



# SAFEGUARDING AND CHILD PROTECTION POLICY - SCHOOLS

THIS POLICY IS REVIEWED ON AN ANNUAL BASIS

**Policy reviewed by:** Laura De Oliveira – Nursery Head, Swinbrook House Nursery School - Marylebone

**Policy approved by:** Viv Thompson – Director of Early Years

**Review date:** 01/09/2019

**Submission:** 01/09/2019

**Version:** v2.0

**Policy actioned from:** October 2019

**Next review date:** September 2020

**Reviewer's Signature:**



**Approver's Signature:**



Viv Thompson

Please note: 'School' refers to Chatsworth Schools; 'parents' refers to parents, guardians and carers.

This is a whole school policy, which also applies to the Early Years Foundation Stage.

Circulation: This policy has been adopted by the school and governors, is addressed to all members of staff and volunteers, and is available to parents on request. It applies wherever staff or volunteers are working with children.



## Safeguarding and Child Protection Policy

### 1. Statement of Intent

- 1.1. Chatsworth Schools (CS) are committed to Safeguarding, Child Protection and promoting the welfare of children and expect those working in the organisation and those connected with CS to share this commitment.
- 1.2. CS want to work with children, parents and others connected with or supporting families to ensure the safety and protection of children, to promote their development and wellbeing and to give them the very best start in life.
- 1.3. CS are committed to providing a supportive and controlled environment in which children and young people are encouraged to pursue high academic and personal goals as happy and secure individuals.
- 1.4. Why do we need a Safeguarding Policy?
  - children have a right to be safe
  - adults have a responsibility to safeguard and protect children
  - abuse is damaging and can affect the rest of a child's life
  - so children can grow up to be well-adjusted adults

The Chatsworth Schools Executive Team information can be found on the CS website:

[www.chatsworthschools.com](http://www.chatsworthschools.com) or from the list below. Note that all those listed below are deemed governors of the school.

Anita Gleave	Chatsworth Schools - Chief Executive Officer
Graeme Delaney	Secondary & Boarding, Inspections
Robert Berry	Chatsworth Schools - Director of Operations , Day-to-Day Running of Schools, Admissions
Gordon Milne	Primary, Compliance, Inspections, Lead Safeguarding Governor
Vivianne Thompson	Chatsworth Schools Director of Early Years, Group DSL for Chatsworth Schools

The Directors and Governors oversee the annual review of the school's Child Protection policies and procedures and will be signed off by the designated lead.



## INTRODUCTION

This policy applies to the whole school.

Swinbook House Nursery School - Marylebone fully recognises its Child Protection responsibilities within the broader context of safeguarding. We recognise that all staff, including volunteers, have a full and active part to play in protecting pupils from harm. Everyone who comes into contact with children and their families and carers has a role to play in safeguarding children. All professionals should ensure that their approach is child centred: this means considering **at all times** what is in **the best interests of the child**. Staff members must raise any safeguarding concerns with the appropriate safeguarding lead **immediately**.

In accordance with the Westminster City Council, this document uses the abbreviation LADO (local authority designated officer) throughout, to refer to the specific role of the designated officer employed by the local authority to manage and have oversight of allegations across the children's workforce. This term is used in order to distinguish between safeguarding leads in education who can also be referred to as 'designated' leads.

## WHO TO CONTACT

For non-safeguarding concerns, please contact the child's key person or the nursery manager.

### Concern about a child

Laura De Oliveira - Designated Safeguarding Lead  
Level 3 Multi-agency Safeguarding and child protection  
Training

Office No.  
02079352441

Mobile No.  
07976326921

Natasha Strong - Deputy DSL  
Level 3 Multi-agency Safeguarding and child protection  
Training

Office No.  
02079352441

Mobile No.  
07875402330

If, in exceptional circumstances, the designated safeguarding lead (or deputy) is not available, staff should consider speaking to a member of the senior leadership team and/or take advice from local children's social care:

Westminster Initial Point of Contact (IPOC))

Office No  
02076417668

Westminster Multi-Agency Safeguarding Hub 'MASH Front Door

Office No  
02076414000



Additional external contact information is available in Appendix 11

**Concern about a member of staff or member of senior management**

Laura De Oliveira – Nursery Manager Office No. 02079352441/ Mob No.  
07976326921

If absent; CS DSL, Viv Thompson, [Tel:07957207138](tel:07957207138)

[vthompson@chatsworthschools.com](mailto:vthompson@chatsworthschools.com)

CS Lead Safeguarding Governor, Gordon Milne, [Tel:07515991671](tel:07515991671)

[gmilne@chatsworthschools.com](mailto:gmilne@chatsworthschools.com)

or: Kembra Healy: LADO - Tel: 07522217314 - Email: [kembra.healy@rbkc.gov](mailto:kembra.healy@rbkc.gov)

***Concern about the Head***

CS Lead Safeguarding Governor, Gordon Milne, [Tel:07515991671](tel:07515991671)

Kembra Healy: LADO - Tel: 07522217314 - Email: [kembra.healy@rbkc.gov](mailto:kembra.healy@rbkc.gov)



## POLICY STATEMENT

Swinbrook House Nursery School - Marylebone fully recognises its Child Protection responsibilities within the broader context of safeguarding. The school aims to provide an environment in which there are effective systems for promoting the welfare of all pupils in our care, from school security measures to our wide range of policies, including Health and Safety. This policy provides guidance for all who may come across Child Protection concerns within the context of their interaction with Swinbrook House Nursery School - Marylebone. It describes procedures that are in accordance with government guidance and refers to local inter-agency procedures put in place by local safeguarding partners. We recognise that all staff, including volunteers, have a full and active part to play in protecting pupils from harm.

This Policy is available to all parents, staff and volunteers on the School's website. A paper copy of this Policy is also available to parents upon request to the School Office.

Safeguarding and promoting the welfare of children is defined as:

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

We believe that our school provides a caring, positive, safe and stimulating environment in which pupils can learn. We take a child-centred approach, and promote the social, physical and emotional wellbeing of each pupil. Pupils are taught about safeguarding both on and offline, including how to adjust their behaviour to reduce risks, keep themselves safe and build resilience; and are made aware of this Policy through the PSHEE programme and other means of sharing information appropriate to their age and understanding, within a broad and balanced curriculum.

The school will raise child protection and safeguarding concerns with parents or carers at the earliest appropriate opportunity, and work in partnership with them and other agencies to improve outcomes. Teachers recognise their professional safeguarding responsibilities, as defined in The Teachers' Standards 2012. All staff acknowledge that it is their duty to report child protection concerns to social care services and to assist in child protection enquiries to support children in need. Staff are advised to maintain an attitude of '**it could happen here**' where safeguarding is concerned. When concerned, staff should always act in the **best** interests of the child.

