talk to parents about any such concerns following consultation with the DSL.

If we believe that notifying the parents 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 of all the children involved.

#

PROCEDURES AND RECORD-KEEPING:

St Joseph’s RC Primary School will follow [Greater Manchester Safeguarding Procedures](http://greatermanchesterscb.proceduresonline.com/)

The school will ensure that:

Safeguarding information including Child Protection information is stored and handled in line with the principles of the Data Protection Act 1998 ensuring that information is:

* used fairly and lawfully
* for limited, specifically stated purposes
* used in a way that is adequate, relevant and not excessive
* accurate
* kept for no longer than necessary
* handled according to people’s data protection rights
* kept safe and secure.

Any concerns about a child will be recorded in writing as soon as possible and in any circumstance within 24 hours. The inability to record a concern of risk or an allegation should not delay the sharing of urgent information to the DSL (police or social care if required) verbally. Written records should then be made as soon as possible, which will be kept in school securely as well as being recorded on c-poms.

All records will provide a factual, evidence-based account using the child’s words. Timely, accurate recording of every episode/incident/concern/activity/actions will be made including telephone calls to other professionals. Records will be signed, dated and where appropriate, witnessed. Support and advice will be sought from Children’s Social Care, Senior Advisor for Safeguarding in Education (SASE) or the Local Area Designated Officer (MCC DO), whenever necessary.

Hard copies of records or reports relating to safeguarding and child protection concerns will be kept in a separate, confidential file, securely stored away from the main pupil file. Authorisation to access these or electronic records will be controlled by the Headteacher and Designated Safeguarding Leads.

There is always a DSL on hand who has the necessary seniority and skills, has undertaken appropriate safeguarding training, and is given the time to carry out this important role. In the case of child protection referral the DSL will contact the Contact Centre (alongside any other emergency or support services that may be required). In the case of poorly explained serious injuries or where behaviour or concerns arouse suspicion or if in any doubt, the Designated Safeguarding Lead/deputies should contact the Contact Centre for advice.

The DSL will keep written, signed and dated records detailing any allegations and action taken as near to the time of the allegation as possible even when no investigation is undertaken; following up any verbal referral.

Conversations with a child who alleges abuse should follow the basic principles:

* listen rather than directly question, remain calm
* never stop a child who is recalling significant events
* make a record of discussion to include time, place, persons present and what was said (in their own words)
* advise the child you will have to pass the information on
* never take photographs of any injury or record conversations electronically
* Never promise confidentiality to a child or adult.

Safeguarding issues and concerns are also recorded on CPOMS (a secure electronic child protection monitoring tool). When a child transfers to another school, any existing CPOMS records and safeguarding files are securely transferred to the new safeguarding lead who signs a document to confirm they have received them.

## SAFER USE OF THE INTERNET AND DIGITAL TECHNOLOGY:

St Joseph’s RC Primary School recognises that in a modern learning environment, use of the Internet, multimedia devices and digital imaging facilities are part of everyday requirements. However, a child/young person’s safety will remain the priority of the school.

As schools and colleges increasingly work online, it is essential that children are safeguarded from potentially harmful and inappropriate online material. As such, governing bodies and proprietors should ensure appropriate filters and appropriate monitoring systems are in place. Additional information to support governing bodies and proprietors keep their children safe online (including when they are online at home) is provided in Annex D of KCSIE.

All staff are aware that any items that have capability for use of the Internet or the creation of digital images (including mobile phones) must be used by children/young people under appropriate supervision. If any such item that belongs to a member of staff is brought onto the school site, it is the responsibility of that staff member to ensure that these items contain nothing of an inappropriate nature and that they are used in line with school policy (see Acceptable User Policy (AUP).

If there is any suspicion that any multimedia device or computer contains any images or content of an inappropriate nature it will be locked, secured and, the Head Teacher or DSL should be informed immediately.

All staff must make themselves aware of the new Online Safety Guidance June 2019 DfE- Teaching online Safety in school. All phase leaders will have a reference copy and one will be on the Staff Shared Drive.

**Online safety**

**Also find further information in KCSIE 2022 Annex D:**

The use of technology has become a significant component of many safeguarding issues. Child sexual exploitation; radicalisation; sexual predation: technology often provides the platform that facilitates harm. An effective approach to online safety empowers us as a school community to protect and educate the whole school community in their use of technology and establishes mechanisms to identify, intervene in, and escalate any incident where appropriate.

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

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

## **It is important to remember that safeguarding concerns can occur both online and offline simultaneously. In such cases, a holistic, prompt and appropriate response to both is needed.**

Mrs van Es (computing lead) ensures that the school’s internet safety settings, filter systems and internet safety procedures and policies are monitored and adhered to and that identified concerns are promptly reported and addressed.

## **Education**

## Opportunities to teach safeguarding, including online safety, are discussed at paragraph 88-90. Resources that could support schools and colleges include:

## Be Internet Legends developed by Parent Zone and Google is a free internet safety curriculum with PSHE accredited lesson plans and teaching resources for Key Stage 2 pupils

## ‘Disrespect nobody’ is Home Office advice and includes resources on healthy relationships, including sexting and pornography

## Education for a connected world framework from the UK Council for Internet Safety supports the development of the curriculum and is of particular relevance to RSHE education and Computing. It is designed, however, to be usable across the curriculum and beyond (covering early years through to age 18) and to be central to a whole school or college approach to safeguarding and online safety.

## PSHE association provides guidance to schools on developing their PSHE curriculum

**Reviewing online safety:** Technology in this area evolves and changes rapidly. A free online safety self-review tool for schools can be found via the 360 safe website. UKCIS has published online safety in schools and colleges: Questions for the governing board to help responsible bodies assure themselves that their online safety arraignments are effective.

**Elective Home Education:** This is where parents have decided to educate their child/ren at home. Should parents be considering this option, school will co-ordinate a multi-agency meeting to help parents to consider what is in the best interests of each child, before any decision is made.

**Staff training:** Governors will ensure that, as part of the requirement for staff to undergo regularly updated safeguarding training (paragraph 84) and the requirement to ensure children are taught about safeguarding, including online safety (paragraph 87), that online safety training for staff is integrated, aligned and considered as part of the overarching safeguarding approach.

## **Use of mobile phones:** Mobile phones have a place in settings; especially on outings when they are often the only means of contact available to school and can be helpful in ensuring children are kept safe. Staff are allowed to bring their personal phones to school for their own use, but will limit such use to non-contact time when pupils are not present. As a rule, Staff members’ personal phones will remain in their bags or cupboards during contact time with pupils. However, during Covid 19 where the need to follow timetables with time accuracy, mobile phones may remain in staff pockets on silent for the use of accurate time-keeping only. This is only appropriate where staff are working with a group of children and is not appropriate for one-to-one work.

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

We will follow the Data Protection Act 1998 when taking and storing photos and recordings for use in the school. When taking photographs, staff must use school owned equipment- the school camera or I-pads- that has been assigned to them. There must be no one-to-one photographs taken.

Staff (including volunteers, contractors and anyone else otherwise engaged by the school) are not permitted to make or receive calls, or send texts, while children are present. Use of personal mobile phones must be restricted to non-contact time, and to areas of the school where pupils are not present (such as the staff room or school office).

Staff must refrain from giving their personal contact details to parents or pupils, including connecting through social media and messaging apps.

Staff must avoid publicising their contact details on any social media platform or website, to avoid unwanted contact by parents or pupils.

Staff should also refer to the school’s Social Media Policy and Acceptable ICT use and Online Safety Policy.

It is appropriate for staff to use personal mobile phones for work. Such circumstances may include:

* + Emergency use e.g. evacuations/ In-evacuations
	+ Supervising off-site trips
	+ Supervising residential visits
	+ COVID 19- For time accuracy to ensure safe systems

We will:

* Only use mobile phones appropriately, and ensure staff have a clear understanding of what constitutes misuse and know how to minimise the risk.
* Ensure the use of a mobile phone does not detract from the quality of supervision and care of children.
* Ensure all mobile phone use is open to scrutiny.
* Ensure staff are vigilant and alert to any potential warning signs of the misuse of mobile phones.
* Ensure staff are responsible for their own behaviour regarding the use of mobile phones and should avoid putting themselves into compromising situations, which could be misinterpreted and lead to potential allegations.
* Ensure the use of mobile phones on outings is included as part of the risk assessment, for example, how to keep personal numbers that may be stored on the phone safe and confidential.
* Adhere to the school policy on the recording of images and the use of equipment –Acceptable Use Policy

Visitors are not permitted to use mobile phones or other camera/ internet enabled devices without the express permission of the Headteacher and only then under supervision.

**Children and acceptable use of phones**

Children are not allowed to bring mobile phones to school, unless they are walking home alone. When in school they must be switched off.

## **Cameras: Photography and Images**

The vast majority of people who take or view photographs or videos of children do so for entirely innocent, understandable and acceptable reasons. However, due to cases of abuse to children through taking or using images, we must ensure that we have safeguards in place. To protect children, we will:

* Obtain parents’ and carers’ consent for photographs to be taken used for or published (for example, on our website or displays).
* Ensure that children are appropriately dressed, and only use the child’s first name with an image.
* Ensure that personal cameras are not used to take photographs, video or audio recordings in our school without prior explicit consent from the school, for example, for a special event, such as a Christmas play.
* Ensure where professional photographers are used DBSs, references and parental consent will be obtained prior to photographs being taken.
* Ensure ‘acceptable use’ rules regarding the use of cameras by children are embedded in practice.
* Ensure the use of cameras is closely monitored and open to scrutiny.

**Nude and semi-nude images**

Consensual and non-consensual sharing of nude and semi-nude images and/or videos can be signs that children are at risk. Other safeguarding issues all staff should be aware in relation to this are: child sexual exploitation and child criminal exploitation in terms of the power to coerce, manipulate or deceive a child. It is important to remember that a child may be persuaded or forced to take photos/videos of themselves or someone else may take them. In both cases, they could be shared.

‘**Sexting**’ (self-generated inappropriate images) as it has previously been referred to in KCSIE, was understood as one of a number of ‘risk-taking’ behaviours associated with the use of digital devices, social media or the internet. It is accepted that young people experiment and challenge boundaries and therefore the risks associated with ‘online’ activity can never be completely eliminated. However, St Josephs’ takes a pro-active approach in its ICT and Enrichment programmes to help students to understand, assess, manage and avoid the risks associated with ‘online activity’. The school recognises its duty of care to its young people who do find themselves involved in such activity as well as its responsibility to report such behaviours where legal or safeguarding boundaries are crossed.

There are a number of definitions of ‘sexting’ but for the purposes of this policy sexting is simply defined as:

* Inappropriate images or videos generated by children under the age of 18, or
* Of children under the age of 18 that are of a sexual nature or are indecent.
* These images are shared between young people and/or adults via a mobile phone, hand held device, computer, ‘tablet’ or website with people they may or may not know.

There are many different types of sexting and it is likely that no two cases will be the same. It is necessary to carefully consider each case on its own merit. However, it is important that St Joseph’s RC Primary School applies a consistent approach when dealing with an incident to help protect young people and the school. For this reason the Designated Safeguarding Lead needs to be informed of any ‘sexting’ incidents. The range of contributory factors in each case also needs to be considered in order to determine an appropriate and proportionate response.

Further advice can be found here: <http://swgfl.org.uk/magazine/Managing-Sexting-Incidents/Sexting-Advice.aspx>

EARLY HELP

“Early help means providing support as soon as a problem emerges, at any point in a child’s life, from the foundation years through to the teenage years.” Working Together to Safeguard Children (DfE, 2020)

“Early Help means identifying needs within families early, and providing preventative support and intervention before problems become complex and entrenched.” Manchester City Council Early Help Hub

In line with Manchester City Council’s Early Help strategy, St Josephs’ recognises the importance of early identification and early help for families, and is committed to working with other agencies in order to provide this support. These agencies include, school nursing, speech and language therapy, paediatricians, health visitors, GPs, Educational Psychologists, CAMHS and social services. St Josephs’ coordinates and attends multi-agency meetings such as TACs (Team around the Child meetings) in order to ensure a robust and coordinated response towards supporting families in need.

Any child may need early help, but school should be particularly alerted to the potential need of early help for a child who:

* Is disabled or has certain health conditions and has specific needs
* Has special educational needs (whether or not they have an EHCP)
* Has a mental health need
* Is a young carer
* Is showing signs to being drawn in to anti-social or criminal behaviour, including gang involvement/ association with organised crime groups or county lines
* Is frequently missing/ goes missing from care or from home
* Is at risk of modern slavery, trafficking, sexual or criminal exploitation
* Is at risk of being radicalised or exploited
* Has a family member in prison or is affected by parental offending
* Is in a family circumstance presenting challenges for the child, such as drug and alcohol misuse, adult mental health issues and domestic abuse
* Is misusing drugs or alcohol themselves
* Has returned home to their family from care
* Is at risk of ‘honour’-based abuse such as Female Genital Mutilation or forced Marriage
* Is privately fostered
* Is persistently absent from education, including persistent absences for part of the school day

St Joseph’s provides both universal interventions and targeted interventions to prevent the needs of families from escalating.

**Universal interventions at St Joseph’s RC Primary School include:**

NSPCC workshops for children and their parents, PSHE curriculum, Sex and Relationships education, assemblies and collective worship, mental health awareness days.

**Targeted support and interventions include:**

* Breakfast club (every morning)
* Attendance team in school: SLT and school office staff
* One Education Attendance Advisor: supports with monitoring attendance and leading panel meetings (5 days a year)
* Support with transport for families in times of need (when needed)
* Washing facilities for vulnerable families (when needed)
* Home visits for vulnerable families and for children with poor attendance
* The Bread and Butter scheme: low cost bags of food for families (weekly)
* Christmas hampers and gifts for vulnerable families
* Supporting families to apply for housing
* Signposting to foodbanks

In addition to the above interventions, St Joseph’s also works with families to carry out [Early Help Assessments](https://search3.openobjects.com/mediamanager/manchester/fsd/files/early_help_assessment_form.pdf) when there are early indications that a family requires support. The Early Help Assessment enables school and parents to talk through the problem in a solution-focused way. It also helps the school to coordinate support from other agencies, where necessary.

# SUPPORTING VULNERABLE PUPILS:

Particular vigilance will be exercised in respect of pupils who are the subjects of Child Protection Plans and any incidents or concerns involving these children will be reported immediately to the lead Social Worker. If the pupil in question is a Looked After Child (LAC), this will also be brought to the attention of the Designated Teacher with responsibility for LAC. At St Joseph’s, the Designated Teachers for LAC are **Kerry Nathaniel (SENCOs)**. If a pupil alleges that they have witnessed domestic violence or it is suspected that they may be living in a household, which is affected by family violence, this will be referred to the DSL. The School acknowledges the additional needs for support and protection of children who are vulnerable by virtue of disability, homelessness, refugee/asylum seeker status, the effects of substance abuse, mental health and learning disability within the family, those who are young carers, mid-year admissions and pupils who are excluded from school or subject to a managed transfer. We acknowledge that children who are affected by abuse or neglect may demonstrate their needs and distress through their words, actions, behaviour, demeanor, schoolwork or other children. The School has a strong commitment to an anti-bullying policy and will consider all coercive acts and inappropriate child on child behaviour and sexual activity within a safeguarding context.

The school will endeavour to support vulnerable pupils through:

* Its ethos and culture which promotes a positive, supportive and secure environment; giving pupils a sense of being valued.
* Its behaviour policy -aimed at supporting vulnerable pupils in school. All staff will agree a consistent approach, working to support children in developing positive behaviour.
* Liaison with other appropriate agencies which support the pupil.
* Developing supportive relationships.
* Recognition that children living in difficult home environments are vulnerable and are in need of support and protection.
* Monitoring pupil welfare, keeping accurate records and notifying appropriate agencies when necessary.
* Ensuring designated safeguarding staff and their team have the opportunity to attend face to face SSCB training and network updates. (For example safeguarding child sexual exploitation, domestic violence, drugs / alcohol substance misuse, Female Genital Mutilation-FGM, etc.)
* Ensuring information is transferred safely and securely when a pupil with a child protection record transfers to another school. Also notifying Key Workers or Social Workers where a child leaves the school (as appropriate)

## TRAINING

Staff and volunteers are updated on safeguarding issues frequently across the year –

* Safeguarding is on the weekly agenda for every whole school briefing: HT
* Safeguarding is on the weekly Agenda for each SLT meeting: HT
* Safeguarding procedures are highlighted to all staff annually
* All new staff received Safeguarding Level 1 training
* Ongoing staff training with regard to specific and localised safeguarding issues in provided by the DSLs for all staff
* Annual training includes: Prevent, Part 1 KCSIE 2022 as part of updating Safeguarding training.
* DSL training renewed every 2 years

These updates include learning from serious case reviews and local learning reviews on how to improve practice to prevent children from harm. Findings are shared with all staff as part of a culture of improvement and learning. The DSL ensures s/he has information from MSCB in relation to learning reviews and ensures this information is passed on to staff to promote improvement in respect of safeguarding. As part of our ongoing culture of vigilance and development we share learning and responses from any other relevant issues to ensure we are offering the safest environment for our pupils and staff.

Emerging issues and themes are proactively addressed and fed back to the Local Authority (LA) and Manchester Safeguarding Children Board (MSCB), via the Senior Advisor for Safeguarding in Education (SASE) to ensure a multi-agency awareness and that strategies are developed.

All staff have seen and understand the [Manchester ‘Multi-agency levels of need’ framework](file:///C%3A%5CUsers%5CSarah%5CAppData%5CLocal%5CPackages%5CMicrosoft.MicrosoftEdge_8wekyb3d8bbwe%5CTempState%5CDownloads%5CMulti_Agency_need_and_response_framework%20%281%29.pdf) (see Appendix 2) and know how to pass on any concerns no matter how ‘small or low level’ they seem. In accordance with local and national guidance all staff receives regular training and updates to help them identify when a child is vulnerable.

In school we have staff that are trained and can support colleagues to identify and respond to:

* Neglect
* Drug/substance/alcohol misuse (both pupil and parent)
* Child sexual exploitation / trafficked children
* Children missing from education
* Domestic abuse
* Peer relationship abuse
* child on child abuse
* Risky behaviours
* Sexual health needs
* Obesity/malnutrition
* On line grooming
* Inappropriate behaviour of staff towards children
* Bullying, including homophobic, racist, gender and disability. Breaches of the Equality Act 2010.
* Self-Harm
* Female Genital Mutilation
* Breast Ironing
* Forced Marriage
* Young carers
* The potential additional needs of some learners such as- Looked After Children (LAC), previously LAC, those who have Special Educational Needs or Disabilities (SEND) and children whose families are seeking asylum.

**All staff**

All staff members will undertake safeguarding and child protection training at induction, including on whistle-blowing procedures, to ensure they understand the school’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 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.

**The DSL and Deputy DSLs**

The DSL and Deputy DSLs 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 digest safeguarding developments). They will also undertake Prevent awareness training.

**Governors**

All governors receive training about safeguarding, to make sure they have the knowledge and information needed to perform their functions and understand their responsibilities.

**Recruitment – interview/appointment panels**

At least one person on any interview/appointment panel for a post at the school will have undertaken safer recruitment training. This will cover, as a minimum, the contents of the Department for Education’s statutory guidance, Keeping Children Safe in Education, and be in line with local safeguarding procedures. All candidates will be expected to complete an application form. Staff involved with the recruiting process will also carry out an online search on shortlisted candidates to help identify any issues that are publicly available online.

## EXTREMISM AND RADICALISATION

St Joseph’s RC Primary School seeks to protect children and young people from the influences of all violent extremism including, but not restricted to;

* Extremist Far Right / Neo Nazi / White Supremacist ideology
* Islamic extremist ideology
* Irish Nationalist and Loyalist paramilitary groups
* Extremist animal rights movements.

The current threat from terrorism and extremist groups in the United Kingdom may include the exploitation of vulnerable people. Groups may seek to influence vulnerable children and involve them in terrorism or in activity in support of terrorism. The normalisation of extreme views may also make children and young people vulnerable to future manipulation and exploitation. St Joseph’s RC Primary School is clear that where there is concern in respect of exploitation of this kind it will be treated as a safeguarding concern.

Prevention work and reductions of risks will include the SMSC, PSHE curriculum, SEND policy, the application of the anti-bullying policy and a commitment to building and maintaining an inclusive and fair school environment and community. Whilst the education of children is the prime purpose of our school it is recognised that the school operates in the wider community. Its facilities are therefore only available to local groups when this does not conflict with either the interests of its pupils or the wellbeing and workload of its staff.

# SAFER RECRUITMENT AND SAFER WORKING PRACTICE

The school pays full regard to DfE guidance ‘Keeping Children Safe in Education’ 2022 and with reference to the ‘Position of Trust’ offence (Sexual Offences Act 2003). We ensure that all appropriate measures are applied in relation to everyone who works in the school who is likely to be perceived by the children as a safe and trustworthy adult.

We do this by:

Operating safer recruitment practices including appropriate Disclosure and Barring Service (DBS) and reference checks, verifying identity, academic and vocational qualifications, obtaining professional references, checking previous employment history and ensuring the person has the right to work in the UK. Our practice also includes undertaking interviews and checking if individuals are barred or prohibited from working with children in accordance with DBS and Department for Education (DfE) guidance. In line with statutory guidance we maintain a single central record to evidence checks completed for staff and volunteers working in the school community. Also see Part 3 of KCSIE 2021 for further guidance and information including flowchart on page 60.