This policy is written in accordance with all legislation related to safeguarding in schools; Keeping Children Safe in Education September 2019; the London Child Protection Procedures



March 2018; Working Together to Safeguard Children 2018; Information Sharing 2018; and *Safeguarding Handbook: Andrew Hall, Safeguarding in Schools 2018*. All sources of information can be found in Appendix 9.

This policy has clear links to other policies in our school, in particular to any policies concerned with the protection of all children in the school from various kinds of harm. These policies include:

- Code of Conduct for Staff
- Code of Conduct for Pupils (where relevant)
- Behaviour Management
- Acceptable Use (ICT)
- Whistleblowing
- Anti-bullying
- Equal Opportunities and Anti-prejudicial policy
- Health and Safety
- Missing Children
- Safer Recruitment

Other key legislation and documents with which this policy is in line with are listed in Appendix 9 and include:

- The Education Acts
- Education (Independent Schools Standards) (England) Regulations 2014
- Sexual violence and sexual harassment between children in schools and colleges May 2018
- Preventing and Tackling Bullying' July 2017
- DBS Code of Practice (Revised November 2015)
- The Counter Terrorism and Security Act 2015
- The Teachers' Standards 2011

Designated Swinbrook House Nursery School - Marylebone (as listed above) staff have been appointed in each of our setting for the Early Years Foundation Stage (EYFS).



## AIMS

- To raise awareness of all school staff of the need to safeguard all children and of their responsibilities in identifying and reporting possible cases of abuse
- To emphasise the need for good communication between all members of staff in matters relating to child protection
- To develop a structured procedure within the school which will be followed by all members of the school community in cases of suspected abuse
- To provide a systematic means of monitoring pupils known or thought to be at risk of significant harm or where there are ongoing concerns
- To work openly and in partnership with parents in relation to child protection concerns
- To support all pupils' development in ways that will foster security, confidence and independence
- To promote safe practice and challenge poor and unsafe practice
- To further develop and promote effective working relationships with other agencies involved with safeguarding and promoting the welfare of children
- To ensure that all adults working within our school have been checked as to their suitability to work with children, in line with current guidance
- To integrate opportunities into the curriculum for children to develop the skills they need to recognise and stay safe from abuse, allowing for continuity and progression through the key stages
- To take account of and inform policy in related areas, such as anti-bullying; e-safety; discipline and behaviour; health and safety; missing children; child sexual exploitation; sexual violence and harassment; FGM; honour based violence; anti-radicalisation; positive handling and physical intervention procedures; procedures for dealing with allegations against staff and recruitment practice





## DEFINITIONS

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

### What is Abuse?

Abuse is a form of maltreatment of a child under 18 years. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others. Abuse can take place wholly online, or technology may be used to facilitate offline abuse. They may be abused by an adult or adults or by another child or children.

Abuse is broadly divided into four categories:- Neglect, Physical Injury, Sexual Abuse and Emotional Abuse. Brief definitions are given below. Knowing what to look for is vital to the early identification of abuse and neglect. If staff are unsure, they should **always** speak to the designated safeguarding lead (or deputy). Detailed guidance on recognising the indicators of possible abuse are attached as Appendix 1.

**Neglect** is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy, for example, as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to: provide adequate food, clothing and shelter (including exclusion from home or abandonment); protect a child from physical and emotional harm or danger; ensure adequate supervision (including the use of inadequate care-givers); or ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

**Physical abuse** is a form of abuse which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child (such as that previously known as Munchausen Syndrome by Proxy).

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





facilitate offline abuse. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children. The sexual abuse of children by other children is a specific safeguarding issue in education and is covered elsewhere in our policy.

**Emotional abuse** is the persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child's developmental capability as well as overprotection and limitation of exploration and learning or preventing the child from participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, although it may occur alone.

It is important to recognise that many children will be living (or may have lived) in families where **Domestic Abuse** is a factor, and that these situations have a harmful impact on children emotionally, as well as placing them at risk of physical harm. The cross-government definition of domestic violence and abuse is: Any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can encompass but is not limited to: psychological; physical; sexual; financial; and emotional.

Exposure to domestic abuse and/or violence can have a serious, long lasting emotional and psychological impact on children. In some cases, children may blame themselves for the abuse or may have had to leave the family home as a result. Domestic abuse affecting young people can also occur within their personal relationships, as well as in the context of their home life.

Children witnessing domestic abuse is recognised as 'significant harm' in law. Domestic abuse can also be a sign that children are suffering another type of abuse or neglect.

Behaviours such as alcohol and substance misuse, truanting and sexting put children at risk or in danger and safeguarding issues can manifest themselves via peer-on-peer abuse, including cyber-bullying and gender-based violence / sexual assaults.

Further sources of information can be found in Appendix 9.



## KEY PRINCIPLES

- We believe that all children have a right to be protected from harm and /or abuse
- We recognise that abuse and neglect are complex issues and rarely stand-alone events and therefore require a culture of vigilance, professional curiosity and respectful challenge and effective recording and monitoring systems
- We recognise that abuse occurs in all cultures, religions and social classes and that staff need to be sensitive to the many differing factors which need to be taken into account depending on the child's cultural and social background when dealing with CP issues. However, we also recognise that the needs of the child are paramount, and any concerns will be referred on appropriately whatever the family background of the child concerned
- We recognise that because of the day to day contact with children school staff are extremely well placed to observe outward signs of abuse
- We recognise that a child who is abused or witnesses abuse or violence may find it difficult to develop and maintain a sense of self-worth, they may feel helpless and humiliated and may feel self-blame
- We recognise that the school may provide the only stability in the lives of children who have been abused or are at risk of harm
- We accept that research shows that the behaviour of a child in these circumstances may range from that which is perceived as normal to that which is overtly aggressive, disturbed or withdrawn
- We know that it is important that children feel secure, are encouraged to talk and are sensitively listened to, and that children know that there are adults in school whom they can approach if they are worried or unhappy
- We acknowledge that, although all designated staff have the skills and experience to respond to a variety of situations and issues, there may be occasions where it will be appropriate to consider whether specific or additional arrangements need to be put in place where an issue is particularly sensitive due to gender issues or cultural or faith issues. This ensures that in cases of sexual abuse in particular, a pupil can be spoken to by a same sex member of staff if this is felt to be appropriate
- We adhere to the principles of working in partnership with those who hold parental responsibility for each child
- The prime concern at all times must be the welfare and safety of the child. Where there is a conflict between the needs of the child and the parent/carer, the interests of the child must be paramount
- The ethos of the school supports open practice, good communication and a safe culture in which children can thrive and learn
- All staff and volunteers should feel able to raise concerns about poor or unsafe practice and know that these concerns will be taken seriously by the leadership team and dealt with

sensitively and appropriately



## ROLES AND RESPONSIBILITIES

### *The Governing Body*

The governors carry out an annual review of the school's Child Protection and Safeguarding policy and procedures with day-to-day issues being delegated to its Safeguarding committee, which both the Head and the Designated Safeguarding Leads attend. This meets once a term. The governing body is responsible for