## OTHER RELATED POLICIES

The school takes safeguarding seriously and understands this policy is over-arching. The school also maintains other linked policies in line with the legislative requirements; together these make up the suite of policies to safeguard and promote the welfare of children in this school.

* Attendance Policy
* Data Protection
* Staff Code of Conduct / Staff Behaviour Policy
* Behaviour for learning Policy
* Home-School Agreement
* Acceptable IT Use and internet safety policies
* SEND Policy
* LAC Policy
* Disciplinary Policy
* Whistleblowing Policy

APPENDICES

### APPENDIX 1: TYPES OF ABUSE

All staff are aware that abuse, neglect and safeguarding issues are rarely standalone events that can be covered by one definition or label. In most cases multiple issues may overlap with one another.

Staff are trained and supported to understand the types of abuse that some children experience and work to the following definitions:

**Abuse (updated definition):** a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Harm can include ill treatment that is not physical as well as the impact of witnessing ill treatment of others. This can be particularly relevant, for example, in relation to the impact on children of all forms of domestic abuse. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others. Abuse can take place wholly online, or technology may be used to facilitate offline abuse. Children may be abused by an adult or adults or by another child or children.

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

**Emotional abuse**: the persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child’s emotional development.

It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person.

It may include not giving the child opportunities to express their views, deliberately silencing them or ‘making fun’ of what they say or how they communicate.

It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child’s developmental capability as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction.

It may involve seeing or hearing the ill-treatment of another.

It may involve serious bullying (including cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children.

Some level of emotional abuse is involved in all types of maltreatment of a child, although it may occur alone.

**Hazing or initiation:** refers to ceremonies or the practice of rituals, challenges, and other activities involving harassment, abuse or humiliation used as a way of initiating a person into a group. Hazing may include physical or psychological abuse. It may also include nudity or sexual assault.

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

**Neglect**: the persistent failure to meet a child’s basic physical and/or psychological needs, likely to result in the serious impairment of the child’s health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to:

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

**Mental health** is now explicitly included in the definition of safeguarding, which now includes "preventing impairment of children's mental and physical health or development"

In line with **KCSIE**:

* 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
* Only trained professionals should make a diagnosis of a mental health problem, but staff are well placed to observe children and identify those whose behaviour suggests they may be experiencing a mental health problem, or be at risk of developing one
* Abuse, neglect and other traumatic adverse childhood experiences can have a lasting impact, and it's key that staff are aware of how these experiences can affect children's mental health, behaviour and education
* Staff should take action on any mental health concerns that are also safeguarding concerns, following your school's **child** protection policy and speaking to the DSL or deputy
* There's DfE guidance available on **Preventing and Tackling Bullying** and **Mental Health and Behaviour in Schools**, as well as Public Health England guidance on **Promoting children and young people’s emotional health and wellbeing.** Its resources include social media, forming positive relationships, smoking and alcohol and lesson plans. Teaching materials can be accessed from **Rise Above.**
* Additional information on Resources can also be found in para 44 Part 1 of KCSIE 2022 and paras 172-175.

In Working Together to Safeguard Children (updated Dec 20) the importance of mental health concerns for children has been emphasised throughout the revised document. Mental health has been added to physical health (p.7 & p.14) and the significance of mental health concerns about a child have been linked to abuse, neglect or exploitation. For school staff, the advice is to refer concerns about a child’s mental health to children’s services while not making mental health diagnoses (p.18).

**Children and young people who harm others:** the detriment caused to children by the harmful and bullying behaviour of other children can be significant. This may involve single incidents or ongoing physical, sexual or emotional (including verbal) harm perpetrated by a single child or by groups / gangs of children. Such harm or abuse will be referred to the Multi-Agency Safeguarding and Support Hub (MASH) or Police and other agencies as appropriate and further advice and guidance sought.

# **APPENDIX 2:** SPECIFIC SAFEGUARDING ISSUES

Additional information can be found in Annex B of KCSIE 2021

**Children and the court system**

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

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

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

**Non-attendance and poor attendance**

Ongoing absence from school is worrying and could lead to safeguarding concerns. Where there are concerns about a child’s attendance at school, the school will follow the attendance procedures which include first day calling and home visits. Where attendance is poor, proof of absence due to illness e.g. prescriptions or appointment evidence, is requested. Poor attendance could be due to a number of reasons:

* Ongoing medical issues- the school will liaise with the school nurse service and other medical agencies to support the best needs of the child.
* Non-medical issues- the school will liaise with other agencies to resolve issues affecting the child’s attendance. Where there is a concern of neglect or abuse, the school will follow all safeguarding protocols laid out in this policy.

**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 a school
* 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 school without a new school 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.

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, including with respect to 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.

**Children with family members in prison**

Approximately 200,000 children in England and Wales have a parent sent to prison each year. These children are at risk of poor outcomes including poverty, stigma, isolation and poor mental health. NICCO provides information designed to support professionals working with offenders and their children, to help mitigate negative consequences for those children.

**Serious violent Crime**

All staff need to know the indicators that may signal that a child is at risk from, or is involved with, serious violent crime. These indicators include:

• Unexplained gifts/new possessions - these can indicate children have been approached by/involved with individuals associated with criminal networks/gangs

• Increased absence from school

• Change in friendship/relationships with others/groups with older individuals or groups

• Significant decline in performance

• Signs of self-harm/significant change in wellbeing

• Signs of assault/unexplained injuries

Further Advice can be found in KCSIE para 52

**Child Criminal Exploitation (CCE)**

CCE is where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child into any criminal activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial or other advantage of the perpetrator or facilitator and/or (c) through violence or the threat of violence. The victim may have been criminally exploited even if the activity appears consensual. CCE does not always involve physical contact; it can also occur through the use of technology.

CCE can include children being forced to work in cannabis factories, being coerced into moving drugs or money across the country (county lines, see page 85 for more information), forced to shoplift or pickpocket, or to threaten other young people.

It is also important to consider how children can be exploited and to understand that the experiences of girls being criminally exploited can be very different to boys. For further information refer to Part 1 paragraphs: 32-35; 36-39.

Some of the following can be indicators of CCE:

* children who appear with unexplained gifts or new possessions;
* children who associate with other young people involved in exploitation;
* children who suffer from changes in emotional well-being;
* children who misuse drugs and alcohol;
* children who go missing for periods of time or regularly come home late; and
* children who regularly miss school or education or do not take part in education.

In Working Together to Safeguard Children, Criminal exploitation has been added to the areas of risk in which practitioners should be developing their skills and knowledge to address (p.14) and will become part of our training programme this year.

**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 school or education, or not taking part in education

**The department provide: Child sexual exploitation: guide for practitioners**

**County lines**

County lines is a term used to describe gangs and organised criminal networks involved in exporting illegal drugs (primarily crack cocaine and heroin) into one or more importing areas [within the UK], using dedicated mobile phone lines or other form of “deal line”.

Exploitation is an integral part of the county lines offending model with children and vulnerable adults exploited to move [and store] drugs and money. Offenders will often use coercion, intimidation, violence (including sexual violence) and weapons to ensure compliance of victims. Children can be targeted and recruited into county lines in a number of locations including schools, further and higher educational institutions, pupil referral units, special educational needs schools, children’s homes and care homes. Children are often recruited to move drugs and money between locations and are known to be exposed to techniques such as ‘plugging’, where drugs are concealed internally to avoid detection. Children can easily become trapped by this type of exploitation as county lines gangs create drug debts and can threaten serious violence and kidnap towards victims (and their families) if they attempt to leave the county lines network.

One of the ways of identifying potential involvement in county lines is missing episodes (both from home and school), when the victim may have been trafficked for the purpose of transporting drugs and a referral to the National Referral Mechanism103 should be considered. If a child is suspected to be at risk of or involved in county lines, a safeguarding referral should be considered alongside consideration of availability of local services/third sector providers who offer support to victims of county lines exploitation.

Further information on the signs of a child’s involvement in county lines is available in guidance published by the Home Office.

Further information on CCE and CSE explains that:

* These are defined as forms of abuse where an individual or group takes advantage of an imbalance in power to coerce, manipulate or deceive a child into sexual or criminal activity
* The imbalance can be due to age, as well as other factors like gender, sexual identity, cognitive ability, physical strength, status and access to economic or other resources
* In some cases, the abuse will be in exchange for something the victim needs or wants and/or will be to the financial benefit or other advantage (e.g. increased status) of the perpetrator or facilitator
* It can be perpetrated by individuals or groups, males or females, and children or adults
* It can be a one-off occurrence or be a series of incidents over time, and range from opportunistic to complex organised abuse
* It can involve force and/or enticement-based methods of compliance and can involve violence or threats of violence
* Victims can be exploited even when activity appears to be consensual
* It can happen online as well as in person

**Upskirting**

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

**Child on Child Sexual Violence and Sexual Harassment**

At St Joseph’s there is a zero tolerance approach to sexual violence and sexual harassment, and we recognise that failure to do so can lead to a culture of unacceptable behaviour and in the worst case scenario, a culture that normalises abuse. Even if there are no reports of sexual violence or harassment, it doesn’t mean it is not happening and therefore everyone needs to be vigilant.This includes challenging and reporting physical behaviour (potentially criminal in nature) such as grabbing bottoms, breasts and genitalia, pulling down trousers, flicking bras and lifting up skirts. Dismissing or tolerating such behaviours risks normalising them (paragraph 447). We are also aware that children with SEND are 3 times more likely to be abused than their peers (paragraph 449). The age and stage of development are critical factors for consideration and as a school. It is important to support both the victim and the alleged perpetrator, when both children attend St Joseph’s. We recognise that children displaying harmful sexual behaviours may have experienced their own abuse and trauma and they will also be supported.

Reports of sexual violence and sexual harassment are likely to be complex and require difficult professional decisions to be made, often quickly and under pressure. Ultimately, any decisions are for the school to make on a case by case basis, with the designated safeguarding lead (or a deputy) taking a leading role and using their professional judgement, supported by other agencies, such as children’s social care and the police as required. The police will be important partners where a crime might have been committed. Where a report of rape, assault by penetration or sexual assault is made, the starting principle is that this should be referred on to the police. Whilst the age of criminal responsibility is ten, if the alleged perpetrator is under ten, the starting principle of reporting to the police remains. The police will take welfare, rather than a criminal justice approach in these cases. Further information can be found in Sexual Violence and Sexual Harassment between Children in Schools and Colleges further advice can be found in KCSIE.

School will endeavour to protect the anonymity of the child/ren involved. The DSL will also consider whether there needs to be disciplinary action for the alleged perpetrator. This must be carried out in line with KCSIE September 2022 paragraphs 544-546.

The DSL will (in most cases) engage with both the victim’s and alleged perpetrator’s parents or carers when there’s been a report of sexual violence (this might not be necessary in relation to sexual harassment, but decide it on a case-by-case basis). The exception is if there’s reason to believe informing a parent or carer will put the child at additional risk. The DSL will work with relevant agencies to ensure your approach to information sharing is consistent and is appropriately shared.

The DSL will meet the victim’s parent or carers with the victim to discuss what’s being put in place to safeguard and support them, and how the report will progress. The DSL will also meet with the alleged perpetrator’s parents or carers to discuss what’s being put in place that will impact them, e.g. moving them out of classes with the victim, explain the reason behind any decision.

As a school, we will do all we can to ensure that the victim, alleged perpetrator and any witnesses are protected, and that advice regarding their safety and well-being is provided e.g. around the use of social media. Policies, processes and curriculum constantly under review to protect all children.

In line with KCSIE 2022, the DSL will ensure that the victim understands that the law on child-on-child abuse is there to protect them, not criminalise them (paragraph 469). In addition, the DSL will consider intra familial harms and any necessary support for siblings following a report of sexual violence and/or harassment (paragraph 483). If there are delays in the criminal process, the DSL will work closely with the police (and other agencies as required) If the DSL has any questions about the investigation, they will contact the police (paragraphs 523 and 524).When supporting the victim, the DSL will regularly review decisions and actions, and update relevant policies with lessons learnt.

**So-called ‘honour-based’ abuse (including Female Genital Mutilation and Forced Marriage)**

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

**Actions**

If staff have a concern regarding a child that might be at risk of HBA or who has suffered from HBA, they should speak to the designated safeguarding lead (or deputy). As appropriate, they will activate local safeguarding procedures, using existing national and local protocols for multi-agency liaison with police and children’s social care. Where FGM has taken place, since 31 October 2015 there has been a mandatory reporting duty placed on teachers; 104 that requires a different approach (see following section).

**FGM**

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

FGM mandatory reporting duty for teachers

Section 5B of the Female Genital Mutilation Act 2003 (as inserted by section 74 of the Serious Crime Act 2015) places a statutory duty upon teachers along with regulated health and social care professionals in England and Wales, to report to the police where they discover (either through disclosure by the victim or visual evidence) that FGM appears to have been carried out on a girl under 18. Those failing to report such cases may face disciplinary sanctions. It will be rare for teachers to see visual evidence, and they should not be examining pupils or students, but the same definition of what is meant by “to discover that an act of FGM appears to have been carried out” is used for all professionals to whom this mandatory reporting duty applies. Information on when and how to make a report can be found at: Mandatory reporting of female genital mutilation procedural information

Teachers must personally report to the police cases where they discover that an act of FGM appears to have been carried out.105 Unless the teacher has good reason not to, they should still consider and discuss any such case with the school’s or college’s designated safeguarding lead (or deputy) and involve children’s social care as appropriate. The duty does not apply in relation to at risk or suspected cases (i.e. where the teacher does not discover that an act of FGM appears to have been carried out, either through disclosure by the victim or visual evidence) or in cases where the woman is 18 or over. In these cases, teachers should follow local safeguarding procedures. The following is a useful summary of the FGM mandatory reporting duty: FGM Fact Sheet. 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.

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 pupil is at risk of FGM.

Indicators that FGM has already occurred include:

* A pupil confiding in a professional that FGM has taken place
* A mother/family member disclosing that FGM has been carried out
* A family/pupil 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 school, 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 pupil 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 about it (although it is important to take into account the context of the discussion)
	+ Being unexpectedly absent from school
	+ 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.

**Forced marriage**

Forcing a person into a marriage is a crime in England and Wales. A forced marriage is one entered into without the full and free consent of one or both parties and where violence, threats or any other form of coercion is used to cause a person to enter into a marriage. Threats can be physical or emotional and psychological. A lack of full and free consent can be where a person does not consent or where they cannot consent (if they have learning disabilities, for example). Nevertheless, some perpetrators use perceived cultural practices as a way to coerce a person into marriage. Schools and colleges can play an important role in safeguarding children from forced marriage.

The Forced Marriage Unit has published statutory guidance and Multi-agency guidelines, pages 35-36 of which focus on the role of schools and colleges. School and college staff can contact the Forced Marriage Unit if they need advice or information: Contact: 020 7008 0151 or email fmu@fco.gov.uk.

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

The DSL will:

* Speak to the pupil 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 fmu@fco.gov.uk
* Refer the pupil to an education welfare officer, pastoral tutor, learning mentor, or school counsellor, as appropriate

**Domestic Abuse**

The Domestic Abuse Act 2021became law on 29 April 2021.

Definition: Domestic abuse can encompass a wide range of behaviours and may be a single incident or a pattern of incidents. That abuse can be, but is not limited to, psychological, physical, sexual, financial or emotional. Children can be victims of domestic abuse. They may see, hear, or experience the effects of abuse at home and/or suffer domestic abuse in their own intimate relationships (teenage relationship abuse). All of which can have a detrimental and long-term impact on their health, well-being, development, and ability to learn.

This includes controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are “personally connected”, or have been, intimate partners or ex-partners and family members regardless of gender or sexuality.

All children can witness and be adversely affected by domestic abuse in the context of their home life where domestic abuse occurs between family members. Exposure to domestic abuse and/or violence can have a serious, long lasting emotional and psychological impact on children. In some cases, a child may blame themselves for the abuse or may have had to leave the family home as a result. Types of abuse include intimate partner violence, abuse by family members, teenage relationship abuse and child/adolescent to parent violence and abuse. Anyone can be a victim of abuse regardless of sexual identity, age, ethnicity, socio-economic status, sexuality or background and domestic abuse can take place inside or outside the home. There is a National Domestic Abuse Helpline which can be called free of charge and in confidence, 24 hours a day on 0808 2000 247.

In the updated December 2020 Working Together to Safeguard Children, the impact of domestic abuse, including controlling or coercive behaviour, has been integrated throughout the revised guidance. Both domestic violence and controlling and coercive control have been added to the definitions within (p.110 & 111). The changes state (p.14) that practitioners need to develop their knowledge and skills in addressing the impact that domestic violence has upon children, both as witnesses and by being forced to collude in this. As a significant area of growth in reports throughout 2020, this is an area that NSPCC and CPSU will be providing increasing resources on to address and will form part of this year’s CPD for staff.

**Risks outside the family**

All staff, but especially the designated safeguarding lead (and deputies) should consider whether children are at risk of abuse or exploitation in situations outside their families. Extra-familial harms take a variety of different forms and children can be vulnerable to multiple harms including (but not limited to) sexual abuse (including harassment and exploitation), domestic abuse in their own intimate relationships (teenage relationship abuse), criminal exploitation, serious youth violence, county lines, and radicalisation.

**Operation Encompass**

Operation Encompass operates in the majority of police forces across England. It helps police and schools work together to provide emotional and practical help to children. The system ensures that when police are called to an incident of domestic abuse, where there are children in the household who have experienced the domestic incident, the police will inform the key adult (usually the designated safeguarding lead) in school before the child or children arrive at school the following day. This ensures that the school has up to date relevant information about the child’s circumstances and can enable support to be given to the child according to their needs. Police forces not signed up to operation encompass will have their own arrangements in place.

**National Domestic Abuse Helpline**

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

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

* NSPCC- UK domestic-abuse Signs Symptoms Effects
* Refuge what is domestic violence/effects of domestic violence on children
* Safe lives: young people and domestic abuse.

**Homelessness**

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

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

In most cases school and college staff will be considering homelessness in the context of children who live with their families, and intervention will be on that basis. However, it should also be recognised in some cases 16 and 17 year olds could be living independently from their parents or guardians, for example through their exclusion from the family home, and will require a different level of intervention and support. Children’s services will be the lead agency for these young people and the designated safeguarding lead (or a deputy) should ensure appropriate referrals are made based on the child’s circumstances. The department and the Ministry of Housing, Communities and Local Government have published joint statutory guidance on the provision of accommodation for 16 and 17 year olds who may be homeless and/or require accommodation.

The Homelessness duty has been added to Working Together to Safeguard Children December 2020 (p.23) in relation to local authorities’ duties to intervene at an earlier stage in homelessness. Full information is found in the **Homelessness Code of Guidance**.

**Preventing radicalisation**

Children are vulnerable to extremist ideology and radicalisation. Similar to protecting children from other forms of harms and abuse, protecting children from this risk should be a part of a schools’ or colleges’ safeguarding approach.

• Extremism is the vocal or active opposition to our fundamental values, including democracy, the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs. This also includes calling for the death of members of the armed forces.

• Radicalisation refers to the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups.

• Terrorism108 is an action that endangers or causes serious violence to a person/people; causes serious damage to property; or seriously interferes or disrupts an electronic system. The use or threat must be designed to influence the government or to intimidate the public and is made for the purpose of advancing a political, religious or ideological cause.

There is no single way of identifying whether a child is likely to be susceptible to an extremist ideology. Background factors combined with specific influences such as family and friends may contribute to a child’s vulnerability. Similarly, radicalisation can occur through many different methods (such as social media or the internet) and settings (such as within the home).

However, it is possible to protect vulnerable people from extremist ideology and intervene to prevent those at risk of radicalisation being radicalised. As with other safeguarding risks, staff should be alert to changes in children’s behaviour, which could indicate that they may be in need of help or protection. Staff should use their judgement in identifying children who might be at risk of radicalisation and act proportionately which may include the designated safeguarding lead (or deputy) making a Prevent referral.

The school’s or college’s designated safeguarding lead (and any deputies) should be aware of local procedures for making a Prevent referral.

**The Prevent duty**

All schools and colleges are subject to a duty under section 26 of the Counter-Terrorism and Security Act 2015 (the CTSA 2015), in the exercise of their functions, to have “due regard109 to the need to prevent people from being drawn into terrorism”.110 This duty is known as the Prevent duty.

The Prevent duty should be seen as part of schools’ and colleges’ wider safeguarding obligations. Designated safeguarding leads and other senior leaders should familiarise themselves with the revised Prevent duty guidance: for England and Wales, especially paragraphs 57-76, which are specifically concerned with schools (and also covers childcare). The guidance is set out in terms of four general themes: risk assessment, working in partnership, staff training, and IT policies.

There is additional guidance: Prevent duty guidance: for further education institutions in England and Wales that applies to colleges.

**Channel**

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

Guidance on Channel is available at: Channel guidance.

**Additional support**

The department has published further advice for schools on the Prevent duty. The advice is intended to complement the Prevent guidance and signposts to other sources of advice and support.