- Reviewing the procedures for and the efficiency with which the child protection duties have been discharged
- Ensuring that any deficiencies or weaknesses in child protection arrangements are remedied without delay
- Approving amendments to child protection arrangements in the light of changing Regulations or recommended best practice
- Ensuring the school has a child protection policy and procedures in place that are in accordance with local authority guidance and locally agreed inter-agency procedures, and the policy is made available to parents on request
- Ensuring the school operates safe recruitment procedures and makes sure that all appropriate checks are carried out on staff and volunteers who work with children
- Reviewing the procedures for dealing with allegations of abuse against staff and volunteers that comply with guidance from the local authority and locally agreed inter-agency procedures
- Ensuring staff undertake appropriate child protection training

### *All Staff*

The *Teacher Standards* state that teachers should safeguard children's wellbeing and maintain public trust in the teaching profession as part of their professional duties. All staff have a responsibility to take appropriate action, working with other services as needed, and are aware of systems within the school which support safeguarding.

Staff are advised of national and local guidance, and receive a mandatory induction to the school which covers, in particular:

- Part One of 'Keeping Children Safe in Education' Department for Education Guidance September 2019 and Annex A
- This Child Protection and Safeguarding Policy, which includes the role of the designated safeguarding lead (including the identity of the designated safeguarding lead and any deputies)
- Staff Code of Conduct (staff behaviour policy) - Attached as Appendix 5
- Acceptable Use (ICT) Policy



- Health and Safety policies and associated First Aid and Fire procedures, including evacuation procedures
- School policies, including the Whistleblowing, Behaviour Management and Equal Opportunities Policies
- The safeguarding response to children who go missing from education (CME)

Our Code of Conduct for Staff aims to ensure that members of staff do not compromise their position of trust in or outside of the school by inappropriate actions. All members of staff, both teaching and non-teaching, are aware of the importance of recognising signs of child abuse and are familiar with the correct procedures for communicating their concerns. They will ensure that their behaviour and actions do not place pupils or themselves at risk of harm or of allegations of harm to a pupil.

Responsibility for staff training lies with the Head, who provides induction and refresher training on staff days. A full training record can be seen in Appendix 8. It is vital that staff know what to look for, and what to do, if they are concerned about a child. It is school policy to follow the DfE guidance in 'KCSIE September 2019', ensuring that all members of staff have appropriate training in child protection issues. The Designated Safeguarding Leads undertake specific child protection and safeguarding courses, including 'inter-agency working', at least every two years, and attend relevant additional enhanced training courses to enable them to carry out their role effectively.

All members of staff, including part-time and voluntary staff, have additional regular safeguarding training to supplement annual child protection training, under a rolling programme of topics, to provide them with relevant skills and knowledge to safeguard children.

Safer Recruitment training is available to all relevant staff who are involved in the recruitment process. All governors have received Safer Recruitment training. The school ensures that all staff are provided with the appropriate training in child protection and safeguarding issues, including Early Help processes, as recommended.

Child protection is taken very seriously, and all staff wear lanyards containing an identity card and an information insert which summarises the referral procedure if they have a safeguarding concern. All visitors wear a lanyard of a different colour to those worn by staff and receive an information leaflet, which provides them with relevant safeguarding information.

During the school year, staff participate in questionnaires which provide an opportunity for them to contribute to, and shape, safeguarding arrangements and child protection policy.

All staff are aware of their roles and responsibilities and have signed a declaration to confirm that they have read and understand this policy; Part 1 of the government guidance keeping Children Safe in Education 2019; and the Code of Conduct for Staff. All staff, parents from Year



3 and all children from Year 4 also sign to state their adherence to the safety Acceptable Use (ICT) e-safety Policy which promotes safe social media use. All new staff will have the opportunity to discuss safeguarding requirements and this policy during their induction process. The children also adhere to their Code of Conduct for Pupils and the Behaviour Management Policy.

In addition to maintaining a safe recruitment culture, the school recognises its role in the prevention of harm to its pupils by providing pupils with good lines of communication with trusted adults, supportive friends and an ethos of protection.

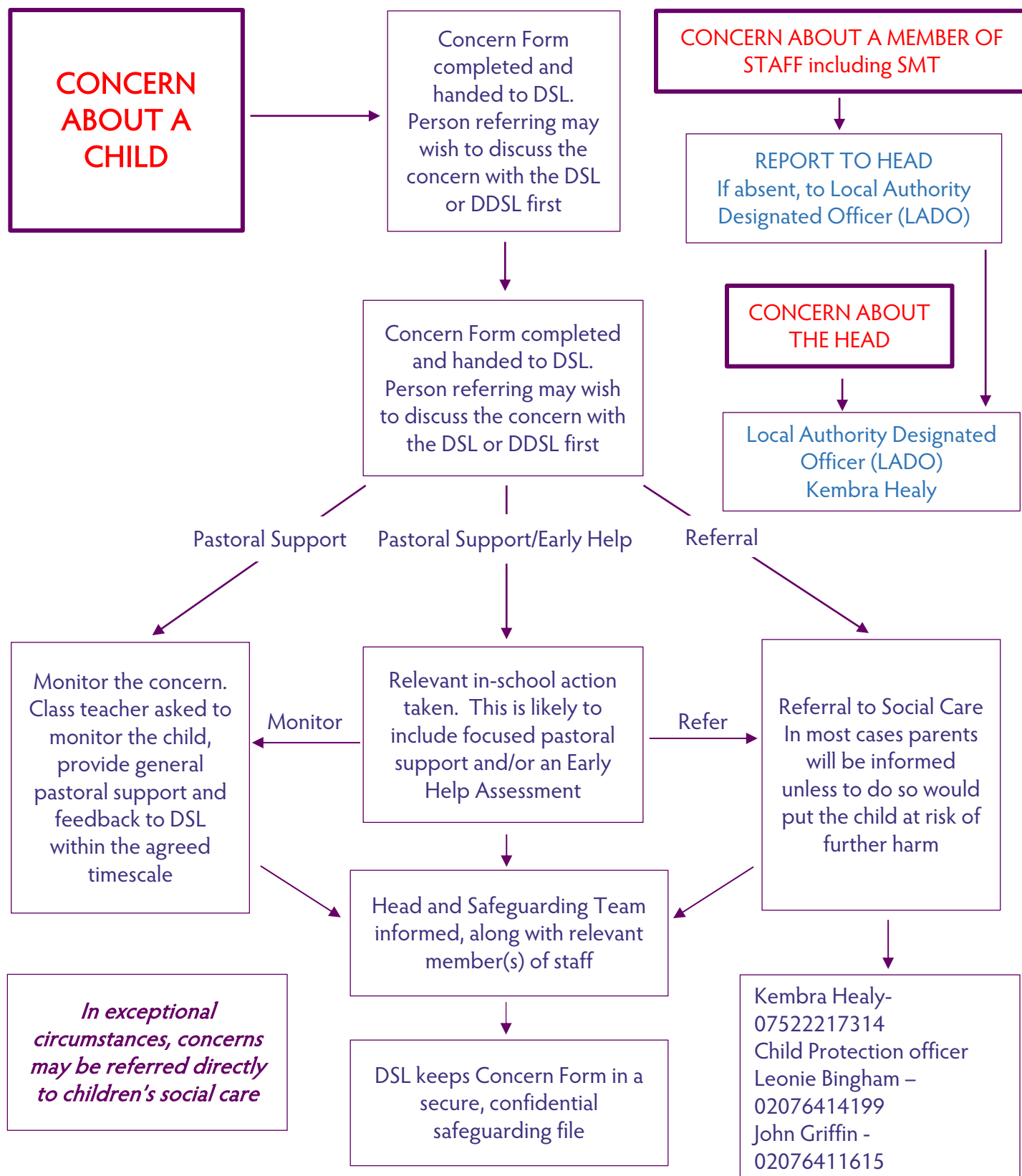
The school community will therefore:

- Establish and maintain an ethos where children feel secure and are encouraged to talk and are always listened to
- Ensure that all children know there is an adult in the school whom they can approach if they are worried or in difficulty
- Include in the curriculum opportunities that equip children with the skills they need to stay safe from harm and to know to whom they should turn for help



Swinbrook House Nursery School - Marylebone

FLOWCHART FOR RAISING SAFEGUARDING CONCERNS







If serious concerns about immediate risk to a child exist or a child has suffered significant harm and continues to be at risk, Social Care Services for the authority in which the child lives should be contacted immediately - wherever possible with the support of the designated safeguarding lead or a deputy lead. If a child is in immediate danger the police should also be contacted.

Staff members should ensure they are prepared for the referral with clear details of their concern and the child's name, date of birth, address and contact details for parents or carers. An Early Help assessment is not immediately required in these circumstances but should be provided within 48 hours.

### *If a member of staff:*

- suspects that child abuse is occurring, including suspicion of a child abusing a child
- identifies child abuse
- is concerned that school practices or the behaviour of others may be putting a child at risk of abuse
- has an incident, complaint or suspicion reported to him/her

### *Responding to children*

- Immediately stop any other activity to listen. Accept what is being said without showing shock, or disbelief. Try to remain as calm as possible, particularly with the child
- Sometimes children make ambiguous statements and you may need to ensure understanding and obtain basic information. It is helpful to clarify what, if anything, the child is saying, and then, if appropriate who was involved, as well as when and where did the alleged harm take place. Do not ask leading questions and only prompt the child where necessary with open questions, such as where, when and what. Do not 'interview' the child in detail. You should avoid questions that could point the child towards giving a particular answer, as this may prejudice the investigation
- Do not give guarantees of confidentiality but give assurances that only those who need to know will be informed; you have a duty to refer. Explain what you have to do next and who you have to talk to
- Ask the child if they have any questions or concerns
- All verbal conversations must be recorded in writing. Make a written record of the information on the Concern form, where possible in the child's own words stating when the alleged incident took place, who was present and what was said to have happened. See below for guidance on completing a Concern Form. Sign and date the record. Ensure that these original notes are kept
- Do not feel anxious about completing a form; you should trust your instincts. You have a duty to record and raise concerns which, along with other reports possibly from other members of staff, may help to build a picture of a situation
- The Concern Form is completed for any observation or incident that you believe may



constitute a safeguarding concern. These should be passed to the DSL, who may be receiving them about the same child from others. The forms become a chronological record of evidence that supports a growing minor concern

- The Overview Grid provides a summary of evidence over time
- The Chronological Log is useful to note the concerns sequentially

### *Guidance on completing a Concern Form*

It is important that child protection forms are fully completed in a timely way. The details are important. To help the safeguarding team respond appropriately, please follow the guidance below:

- Enter all the administrative details neatly in pen, not pencil. DO NOT use initials. Include the name a child is known as, as well as their formal first and second name
- Include your full name (not initials)
- Make sure the concern or incident is described in detail, when appropriate, use a child's own words
- Don't report what other people have told you - they must complete their own forms
- Only write about one child on each Concern Form (use a separate form for each child)
- Remember that Concern Forms are used in court cases and inquests as primary documents, so they must be complete and accurate
- Make sure you use a Concern Form to record your concern. Do not use any other form or piece of paper. Writing on the back of other forms can cause confusion and error
- Please also use a Body Chart form if appropriate
- Forms are available in the Safeguarding file in the office, or obtained from the DSL
- Complete a hard copy of the form. Do not email details of the concern. Emails get missed, go to the wrong person and cannot be signed. Email trails may be used as evidence. Confidentiality might be compromised if email systems are insecure
- Do not make any attempt to investigate the incident but inform the Designated Safeguarding Lead and/or the Head, as appropriate, immediately, unless the observation or incident would be a safeguarding concern only if it were repeated
- Completed Concern Forms must be sent to the relevant DSL without delay
- Please alert the safeguarding team to concerns as soon as possible. It can take several hours to deal with even urgent concerns and the earlier we start the better
- ***Finally, please remember to sign, date and time all forms***

These forms may be applicable to concerns, incidents or observations about staff as well as pupils.



The Designated Safeguarding Leads will use the Chronological Log and Overview Grid, and other forms, for their own use.

### *What will happen next?*

DSL options include

- managing any support for the child internally via the school's own pastoral support processes
- an Early Help assessment
- a referral for statutory services, for example if the child might be in need, is in need, or is suffering or likely to suffer harm

If in exceptional circumstances, the designated safeguarding lead (or deputy) is not available, this should not delay appropriate action being taken. Staff should consider speaking to a member of the senior leadership team and/or take advice from local children's social care. The online tool 'Report child abuse to local council' directs to the relevant local children's social care contact number. If a child is in immediate danger the police should also be contacted. Flowchart below.

If anyone other than the designated safeguarding lead makes the referral, they should inform the designated safeguarding lead, as soon as possible. The local authority should make a decision within one working day of a referral being made about what course of action they are taking and should let the referrer know the outcome. Staff should follow up on a referral should that information not be forthcoming.