The Home Office has developed three e-learning modules:

* Prevent awareness e-learning offers an introduction to the Prevent duty.
* Prevent referrals e-learning supports staff to make Prevent referrals that are robust, informed and with good intention.
* Channel awareness e-learning is aimed at staff who may be asked to contribute to or sit on a multi-agency Channel panel.

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

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

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

*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 pupils’ behaviour.*

*The government website* [*Educate Against Hate*](http://educateagainsthate.com/parents/what-are-the-warning-signs/) *and charity* [*NSPCC*](https://www.nspcc.org.uk/what-you-can-do/report-abuse/dedicated-helplines/protecting-children-from-radicalisation/) *say that signs that a pupil 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 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 pupil, they will follow our procedures set out in this policy, including discussing their concerns with the DSL.*

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

# APPENDIX 3: ALLEGATIONS OF ABUSE MADE AGAINST STAFF

Note: Additional advice and support can be found in Part 4 of KCSIE 2021.

This section of this policy applies to all cases in which it is alleged that a current member of 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 may pose a risk of harm to children

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

We will deal with any allegation of abuse against a member of 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 school so that the individual does not have direct contact with the child or children concerned
* Providing an assistant to be present when the individual has contact with children
* Redeploying the individual to alternative work in the school 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 school or other work for the local authority

**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**

Before the discussion with the LADO, the school leader in charge (e.g. HT, DHT or Chair of Governors) should:

* Confirm that the child/ren are safeguarded.
* Obtain a written account of the allegation from the person to whom the allegation was made.
* Record details of potential witnesses.
* Record the details of any discussions and the rationale for any decisions that have been made about the child/ren and/ or adults.

Staff should refer concerns or allegations about supply staff directly to the Headteacher/ Deputy Headteacher.

In the event of an allegation that meets the criteria above, the Head Teacher (or chair of governors where the Head Teacher 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 school 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 school 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 school 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.
* 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

We will inform Ofsted of any allegations of serious harm or abuse by any person living, working, or looking after children at the premises (whether the allegations relate to harm or abuse committed on the premises or elsewhere), and any action taken in respect of the allegations. This notification will be made as soon as reasonably possible and always within 14 days of the allegations being made.

If the school 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 governing body 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 school’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.

**Possible outcomes**

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

• Substantiated: there is sufficient evidence to prove the allegation;

• Malicious: there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive;

• False: there is sufficient evidence to disprove the allegation;

• Unsubstantiated: there is insufficient evidence to either prove or disprove the allegation. The term, therefore, does not imply guilt or innocence;

• Unfounded: to reflect cases where there is no evidence or proper basis which supports the allegation being made.

**Conclusion of a case where the allegation is substantiated**

If the allegation is substantiated and the individual is dismissed or the school ceases to use their services, or the individual resigns or otherwise ceases to provide their services, the case manager and the school’s personnel adviser will discuss with the LADO/designated officer whether to make a referral to the DBS for consideration of whether inclusion on the barred lists is required. As part of this process the harm test must be applied. The harm test is applied. A person satisfies the harm test if they may harm a child or vulnerable adult or put them at risk of harm. It is something a person may do to cause harm or pose a risk of harm to a child or vulnerable adult. Harm is considered in its widest context and may include: sexual harm; physical harm; financial harm; neglect; emotional harm; psychological harm and verbal harm. This is not a fully comprehensive list; harm can take many different forms. This is not defined in legislation, however, DBS view harm as its common understanding or the definition you may find in a dictionary.

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 school.

**Unsubstantiated or malicious allegations**

If an allegation is shown to be deliberately invented, or malicious, the Head Teacher, or other appropriate person in the case of an allegation against the Head Teacher, will consider whether any disciplinary action is appropriate against the pupil(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 pupil.

**Confidentiality**

The school 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 school 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 to be 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 school’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 4: SAFER RECRUITMENT AND DBS CHECKS – POLICY AND PROCEDURES

We will record all information on the checks carried out in the school’s single central record (SCR). Copies of these checks, where appropriate, will be held in individuals’ personnel files. We follow requirements and best practice in retaining copies of these checks, as set out below.

**Appointing new staff**

When appointing new staff, we will:

* Check and verify the individual’s identity using photo identity as well as their birth certificate
* Obtain (via the applicant) an enhanced Disclosure and Barring Service (DBS) certificate, including barred list information for those who will be engaging in regulated activity (see definition below). We will not keep a copy of this for longer than 6 months
* Obtain a separate barred list check if they will start work in regulated activity before the DBS certificate is available
* Verify their mental and physical fitness to carry out their work responsibilities
* Verify their right to work in the UK. We will keep a copy of this verification for the duration of the member of staff’s employment and for 2 years afterwards
* Verify their professional qualifications, as appropriate e.g. QTS status
* Ensure they are not subject to a prohibition order if they are employed to be a teacher
* Carry out further additional checks, as appropriate, on candidates who have lived or worked outside of the UK, including (where relevant) any teacher sanctions or restrictions imposed by a European Economic Area professional regulating authority, and criminal records checks or their equivalent
* We will seek references on all short-listed candidates, including internal candidates, before interview. We will scrutinise these and resolve any concerns before confirming appointments.
* We will ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the Childcare Disqualification Regulations 2018 and Childcare Act 2006. Where we take a decision that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment on the individual’s personnel file. This will include our evaluation of any risks and control measures put in place, and any advice sought.
* All appropriate information from above is stored on the school’s single central record.
* We will ensure the completion of the induction process.

**Regulated activity** means a person who will be:

* Responsible, on a regular basis in a school or college, for teaching, training, instructing, caring for or supervising children
* Carrying out paid, or unsupervised unpaid, work regularly in a school or college where that work provides an opportunity for contact with children
* Engaging in intimate or personal care or overnight activity, even if this happens only once and regardless of whether they are supervised or not

**Existing staff**

If we have concerns about an existing member of staff’s suitability to work with children, we will carry out all the relevant checks as if the individual was a new member of staff. We will also do this if an individual moves from a post that is not regulated activity to one that is.

We will refer to the DBS anyone who has harmed, or poses a risk of harm, to a child or vulnerable adult:

* Where the ‘harm test’ is satisfied in respect of the individual (i.e. that no action or inaction occurred but the present risk that it could was significant)
* Where the individual has received a caution or conviction for a relevant offence
* If there is reason to believe that the individual has committed a listed relevant offence, under the [Safeguarding Vulnerable Groups Act 2006 (Prescribed Criteria and Miscellaneous Provisions) Regulations 2009](http://www.legislation.gov.uk/uksi/2009/37/contents/made)
* If the individual has been removed from working in regulated activity (paid or unpaid) or would have been removed if they had not left

**Agency and third-party staff**

We will obtain written notification from any agency or third-party organisation that it has carried out the necessary safer recruitment checks that we would otherwise perform. We will also check that the person presenting themselves for work is the same person on whom the checks have been made.

**Contractors**

We will ensure that any contractor, or any employee of the contractor, who is to work at the school has had the appropriate level of DBS check. This will be:

* An enhanced DBS check with barred list information for contractors engaging in regulated activity
* An enhanced DBS check, not including barred list information, for all other contractors who are not in regulated activity but whose work provides them with an opportunity for regular contact with children

We will obtain the DBS check for self-employed contractors.

We will not keep copies of such checks for longer than 6 months.

Contractors who have not had any checks will not be allowed to work unsupervised or engage in regulated activity under any circumstances.

We will check the identity of all contractors and their staff on arrival at the school.

**Trainee/student teachers**

Where applicants for initial teacher training are salaried by us, we will ensure that all necessary checks are carried out.

Where trainee teachers are fee-funded, we will obtain written confirmation from the training provider that necessary checks have been carried out and that the trainee has been judged by the provider to be suitable to work with children.

In both cases, this includes checks to ensure that individuals are not disqualified under the Childcare Disqualification (Regulations) 2009 and Childcare Act 2006.

**Volunteers**

We will:

* Never leave an unchecked volunteer unsupervised or allow them to work in regulated activity.
* Obtain an enhanced DBS check with barred list information for all volunteers who are new to working in regulated activity.
* Obtain an enhanced DBS check without barred list information for all volunteers who are not in regulated activity, but who have an opportunity to come into contact with children on a regular basis, for example, supervised volunteers.
* Carry out a risk assessment when deciding whether to seek an enhanced DBS check for any volunteers not engaging in regulated activity.
* Ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the Childcare Disqualification (Regulations) 2009 and Childcare Act 2006. Where we decide that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment. This will include our evaluation of any risks and control measures put in place, and any advice sought

**Governors**

All governors will have an enhanced DBS check without barred list information. They will have an enhanced DBS check with barred list information if working in regulated activity.

All trustees, proprietors and local governors will have the following checks:

* Section 128 direction
* Right to work in the UK
* Other checks deemed necessary if they have lived or worked outside the UK

**Adults who supervise pupils on work experience**

When organising work experience, we will ensure that policies and procedures are in place to protect children from harm.

We will also consider whether it is necessary for barred list checks to be carried out on the individuals who supervise a pupil under 16 on work experience. This will depend on the specific circumstances of the work experience, including the nature of the supervision, the frequency of the activity being supervised, and whether the work is regulated activity.

More advice and information on all Safer Recruitment process can be found in Part 3 of KCSIE 2021.

**Pupils staying with host families**

If the school was in a situation where we needed to make arrangements for pupils to be provided with care and accommodation by a host family to which they are not related (for example, during a foreign exchange visit), we will request enhanced DBS checks with barred list information on those people.

Where the school is organising such hosting arrangements overseas and host families cannot be checked in the same way, we will work with our partner schools abroad to ensure that similar assurances are undertaken prior to the visit.

###

### APPENDIX 6: LEVELS OF NEED

**PROMOTING CHILDREN AND YOUNG PEOPLE'S WELL-BEING:**For additional information go to www.manchestersafegaurding.co.uk

Appendix 8: WHEN TO CALL THE POLICE DOCUMENT WHICH WILL BE ON YOUR EMAILED VERSION. A COPY OF THIS POLICY AND WHEN TO CALL THE POLICE WILL BE KEPT IN THE MAIN OFFICE, AND WITH ALL DESIGNATED SAFEGUARDING TEAM MEMBERS

### APPENDIX 7: FURTHER INFORMATION AND USEFUL LINKS

**Including the following detailed guidance on WHEN TO CALL THE POLICE**

CONTACT CENTRE 0161 234 5001

[Greater Manchester Safeguarding Procedures](http://greatermanchesterscb.proceduresonline.com/)

 [Young People and Self-harm- Stockport Schools' Version](http://www.safeguardingchildreninstockport.org.uk/wp-content/uploads/2015/11/stockport_selfharm_policy2014.pdf)

Female Genital Mutilation Manchester Pathway

 [Stockport procedures for responding to Child Sexual Exploitation](http://www.safeguardingchildreninstockport.org.uk/wp-content/uploads/2015/11/local-procedures-for-cse-stockport.pdf)

 [It’snotokay.co.uk- GM CSE resources-for-professionals](http://www.itsnotokay.co.uk/professionals/resources-for-professionals/)

 [Safeguarding children with disabilities](http://greatermanchesterscb.proceduresonline.com/chapters/p_ch_with_disabilities.html)

 [Sexually harmful behaviour displayed by children and young people](http://greatermanchesterscb.proceduresonline.com/chapters/p_harm_sex.html)

 [Safeguarding children and young people vulnerable to violent extremism](http://greatermanchesterscb.proceduresonline.com/chapters/p_sg_vio_ext.html)

 National Guidance & Resource

 Keeping Children Safe in Education 2020

 [early-years-foundation-stage-framework](https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2)

 [working-together-to-safeguard-children](https://www.gov.uk/government/publications/working-together-to-safeguard-children--2) 2018

 [what-to-do-if-you’re-worried-a-child-is-being-abused](https://www.gov.uk/government/publications/what-to-do-if-youre-worried-a-child-is-being-abused--2)

 [teachers-standards](https://www.gov.uk/government/publications/teachers-standards)

 [Responding to sexting incidents](http://swgfl.org.uk/magazine/Managing-Sexting-Incidents/Sexting-Advice.aspx)

 [prevent-duty-guidance](https://www.gov.uk/government/publications/prevent-duty-guidance)

 [Educate Against Hate](http://educateagainsthate.com/)

 [safeguarding-children-who-may-have-been-trafficked-practice-guidance](https://www.gov.uk/government/publications/safeguarding-children-who-may-have-been-trafficked-practice-guidance)

multi-agency [statutory](https://www.gov.uk/government/publications/multi-agency-statutory-guidance-on-female-genital-mutilation) guidance on FGM

[Inspecting-safeguarding-in-early-years-education-and-skills-settings](https://www.gov.uk/government/publications/inspecting-safeguarding-in-early-years-education-and-skills-from-september-2015)

THE NSPCC WEBSITE

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 **WHEN**

 **TO CALL**

**THE POLICE**

Guidance for schools & colleges

**INTRODUCTION**

**Who is this for?**

This advice is for school and college staff with responsibility for behaviour management, including designated safeguarding leads (DSLs), their deputies, head teachers and senior leadership teams in schools and colleges in England.

What does this advice cover?

This advice covers incidents on school and college premises where students have potentially committed a crime. It provides guidance on what schools and colleges should bear in mind when considering contacting the police. This advice covers the following situations:

* Assault
* Criminal damage
* Cyber crime
* Drugs
* Harassment
* Sexual offences
* Theft
* Weapons

This advice aims to support schools and college to make defensible decisions when considering whether to involve the police.

Safeguarding incidents

This advice does not cover safeguarding incidents. Where a child is suffering, or is likely to suffer from harm, it is important that a referral to children’s social care (and if appropriate the police) is made immediately. Referrals should follow the local referral process.

Chapter 1 of working together to safeguard children explains that the safeguarding partners should publish a threshold document that should include the criteria, including the level of need, for when a case should be referred to local authority children’s social care for assessment and for statutory services under section 17 and 47 of the Children’s Act 1989.

Local authorities, with their partners, should develop and publish local protocols for assessment. A local protocol should set out clear arrangements for how cases will be managed once a child is referred into local authority children’s social care.

Sexual offences

In the case of incidents involving sexual offences, schools and colleges should refer to local safeguarding protocols, alongside Keeping children safe in education and Sexual violence and harassment between children in schools and colleges guidance.

In cases involving youth produced sexual imagery – often called ‘sexting’ - schools and college may refer to the non-statutory UKCCIS sexting in schools and colleges guidance.

What is the status of this advice?

This advice has been produced by the National Police Chiefs’ Council working alongside the Department for Education, Home Office and the PSHE Association.

This advice is non-statutory and should be read alongside the Department for Education’s (DfE) keeping children safe in education statutory guidance and non-statutory searching, Screening and Confiscation advice for schools.

Police assistance is required

All other non-emergency incidents should be reported using 101 or online reporting methods, or through existing arrangements, for example, to a safer schools officer. The call will be logged by an operator and depending on the nature of the incident the appropriate response made.

Contact with police should ideally be made by a single point of contact from the school. This may be the Headteacher or the designated safeguarding lead. Every school and college should have a designated safeguarding lead who will provide support to staff to carry out their safeguarding duties and who will liaise closely with other services such as children’s social care. The designated safeguarding leads (and any deputies) are most likely to have a complete picture of safeguarding and be the most appropriate person to advice on the response to safeguarding concerns.

Having a single point of contact between a school or college and the police helps increase consistency in referrals.

**Contacting the police**

In an emergency dial 999. This should be used if:

* There is a danger to life or
* Risk of serious injury or
* A serious crime is in progress or about to happen.

Any member of staff witnessing such an incident should be empowered to dial 999 as they will be able to give the most accurate account of the incident.

## Making a decision to involve the police

When an incident occurs in which a crime has or may have been committed, the school or college need to consider whether to involve the police. Many incidents can be dealt with and resolved internally. The school or college behaviour policy will give guidance on how to deal with and record such incidents.

This guidance document outlines the factors which school or college leaders should consider when deciding to involve the police. These considerations would inform whether the police would expect and need to be involved.

All concerns, discussions and decisions made, and the reasons for those decisions, should be recorded in writing. If in doubt about recording requirements, staff should discuss with the designated safeguarding lead (or deputy).

## Things to consider

In making a decision to involve the police it is important that the school or college ensure a balance is struck between the needs of the students involved and the needs of other students and the wider school or college community.

It is not always clear initially who is involved in an incident and in what capacity. The victim in any incident should be supported and protected as a priority. Those suspected of being the offender will also need to be supported. There will often be significant circumstances in a young person’s life that are contributing factors to an incident and it is important that they are taken into consideration.

The seriousness of the incident will be a judgement call for the school or college. In making this decision the level of harm and the circumstances leading to the incident would need to be carefully considered.

Any aggravating factors which contribute to making the incident and subsequent level of harm more serious would be relevant in making a decision on whether or not to involve the police.

Ideally the decision as to whether the school or college deal with an incident internally or pass it over to the police needs to be made at the initial stage, by gathering only enough information to establish the facts of the case.

The school or college should be aware that they may not be aware of all circumstances leading to or connected to the incident i.e. students behaviour or involvement outside school or within their family. Contacting the police or other agencies may allow a further picture to be obtained, which assists in making informed decisions.

When the decision is made that the school or college will deal with the incident internally, it remains the responsibility of the school or college to investigate and resolve it in accordance with their behaviour policy. Parental cooperation should be maintained throughout and the incident and actions recorded.

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

Schools and colleges should be aware that if a referral is made to children's social care, this may result in a subsequent referral to the police.

Many schools and colleges have close relationships with their local police force and many police forces have a permanent or semi-permanent police presence in schools and colleges. The designated safeguarding lead (or deputy) should be liaising closely with the local police when an incident in which a crime may have been committed occurs.

Vulnerable young people

All staff should be prepared to identify children and young people who may benefit from early help. Early help means providing support as soon as a problem emerges at any point in a young person’s life, from the foundation years through to the teenage years.

Some areas of vulnerability are highlighted below, but should not be seen as a comprehensive list. It’s important to note that most children and young people with vulnerabilities do not commit offences.

However, the challenges that children and young people with vulnerabilities are facing can sometimes contribute to behaviour which may lead them to unwittingly commit offences.

All school and college staff should be particularly alert to the potential need for early help for a child or young person who:

* is disabled and has specific additional needs
* has special educational needs (whether or not they have a statutory education, health and care plan)
* is a young carer
* is showing signs of being drawn in to anti-social or criminal behaviour, including gang involvement and association with organised crime groups
* is frequently missing/goes missing from care or from home
* is 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
* is misusing drugs or alcohol themselves
* has returned home to their family from care
* is a privately fostered child
* is a child in care
* has experienced recent trauma i.e. bereavement

## Crimes reported to the police

When the decision is made to report an incident to the police for investigation, due to the seriousness of the incident or for other aggravating circumstances, the school or college should cease their own investigation, having asked only enough questions to establish the basic facts of the incident. Every effort should be made by the school or college to preserve any relevant evidence.

Initial enquiries undertaken by the school or college should be fully documented as they may be required if the matter goes to court. This includes recording questions asked to young people and their replies.

Where a crime is reported to the police, it will be recorded as a crime and an investigation will commence.

Whilst the age of criminal responsibility is ten, if the alleged perpetrator of a crime is under ten, it may still be necessary to involve the police. The police will take a welfare approach in these cases rather than a criminal justice approach.

## Arresting on school or college premises

Arresting on school or college premises should be avoided unless the seriousness and urgency of an incident deems the arrest absolutely necessary. The head teacher should always be made aware of the situation and the arrest should be conducted as discreetly as possible.

In any incident where a crime may have occurred schools and colleges should consider:

* The seriousness of the incident. Whether an incident is ‘serious’ will be a matter of judgement and will depend on the type of incident.
* Whether there are any aggravating factors. These factors increase the level of risk, or highlight the need for a wider investigation and the need for the involvement of a range of agencies as well as the police
* Whether the young people involved have any vulnerabilities.
* Whether this could be part of a pattern of behaviour also occurring in the community, in which case the police will want to be involved.

The context of the offence is really important and the school or college are in the best position to gather together all the relevant information prior to making a decision whether or not to report to the police. The decision and the rationale behind it should both be recorded.

## What is hate or prejudice based incidents?

Hate incidents and hate crimes are acts of violence or hostility directed at people because of who they are or who someone perceives them to be. The police and Crown Prosecution Service have agreed a common definition of hate incidents.

An incident is considered a hate incident when the victim or anyone else believes that the incident was motivated by hostility or prejudice based on one of the following things:

* disability
* race
* religion
* transgender identity
* sexual orientation

If you believe something is a hate or prejudiced based incident it should be recorded as such by the person you are reporting it to. All police forces record hate incidents based on these five personal characteristics.

## When is a hate or prejudice incident also a hate crime?

When hate incidents become criminal offences they are known as hate crimes. Any criminal offence is a hate crime if it is motivated by hostility or prejudice based on disability, race, religion, transgender identity or sexual orientation.

# GUIDANCE

The following guide outlines questions schools or colleges should ask for different types of incidents and possible aggravating offence factors to be considered. The context of the offence should always be taken into consideration and the vulnerabilities previously outlined taken into account.

**Assault –** see flowchart

#### An act which intentionally or recklessly causes violence to another.

The school or college should first establish:

##### Are there any injuries?

If there are any suspected broken bones or significant injuries then seek medical help first, and then call the police on 101.