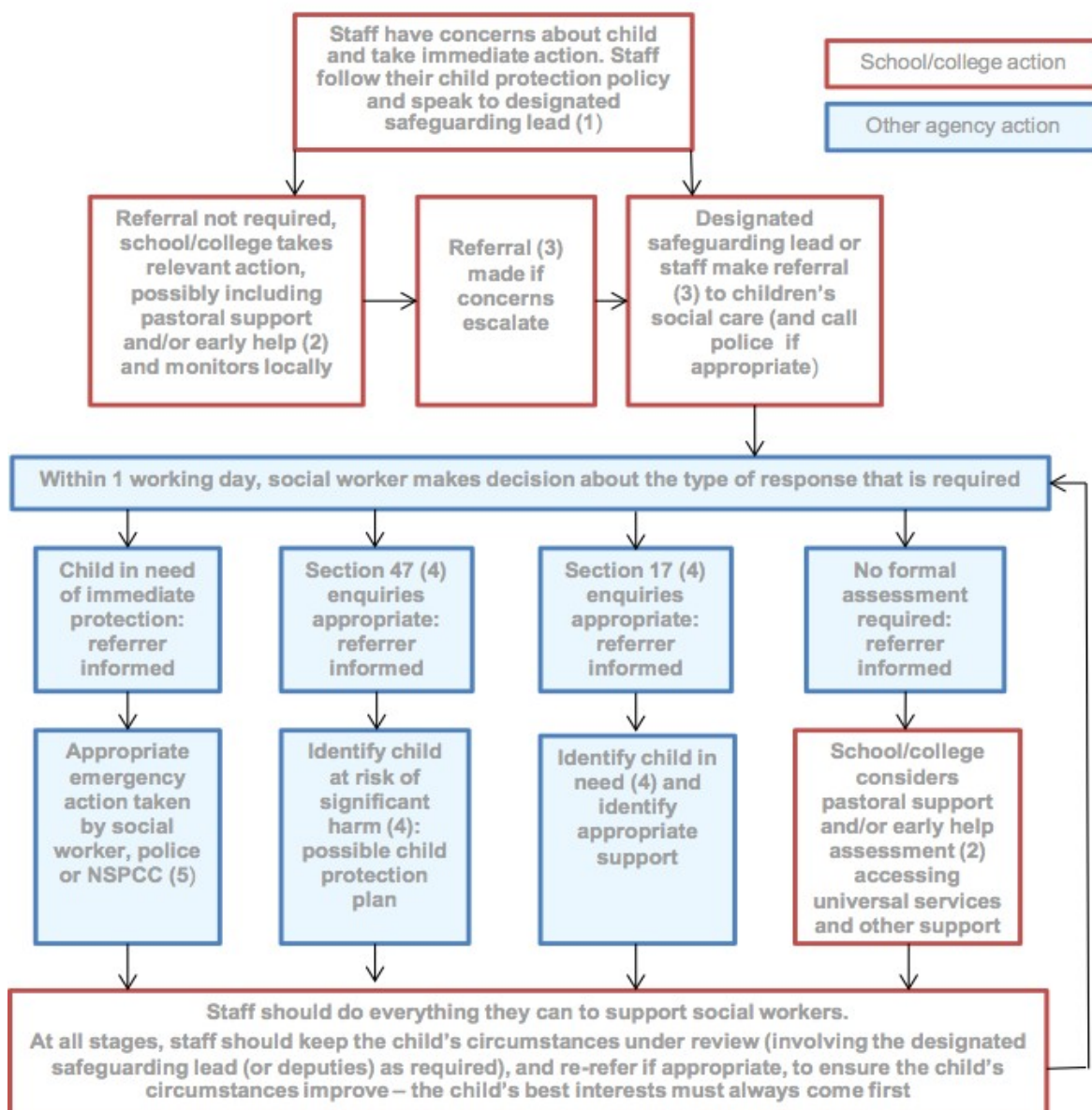
If, after a referral, the child's situation does not appear to be improving, the referrer should consider following local escalation procedures to ensure their concerns have been addressed and, most importantly, that the child's situation improves.

The Action Flowchart on the following page from Keeping Children Safe in Education (KCSIE) September 2019 illustrates the statutory guidance.



## ACTION FLOWCHART FROM KCSIE SEPTEMBER 2019

### Actions where there are concerns about a child



(1) In cases which also involve a concern or an allegation of abuse against a staff member, see Part four of this guidance.

(2) Early help means providing support as soon as a problem emerges at any point in a child's life. Where a child would benefit from co-ordinated early help, an early help inter-agency assessment should be arranged. Chapter one of [Working Together to Safeguard Children](#) provides detailed guidance on the early help process.

(3) Referrals should follow the process set out in the local threshold document and local protocol for assessment. Chapter one of [Working Together to Safeguard Children](#).

(4) Under the Children Act 1989, local authorities are required to provide services for children in need for the purposes of safeguarding and promoting their welfare. Children in need may be assessed under section 17 of the Children Act 1989. Under section 47 of the Children Act 1989, where a local authority has reasonable cause to suspect that a child is suffering or likely to suffer significant harm, it has a duty to make enquiries to decide whether to take action to safeguard or promote the child's welfare. Full details are in Chapter one of [Working Together to Safeguard Children](#).

(5) This could include applying for an Emergency Protection Order (EPO).





### *Records and Monitoring*

Well-kept records are essential to good child protection practice. All incidents relating to child protection must be recorded on the Child Protection safeguarding forms (See Appendix 2: Child Protection Safeguarding forms), together with any accompanying notes. This information must then be given to the Designated Safeguarding Lead, who will ensure that a copy is kept securely in a separate child protection file. The Designated Safeguarding Lead will also ensure that details are given to any other person who needs to know about the particular child under threat, and who might be involved in the monitoring of that child. S/he will also be responsible for liaising with any other agencies to which a referral might be warranted and will transfer the record on to a future school, obtaining a receipt from the receiving school. On admission to our school, enquiries are routinely made to a child's previous school to ensure that any relevant information is relayed to us. The school will also notify the relevant social care if there is an unexplained absence of more than two days of a pupil who is on the child protection register.

### *Information Sharing*

The school will be guided by the seven golden rules for information sharing, (*from Information Sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers, July 2018*):

1. Remember that the General Data Protection Regulation (GDPR), Data Protection Act 2018 and human rights law are not barriers to justified information sharing but provide a framework to ensure that personal information about living individuals is shared appropriately.
2. Be open and honest with the individual (and/or their family where appropriate) from the outset about why, what, how and with whom information will, or could be shared, and seek their agreement, unless it is unsafe or inappropriate to do so.
3. Seek advice from other practitioners, or your information governance lead, if you are in any doubt about sharing the information concerned, without disclosing the identity of the individual where possible.
4. Where possible, share information with consent, and where possible, respect the wishes of those who do not consent to having their information shared. Under the GDPR and Data Protection Act 2018 you may share information without consent if, in your judgement, there is a lawful basis to do so, such as where safety may be at risk. You will need to base your judgement on the facts of the case. When you are sharing or requesting personal information from someone, be clear of the basis upon which you are doing so. Where you do not have consent, be mindful that an individual might not expect information to be shared.
5. Consider safety and well-being: base your information sharing decisions on considerations of the safety and well-being of the individual and others who may be affected by their actions.
6. Necessary, proportionate, relevant, adequate, accurate, timely and secure: ensure that the information you share is necessary for the purpose for which you are sharing it, is shared only with those individuals who need to have it, is accurate and up-to-date, is shared in a timely