If no significant injuries are apparent consider:

* What has happened?
* Who is involved?
* Is there any history between the individuals involved?
* Are there any safeguarding concerns? If YES — Refer to Keeping children safe in education and follow local safeguarding protocols

##### Are there any aggravating factors?

* Is there a significant age gap between the individuals involved, i.e. more than a year apart?
* Is there any evidence of injuries?
* Is there evidence of escalating behaviour? Or previous incidents of a similar nature?
* What is the impact on the victim?
* What are the victim’s wishes?
* Are there any hate elements?
* Is the assault gang-related?
* Were weapons involved? (see weapons flow chart for the definition of a weapon)

**Criminal damage including arson –**

See flowchart

#### To destroy or damage property belonging to another either intending to do so or being reckless as to whether damage is caused.

The school of college should be able to deal with most incidents of criminal damage.

##### What has happened and who is involved? Are there any aggravating factors?

Schools or colleges will need to decide whether to involve the police by establishing:

* Is the damage of a high value? (What constitutes high value is a professional judgement call for the school)
* Is there evidence of escalating behaviour? Or previous incidents of a similar nature?
* Have any threats or violence been used in the course of the damage?
* What is the impact on the victim?
* What are the victim’s wishes?
* Is there a hate element?

Schools or colleges may decide that the presence of aggravating factors requires the police to be involved.

**Cybercrime –** see flowchart

#### Cybercrime is criminal activity committed using computers and/or the internet. It can involve malicious attacks on computer software, including:

* Breaking IT rules
* Unauthorised access to computers
* Denial of Service or other computer interference and impairment
* Acts causing serious damage to or loss of data
* ‘Hacking’
* Cheating at online gaming

This guidance has a focus on offences committed by young people rather than external cybercrime and cyber security. Further guidance can be found at [www.ncsc.gov.uk](http://www.ncsc.gov.uk/)

The school or college should first establish:

* What has happened?
* Who is involved?
* Is this part of a pattern of behaviour?
* Are there any safeguarding concerns? If YES — Refer to Keeping children safe in education – (link) and follow local safeguarding protocols

##### Are there any aggravating factors?

* Did this incident cause any disruption to the school?

E.g. loss of access to website and online learning platforms or school communication networks disrupted.

* Did the school suffer a loss of data or corruption of files?
* Did the school suffer loss of teaching time resulting on an impact on other students?
* Is there a hate element?
* Have they expressed any ideological motivation or reason for their actions?
* Is there evidence of escalating behaviour? Or previous incidents of a similar nature?
* Is the behaviour related to gang activity or an Organised Crime Group?
* Do the young people involved have any additional relevant vulnerability? This could include:
	+ Neurodiversity including Autistic Spectrum Disorder
	+ Mental health concerns
	+ Living in a chaotic or dysfunctional household or one in which their skills are not likely to be fostered at home
	+ In a household with inappropriate ideological influences
	+ Gang or Organised Crime Group associations
	+ Socially isolated

##### Cyber Choices Program

Wherever possible, students should be referred into the Cyber Choices Program. This initiative is aimed at 12-18 year olds supported by the National Crime Agency and the Home Office, together with regional and local police force cyber specialists.

The objective of the program is to encourage students to use their cyber skills positively by highlighting alternative opportunities, along with providing victim awareness and deterrents, such as the potential penalties for continuing along the cybercriminal pathway.

**Drugs –** see flowchart

#### Possession: It is an offence for any person to unlawfully have a controlled drug in their possession.

Supply: It is an offence to supply, be concerned in the supply, offer to supply or be concerned in making an offer to supply a controlled drug.

The school or college should first establish:

##### What has happened?

* Have drugs been found?
* Who is involved?
* Are there suspicions of drug dealing?

##### If drugs are found

* Is it on school or college premises?
* Seize the substance — it is legal to possess an illegal substance in order to prevent an offence being committed and then destroy it, or hand it to the police.
* If the substance needs to be kept pending police collection, then it should be securely stored in the school safe.
* Schools and colleges are allowed to dispose of substances. If this action is taken, a witness must be present and the action recorded.

##### If a student is under the influence of a substance

* If a student is suspected of being under the influence of drugs or alcohol on its premises, the school or college must prioritise the safety of the young person and those around them. If necessary it should be dealt with as a medical emergency, administering first aid and summoning appropriate support. Depending on the circumstances, parents or the police may need to be contacted.
* If the student is seen to be at risk the school or college’s safeguarding policy will come into effect and social services may need to be contacted.
* If the student is taken to hospital in an ambulance or receives medical attention at a hospital, parents and carers and the police must be informed. As the student has been placed at significant risk or harm, the police will need to investigate potential offences in relation to the misuse or illegal taking of substances.

##### A student suspected to be in possession of drugs

* Ask the student to turn out their pockets and bags. Given the circumstance, the designated member of staff is permitted to use reasonable force when conducting a search.
* However, if a pupil is not compliant or a more personal search is required, consider calling the police to conduct the search.
* The student should be supervised at all times to ensure they have no opportunity to dispose of any substance.
* Ensure that a second adult witness is present throughout and that any action taken is recorded.
* If a substance is found – seize substance – it is legal to possess an illegal substance in order to prevent an offence being committed and then destroy it or hand it to the police. If the substance needs to be kept pending police collection, it should be stored in the school or college safe. Seal the sample in a plastic bag and include details of the date and time of the seizure/find and witness present.
* Schools and colleges are allowed to dispose of substances. If this action is taken, a witness must be present and the action recorded.
* If a small quantity is found, a school or college can manage the incident in line with their drug policy – consider a referral to a local young person drug service for support and intervention.

The law does not require a school or college to divulge to the police the name of the pupil from whom the drugs were taken but it is advisable to do so;

* Record full details of the incident, including the police incident reference number;
* Inform parents/carers, unless this is not in the best interests of the student;
* Identify any safeguarding concerns and develop a support and disciplinary response.

##### Are there any aggravating factors?

* What age are the students involved?
* Is there a large amount or the substance prepared for dealing?
* Are there signs and symptoms of problematic drug use

E.g. change of appearance/behaviour?

* Is there any indication of links to gangs or county lines?

##### If there are rumours of drug use within the school or college

School and college staff are best placed to decide on the most appropriate response to tackling drugs within their school. This is most effective when:

* It is supported by the whole school or college community; with a current schools drugs and alcohol policy in place
* Drug education is part of a well-planned programme of PSHE education delivered in a supportive environment, where students are aware of the school or college rules, feel able to engage in open discussion and feel confident about asking for help if necessary;
* Staff have access to high quality training and support

##### Involving the police

It is essential to work in partnership with local officers for support and advice and where required, operational intervention.

##### Drug Dogs and Drug Testing

The National Police Chief’s Council does not recommend that drug dogs and drug testing should be used for searches where there is no evidence of the presence of drugs on school or college premises.

##### Prevention

Schools and colleges should ensure that students have access to and knowledge of up-to-date information on sources of help.

This includes local and national helplines (including FRANK for drugs, NHS Smoking Services for tobacco and Drinkline for alcohol), youth and community services and drug services. These sources can be used as part of, or in addition to, the school or college’s own drug and alcohol education.

When evaluating the behaviour and safety of students under the Ofsted inspection framework, inspectors will consider student’s ability to assess and manage risk appropriately and to keep themselves safe. In supplementary PSHE guidance for subject survey visits, student’s awareness of the dangers of substance misuse is included in the criteria for inspectors when grading the quality of PSHE delivery.

Behaviour Management

Any response to drug-related incidents must balance the needs of the individual students with the wider school and college community. In deciding what action to take, schools and colleges should follow their own disciplinary procedures.

Exclusion should not be the automatic response to a drug incident and permanent exclusion should only be used in serious cases. More detail on excluding students can be found in the DfE exclusion guidance.

Drug use can be a symptom of other problems and schools and colleges should be ready to involve or refer students to other services when needed. It is important that schools and colleges are aware of the relevant youth and family support services available in their local area.

Sources of advice and local services should be listed in the school or college drug policy for reference. The senior member of staff responsible for drugs should have established relationships with local agencies to understand what support is available.

Schools and colleges can have a key role in identifying students at risk of drug misuse. The process of identifying needs should aim to distinguish between students who require general information and education, those who could benefit from targeted prevention, and those who require a detailed needs assessment and more intensive support.

**Harassment –** see flowchart

#### Causing alarm or distress to another on more than one occasion, which they either know or should have known would amount to harassment of the other.

Harassment can include repeated attempts to impose unwanted communications and contact upon a victim in a manner that could be expected to cause distress or fear in any reasonable person.

* What has happened?
* Who is involved?
* What is the nature of previous incidents?
* Are there any safeguarding concerns? If YES — Refer to Keeping children safe in education and follow local safeguarding protocols

##### Are there any aggravating factors?

* Is there evidence of escalating behaviour?
* Are there any on line elements?
* Is it sexual harassment? If YES – refer to Sexual harassment guidance
* Are there any hate elements?
* What is the impact on the victim?
* What are the victims’ wishes?

**Theft –** see flowchart

#### A person is guilty of theft if they dishonestly appropriate property belonging to another with the intention of permanently depriving the other of it.

Schools and colleges should take steps to establish what has happened and who is involved. The school or college would normally deal with such an incident internally unless there were aggravating factors present.

The following questions will support the school or college in the decision making process.

##### Are there any aggravating factors?

* Is the stolen goods of a high value? The definition of high value here is a professional judgment call to be made by the school
* Is there evidence of escalating behaviour? Or previous incidents of a similar nature?
* Have any threats or violence been used in the course of the theft?
	+ What is the impact on the victim?
	+ What are the victim’s wishes?
	+ Is there a hate element?

**Weapons –** see flowchart

#### An offensive weapon is any article which is made, intended or adapted to cause injury. Offensive weapon can be broken down into two categories:

* Those that are made as an offensive weapon (e.g. knuckle- duster, dagger, gun) or adapted (e.g. broken bottle) for use for causing injury to the person; and
* Weapons not made or adapted as an offensive weapon (e.g. kitchen knife, spanner, hammer) but intended by the person having in possession of it to cause injury to another

Possession of a weapon, particularly a knife on school or college premises is often an indicator of vulnerabilities for the young person concerned and therefore a multi-agency approach is important, instigated by a police referral. The school or college should not be expected to manage the situation in isolation.

School staff do have the power to search for weapons, using force as is reasonable in the circumstances. It is important that staff do not put themselves at risk.

Offences

Section 139A of the Criminal Justice Act 1988 creates the offence of possessing an article with a blade or sharp point or an offensive weapon on school premises.

Section 1 of the Prevention of Crime Act 1953 prohibits the possession in any public place of an offensive weapon without lawful authority or excuse.

Section 139 of the Criminal Justice Act 1988 prohibits having with you, in a public place any article which has a blade or is sharply pointed, (including a folding pocket knife if the cutting edge of its blade exceeds 7.62cm/3 inches)

139A (1) Any person who has an article to which section 139 of this Act applies with him on school premises shall be guilty of an offence.

139A (2) Any person who has an offensive weapon within the meaning of section 1 of the Prevention of Crime Act 1953 with him on school premises shall be guilty of an offence.

##### Defences

139A (3) It shall be a defence for a person charged with an offence under subsection (1) or (2) above to prove that he had good reason or lawful authority for having the article or weapon with him on the premises in question.

139A (4) Without prejudice to the generality of subsection

above, it shall be a defence for a person charged with an offence under subsection (1) or (2) above to prove that he had the article or weapon in question with him:-

For use at work, (b) for educational purposes, (c) for religious reasons, or (d) as part of any national costume.

##### BB guns (plastic pellet guns)

The possession of these types of guns under legislation is not an offence as they are deemed to be toys. However, if from a school or college’s perspective they breach school rules, they could be seized and retained under the Education Act.

If an item is found which is suspected to be a gun, and it cannot be ascertained whether it is a genuine firearm or a BB gun, it should always be treated as a firearm and the police called to make that decision.

 Possession of these items becomes an offence when a person is misled into believing they are genuine firearms in order to provoke fear; the BB gun may then be classed as an imitation firearm. Circumstances giving rise to this belief may include use:

* in connection with a robbery
* To threaten someone
* As a weapon to assault someone, e.g. pellet injures

##### Contacting the police

The presumption would be to contact the police unless in exceptional circumstances where there is a reasonable explanation or set of circumstance where it is obvious that a weapon or prohibited article has been brought into school or college as a genuine mistake.

The weapon should be seized and stored securely by the school.

* Head teachers and staff authorised by them have the power to search students for offensive weapons, with their consent. They also have statutory power to search pupils or their possessions, without consent, where they have reasonable grounds for suspecting that the pupil may have an offensive weapon. Further information can be found here

##### Aggravating factors

Therefore, as the police will be involved in most situations where a weapon is involved, the full circumstances relating to the incident will be investigated.

**Deﬁnition:** It is an act which intentionally or recklessly causes violence to another

 **ASSAULTS**

What are the victim/parent’s wishes? Do they want the police involved?

Call the Police. Do not investigate further.

School to deal. Phone parents

Record decisions

Refer to Working Together to Safeguard Children

Consider reporting to the police. Do not investigate further.

 **~~YES~~**

**NO**

 **~~YES~~**

**YES**

**NO**

**YES**

Is there a history of previous incidents between those involved?

If it is a student

Who is involved?

Is there a signiﬁcant injury

I.e. broken limb?

Are there any injuries?

What has happened?

Is it an assault?

If adult(s) or student(s) from another school call the police to deal. Do not investigate further

Minor injury i.e. bruising/scrape

Call the police. Do not investigate further.

Seek medical help

|  |  |
| --- | --- |
| Are there aggravating factors? |  **~~NO~~**  |
| Was a weapon involved?Is there a signiﬁcant age gap?Is there a hate element?Is the assault gang related?Are there any safeguarding concerns? |
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**CRIMINAL DAMAGE** INCLUDING

ARSON

### **Deﬁnition:** Criminal damage is the intentional and malicious damage to property or vehicles, including graﬃti, or being reckless as to whether damage is caused. Arson is the act of deliberately setting ﬁre to property, including buildings and vehicles.

 **~~NO~~**

Call the police.

Do not investigate further.

**YES**

What is the impact on the victim? What are the victim’s wishes?

High volume? Previous incidents?

Threats or violence used?

Does it only involve students and/or staﬀ within school premises?

What has happened? Who is involved?

Are there aggravating factors?

In deciding whether the school can manage this internally or whether to refer to the Police, consider...

**YE~~S~~**

Report to police on 101. Do not investigate further.

**N~~O~~**

School to manage. Phone parents.

**CYBER CRIME**

**Deﬁnition:** Cyber Dependent Activity includes: Unauthorised access to computers, Denial of Service or other computer interference and impairment, Acts causing serious damage to or loss of data, ‘Hacking’.



If it is a student are there aggravating factors?

What has happened? Who is involved?

Are there any safeguarding concerns?

School to manage. Phone parents.

 **~~YES~~**

**YES**

Are there aggravating factors?

Report to:

If adult(s) or student(s) from another school report to Action Fraud. Do not investigate further

 **~~NO~~**

**YES**

**Cyber Choices Program**

Wherever possible, students should be referred into the Cyber Choices Program. This initiative is aimed at 12-18 year olds supported by the National Crime Agency and the Home Oﬃce, together with regional and local police force cyber specialists.

The objective of the program is to encourage students to use their cyber skills positively by highlighting alternative opportunities, along with providing victim awareness and deterrents, such as the potential penalties for continuing along the cybercriminal pathway.

Refer to ‘Working Together to Safeguard Children’

Is there a hate element?

Have they expressed any ideological motivation or reason for their actions?

Is there evidence of escalating behaviour? Or previous incidents of a similar nature? Is the behaviour related to gang activity or an Organised Crime Group?

Did this incident cause any disruption to the school? E.g. loss of access to website and online learning platforms or school communication networks disrupted.

Did the school suﬀer a loss of data or corruption of ﬁles?

Did the school suﬀer loss of teaching time resulting on an impact on other students?

 **~~YES~~**

Call the police. Do not investigate further

**ILLEGAL DRUGS**

Secure the drugs/ substance

Illegal drugs found on school/college premises

Rumours of drug use on or around school/college premises. No identiﬁed student.

Information that a student is in possession of illegal drugs on school/college premises.

**Deﬁnition:** Misuse of Drugs Act 1971: It is an oﬀence for any person to unlawfully have a controlled drug in their possession. It is an oﬀence to supply, or be concerned in the supply of a controlled drug. It is an oﬀence to oﬀer to supply, or be concerned in making an oﬀer to supply a controlled drug.

It is legal to possess an illegal substance in order to prevent an oﬀence being committed. Secure in safe place, either destroy with a witness or notify police for collection.

Speak to informant. Gather as much information as possible and record.

Where has the information come from? What are the circumstances?

Away from peers ask the student to give you the drugs/substance.

They deny having drugs or refuse to give them to you.

Share with members of staﬀ and ask them to be vigilant. Gather together all of the information.

Where has the information come from? Do you believe it?

Speak to local police for advice.

Use internal school management process involving senior managers

**DRUGS FOUND**

Are there aggravating factors?

They give you the drugs/substance

Contact parents whether or not substance found.

School/college have power to search, using force, as is reasonable given the circumstances.

Secure the drugs/ substance

Consider the circumstances surrounding the incident when making a professional judgement on whether to report to Police.

Any welfare/safeguarding concerns. Refer to MASH

**N~~O~~**

Always consider the needs of the student and refer for local drugs support

School/college to manage in line with policy

If any risk to a member of school/ college staﬀ, call police on 999

Advise the student you have information to suggest they have drugs. Tell them you have the power to search them.

**YE S**

Call the police.

Do not investigate further

Record decisions and the reasons for decisions

Is there evidence of involvement in dealing? Is there any evidence of gang or county lines involvement?

**HARASSMENT**

### **Deﬁnition:** Causing alarm or distress or putting people in fear of violence, on more than one occasion (course of conduct) and the incidents are connected.

**N~~O~~**

Refer to ‘Working together

to safeguard children’

School to deal. Involve parents.

What has happened?

Immediate risk of harm?

Who is involved?

What is the nature of previous incidents? (Previous incidents must be recorded)

 **~~YES~~**

Is it anyone outside of the school community involved?

Call the police on 999

**YES**

Call the police on 999

**NO**

In order to be harassment, the oﬀender needs to know that their behaviour is causing the victim to be harassed.

Are there any safeguarding concerns?

Is there a hate element?

Is there a sexual element?

Is there an online element?

What is the impact on the victim and what are their wishes?

Are there aggravating factors?

**YE~~S~~**

Consider referring to Police. Do not investigate further

**SEXUAL OFFENCE**

**Deﬁnition:** Any sexual contact with another person without that other person’s consent. Generally speaking guidance on dealing with sexual oﬀences is covered in working together to safeguard children. For incidents of rape or serious sexual assault call the police immediately.

Refer to ‘Working together to

Safeguard children’

Refer to ‘Sexual violence and sexual harassment between Children in Schools and Colleges’ document - Department for Education

Any kind of sexual abuse

Any concerns about any sexual behaviour

See ‘Reporting to Police’ page 29, point 4

Sexting – youth produced sexual images

Refer to ‘Sexting guidance for schools’ page 43

Are there any safeguarding concerns?

Refer to ‘Working together to safeguard children’

**Deﬁnition:** A person is guilty of theft if they dishonestly appropriate property belonging to another with the intention of permanently depriving the other of it.

**THEFT**

 **~~NO~~**

Call the police to deal.

Do not investigate further

**YES**

What is the impact on the victim? What are the victim’s wishes?

High volume? Previous incidents?

Threats or violence used?

Does it only involve pupils and/or staﬀ within school premises?

What has happened? Who is involved?

Are there aggravating factors?

In deciding whether the school can manage this internally or whether to refer to the Police, consider...

**YE~~S~~**

Report to police on 101. Do not investigate further

**N~~O~~**

School to deal. Phone parents

**WEAPONS**

DEFINITION: An offensive weapon is any article which is made, intended or adapted to cause injury. It is an offence to possess an offensive weapon or bladed or sharply pointed article on primary or secondary school premises.

A person on school/ college premises in possession of a weapon use or threatens to use it

Call the police on 999

They deny having a weapon or refuse to give it to you.

Speak to informant. Gather as much information as possible and record.

Where has the information come from? What are the circumstances?

They give you the weapon.

Away from peers, ask the student to give you the weapon.

If any risk to a member of school/ college staﬀ call 999

Call the police.

Do not investigate further

Is there information to suggest the weapon may have been hidden on or oﬀ school/college site?

**WEAPON FOUND**

In exceptional circumstances school/college to deal. Record decision and actions taken

Are they harming themselves or any other vulnerability?

Refer to Working Together to Safeguard Children

School/college have power to search, using force, as is reasonable given the circumstances.

Refer to ‘Searching, screening and conﬁscation guidance’

Advise the student you have information to suggest they have a weapon. Tell them you have the power to search them.

What are the circumstances?

Call the police. Do not investigate further

Are there aggravating factors?

**WEAPON NOT FOUND**

School/college to manage. Inform parents.

Information that a student is in possession of an oﬀensive weapon.

Is this part of an oﬀending behaviour pattern? Are they involved in a gang? Are they a victim of bullying?

If any risk to a member of school/ college staﬀ call 999