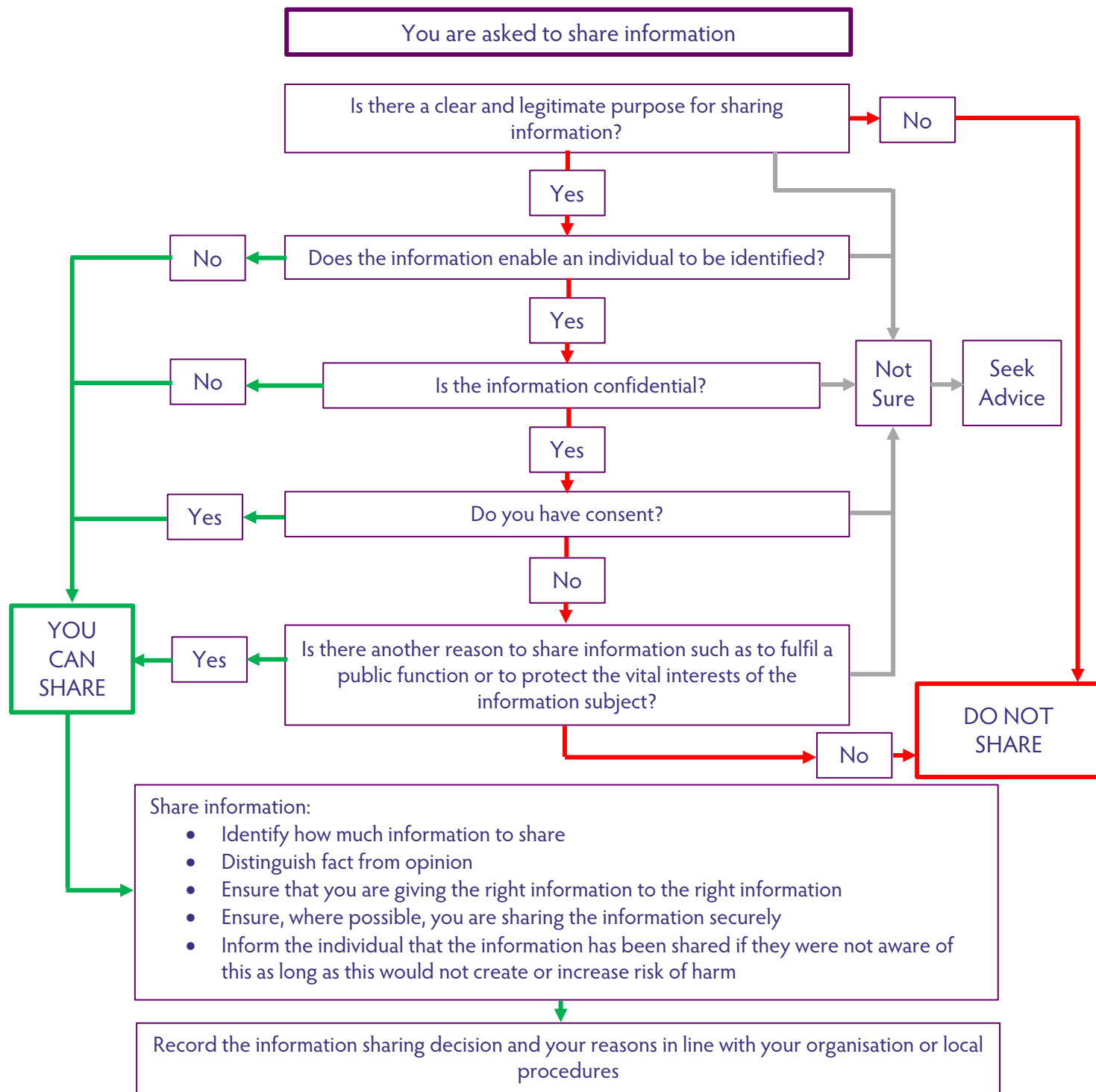
fashion, and is shared securely (see principles).

7. Keep a record of your decision and the reasons for it - whether it is to share information or not. If you decide to share, then record what you have shared, with whom and for what purpose.



## INFORMATION SHARING FLOWCHART

(from Information Sharing: Advice for Practitioners July 2018):



If there are concerns that a child is suffering or likely to suffer harm then follow the relevant procedures without delay. Seek advice if unsure what to do at any stage and ensure that the outcome of the discussion is recorded.





## ALLEGATIONS AGAINST STAFF

*What school and college staff should do if they have concerns about another staff member who may pose a risk of harm to children*

*We recognise that there will be occasions when a pupil at the school, or a parent or another person may have a concern about, or may make an allegation against, a member of staff (or volunteer) who may have:*

- behaved in a way that has, or may have, harmed a child
- possibly committed a criminal offence against or related to a child
- behaved towards a child or children in a way that indicates he or she would pose a risk of harm to children

*What school staff should do*

- Where a concern or allegation relates to a member of staff, including the Senior Management Team, the matter should be reported to the Head
- Concerns or allegations relating to the Head or the proprietor must be taken directly to the LADO. Staff may consider discussing any concerns with the DSL and make the referral via him or her

*The detailed Procedures for Managing Allegations against Staff in Appendix 4 must be followed.*

This will always involve a discussion with Local Authority officers and a referral to the Local Authority Designated Officer (LADO) where appropriate.

All staff are expected to recognise the need for absolute confidentiality in these situations.

*What school staff should do if they have concerns about safeguarding practices within the school*

The school recognises that children cannot be expected to raise concerns in an environment where staff fail to do so. All staff should therefore be aware of their duty to raise concerns, where they exist, about the attitude or actions of colleagues.

The school reduces the likelihood of allegations against staff by ensuring that adults working in the school are clear about professional boundaries and act within them. The Swinbrook House Nursery School - Marylebone Staff Code of Conduct defines in detail the manner in which members of staff should carry out all aspects of their work at the school. The school has high expectations of all staff with regard to the treatment of children. The school has very specific and clearly defined principles and staff must believe in, adhere to and promote these



principles. All staff have signed to state that they have read, understood and will abide by the Staff Code of Conduct.

All staff and volunteers should feel able to raise concerns about poor or unsafe practice and potential failures in the school safeguarding regime and know that such concerns will be taken seriously by the senior management team.

### *Whistleblowing*

Where there are concerns about the way that safeguarding is carried out in the school, staff should refer to the Whistleblowing Policy.

A whistleblowing disclosure must be about something that affects the general public such as:

- a criminal offence has been committed, is being committed or is likely to be committed
- a legal obligation has been breached
- there has been a miscarriage of justice
- the health or safety of any individual has been endangered
- the environment has been damaged
- information about any of the above has been concealed

The school's Whistleblowing Policy is in place for such concerns to be raised with the school's senior leadership team. This policy is reflected in staff induction and training, and is also referred to in the School's Code of Conduct,

Where a staff member feels unable to raise an issue with the school, or feels that their genuine concerns are not being addressed, other whistleblowing channels may be open to them:

- General guidance can be found at [www.gov.uk/whistleblowing](http://www.gov.uk/whistleblowing).
- The NSPCC whistleblowing helpline is available as an alternative route for staff who do not feel able to raise concerns regarding child protection failures internally or have concerns about the way a concern is being handled by their school. Staff can call 0800 028 0285 – from 8am – 8 pm Mon-Fri, or 0808 800 5000, or email [help@nspcc.org.uk](mailto:help@nspcc.org.uk).

## **SPECIFIC SAFEGUARDING ISSUES**

Up-to-date guidance and practical support on specific safeguarding issues will be sought where necessary. Useful information can be found in Appendix 9.

The DSL will attend relevant training and ensure that staff are aware of issues such as Child Sexual Exploitation, Female Genital Mutilation, Illness Fabricated and Induced, Domestic Abuse,



Honour based Violence and other issues; understand the indicators; and recognise the complexities of these issues for children.

**Child Sexual Exploitation (CSE)** is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity:

- (a) in exchange for something the victim needs or wants, and/or
- (b) for the financial advantage or increased status of the perpetrator or facilitator

The victim may have been sexually exploited even if the sexual activity appears consensual.

Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology.

It involves exploitative situations, contexts and relationships where young people receive something (for example food, accommodation, drugs, alcohol, gifts, money or in some cases simply affection) as a result of engaging in sexual activities. It is important to recognise that some young people who are being sexually exploited do not exhibit any external signs of this abuse.

Like all forms of child sexual abuse, child sexual exploitation:

- Can affect any child or young person (male or female) under the age of 18 years, including 16 and 17 year olds who can legally consent to have sex
- Can include both contact (penetrative and non-penetrative acts) and non-contact sexual activity
- Can involve force and/or enticement-based methods of compliance and may, or may not, be accompanied by violence or threats of violence
- May occur without the child or young person's immediate knowledge (through others copying videos or images they have created and posting on social media)
- Can be perpetrated by individuals or groups, males or females, and children or adults
- The abuse can be a one-off occurrence or a series of incidents over time, and range from opportunistic to complex organised abuse
- Is typified by some form of power imbalance in favour of those perpetrating the abuse

Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, sexual identity, cognitive ability, physical strength, status, and access to economic or other resources.

Indicators of child sexual exploitation may include:

- Acquisition of money, clothes, mobile phones, etc. without plausible explanation
- Gang-association and/or isolation from peers/social networks



- Exclusion or unexplained absences from school, college or work
- Leaving home/care without explanation and persistently going missing or returning late
- Excessive receipt of texts/phone calls
- Returning home under the influence of drugs/alcohol
- Inappropriate sexualised behaviour for age/sexually transmitted infections
- Evidence of/suspicions of physical or sexual assault
- Relationships with controlling or significantly older individuals or groups
- Multiple callers (unknown adults or peers)
- Frequenting areas known for sex work
- Concerning use of internet or other social media
- Increasing secretiveness around behaviours
- Self-harm or significant changes in emotional well-being

Potential vulnerabilities include:

- Having a prior experience of neglect, physical and/or sexual abuse
- Lack of a safe/stable home environment, now or in the past (domestic violence or parental substance misuse, mental health issues or criminality, for example)
- Recent bereavement or loss
- Social isolation or social difficulties
- Absence of a safe environment to explore sexuality
- Economic vulnerability
- Homelessness or insecure accommodation status
- Connections with other children and young people who are being sexually exploited
- Family members or other connections involved in adult sex work
- Having a physical or learning disability
- Being in care (particularly those in residential care and those with interrupted care histories)
- Sexual identity

Although these vulnerabilities increase the risk of child sexual exploitation, it must be remembered that not all children with these indicators will be exploited, and that some young people who are being sexually exploited do not exhibit any external signs of this abuse.

In Child Sexual Exploitation (February 2017) the Government set out its ambitions to support vulnerable children to lead safe and positive lives, and to protect them from child sexual exploitation. Child sexual exploitation is never the victim's fault, even if there is some form of



exchange: all children and young people under the age of 18 have a right to be safe and should be protected from harm.

At Swinbrook House Nursery School - Marylebone we recognise that CSE is a form of child abuse involving criminal behaviours against children and young people which can have a long-lasting adverse impact on a child's physical and emotional health. Sexual exploitation involves an individual or group of adults taking advantage of the vulnerability of an individual or groups of children or young people, boys or girls, who are often unwittingly drawn in. It may also be linked to child trafficking, in which case the National Referral Mechanism can offer additional specific guidance and support.

The School addresses the risks of sexual exploitation in the PSHE and RE curriculum. A common feature of sexual exploitation is that the child often does not recognise the coercive nature of the relationship and doesn't see themselves as a victim. The child may initially resent what they perceive as interference by staff, but staff must act on their concerns, as they would for any other type of abuse.

All staff are made aware of the indicators of sexual exploitation and all concerns are reported immediately to the DSL.

**Children Who Go Missing from Home or Care** are particularly vulnerable and may be at significant risk at times. The immediate risks associated with going missing include:

- No means of support or legitimate income – leading to high risk activities
- Involvement in criminal activities
- Victim of Abuse
- Victim of crime, for example through sexual assault and exploitation
- Alcohol/substance misuse
- Deterioration of physical and mental health
- Missing out on schooling and education
- Increased vulnerability

Longer-term risks include:

- Long-term drug dependency and/or alcohol dependency
- Crime
- Homelessness
- Disengagement from education
- Child sexual exploitation
- Poor physical and/or mental health.



### *Children Missing Education (CME)*

All children, regardless of their circumstances, are entitled to a full-time education which is suitable to their age, ability and aptitude and any special educational needs they may have. A child going missing from education, or not attending it regularly, is a potential indicator of abuse or neglect and may also raise concerns about others safeguarding issues, including the criminal exploitation of children.

Knowing where children are during school hours is an extremely important aspect of safeguarding. We monitor attendance carefully and address poor or irregular attendance without delay.

We will always follow up with parents/carers when pupils are not at school. We obtain at least two up-to-date contacts numbers for parents/carers. Parents are reminded to update the school as soon as possible if the numbers change.

In response to the guidance in Keeping Children Safe in Education (2018) the school has:

1. Staff who understand what to do when children do not attend regularly
2. Appropriate policies, procedures and responses for pupils who go missing from education (especially on repeat occasions).
3. Staff who know the signs and triggers for travelling to conflict zones, FGM and forced marriage.
4. Procedures to inform the local authority when we plan to take pupils off-roll when they:
  - a. leave school to be home educated
  - b. move away from the school's location
  - c. remain medically unfit beyond compulsory school age
  - d. are in custody for four months or more (and will not return to school afterwards); or
  - e. are permanently excluded

We will ensure that pupils who are expected to attend the school but fail to take up the place will be referred to the local authority.

When a pupil leaves the school, we will record the name of the pupil's new school and their expected start date.

The school provides information to the local authority when removing a child from the school role at standard and non-standard transition points in line with Children Missing Education statutory guidance and the Government's missing children strategy.

Education Welfare Services can provide advice. Local contact details can be found in Appendix 11.





### *Emotionally Based School Refusal*

Also known as School Refusal or School Phobia, this relates to young children with relatively mild separation anxiety, and more severe cases where a pupil misses weeks or months of school because of debilitating anxiety or depression. Sustained patterns of non-attendance over a period of time can also impact on an individual's opportunity for social interaction with peers, their self-esteem and mental health. As school refusal may have serious long-term social and educational consequences, the problem needs to be addressed promptly and firmly with a team approach that includes, teachers, parents, administrators, support staff and in some cases, specialist medical and counselling practitioners. The school's procedure can be found within the Attendance Policy.

### *Honour-based Violence*

The terms 'honour crime' or 'honour-based violence' or 'izzat' embrace a variety of crimes of violence (mainly but not exclusively against women), including assault, imprisonment and murder where the person is being punished by their family or their community. They are being punished for actually, or allegedly, undermining what the family or community believes to be the correct code of behaviour.

Honour-based violence (HBV) therefore encompasses 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. Staff need to be alert to the possibility of a child being at risk of HBV, or already having suffered HBV. All forms of so called HBV are abuse, regardless of the motivation, and should be handled and escalated as such, by contacting the DSL as a matter of urgency. There are a range of potential indicators that a child may be at risk of HBV. Guidance on the warning signs that forced marriage may be about to take place, or may have already taken place are:

- Absence and persistent absence.
- Request for extended leave of absence and failure to return from visits to country of origin.
- Fear about forthcoming school holidays
- Surveillance by siblings or cousins at school.
- Decline in behaviour, engagement, performance or punctuality.
- Poor exam results.
- Being withdrawn from school by those with parental responsibility.
- Not allowed to attend extra-curricular activities
- Prevented from going on to further/higher education

There have been occasions when women have presented with less common warning signs such as cut or shaved hair as a form of punishment for disobeying or perhaps 'dishonouring' her





family. In some cases, a girl may report that she has been taken to a private practice to be examined to see if she is a virgin. There have been reports of women presenting in the NHS with symptoms associated with poisoning. In certain communities, it is considered important that women undergo female genital mutilation (FGM) before being able to marry – usually this will be performed during childhood, but there have been reports of young girls or young women undergoing FGM just before a forced marriage.

If staff have a concern regarding a child that might be at risk of HBV they should activate local safeguarding procedures, using existing national and local protocols for multi-agency liaison with police and children's social care. Where FGM is discovered, teachers have a specific mandatory reporting duty, detailed below

### *Female Genital Mutilation (FGM)*

Female genital mutilation refers to procedures that intentionally alter or cause injury to the female genital organs for non-medical reasons. The practice is illegal in the UK.

Professionals in all agencies, and individuals and groups in relevant communities, need to be alert to the possibility of a girl being at risk of FGM, or already having suffered FGM. There is a range of potential indicators that a child or young person may be at risk of FGM, which individually may not indicate risk but if there are two or more indicators present this could signal a risk to the child or young person. Victims of FGM are likely to come from a community that is known to practise FGM. Professionals should note that girls at risk of FGM may not yet be aware of the practice or that it may be conducted on them, so sensitivity should always be shown when approaching the subject.

FGM typically takes place between birth and around 15 years old; however, it is believed that the majority of cases happen between the ages of 5 and 8.

Risk factors for FGM include:

- low level of integration into UK society
- mother or a sister who has undergone FGM
- girls who are withdrawn from PSHE
- visiting female elder from the country of origin
- being taken on a long holiday to the country of origin
- talk about a 'special' procedure to become a woman

### *FGM Indicators*

FGM may be likely if there is a visiting female elder, there is talk of a special procedure or celebration to become a woman, or parents wish to take their daughter out-of-school to visit an 'at-risk' country (especially before the summer holidays), or parents who wish to withdraw their



children from learning about FGM.

Indications that FGM may have already taken place may include:

- difficulty walking, sitting or standing and may even look uncomfortable
- spending longer than normal in the bathroom or toilet due to difficulties urinating
- spending long periods of time away from a classroom during the day with bladder or menstrual problems
- frequent urinary, menstrual or stomach problems
- prolonged or repeated absences from school or college, especially with noticeable behaviour changes (e.g. withdrawal or depression) on the girl's return
- reluctance to undergo normal medical examinations
- Confiding in a professional without being explicit about the problem due to embarrassment or fear
- talking about pain or discomfort between her legs

***FGM is illegal in the UK and there is a mandatory duty on schools to report cases of FGM to the police.***

The Serious Crime Act 2015 sets out a duty on professionals (including teachers) to notify police when they discover that FGM appears to have been carried out on a girl under 18. In schools, this will usually come from a disclosure.

Teachers must personally report to the police cases where they discover that an act of FGM appears to have been carried out; and discuss any such cases with the safeguarding lead and children's social care. The duty does not apply in relation to at risk or suspected cases.

It will be rare for teachers to see visual evidence, and they should not be examining pupils. However, if staff have concerns that FGM has taken place they should consider and discuss any case of FGM with the Designated Safeguarding Lead and involve children's social care as appropriate. Staff must personally report to the police, by calling 101, 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.

### ***Radicalisation and The Prevent Duty***

Schools have a duty to promote the spiritual, moral, social and cultural development of pupils and, within this, pupils are encouraged to respect specified fundamental British values of democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs. Staff are reminded of the school's legal duty to promote British values within the curriculum and are instructed to take every opportunity to do so as part of their teaching.



We are committed to ensuring that our pupils are offered a broad and balanced curriculum that aims to prepare them for life in modern Britain. Teaching the school's core values alongside the fundamental British Values supports quality teaching and learning, whilst making a positive contribution to the development of a fair, just and civil society.

The school works to promote tolerance and respect for diverse views, while challenging prejudice of any kind. We are an inclusive school which values citizenship and a sense of belonging. Teachers do not promote extremist views, or partisan political views, through their curriculum and/or teaching, and offer pupils a balanced presentation of views when political issues are brought to their attention, repelling radicalisation.

Pupils are encouraged to share their views and recognise that they are entitled to have different beliefs, but that these should not be used to influence others. We use the curriculum to ensure that children and young people recognise how people with extreme views try to radicalise others, especially through the use of the internet. We will ensure that children are safe from terrorist and extremist material when accessing the internet in school. Any visiting speakers are also suitably and appropriately supervised, in accordance with our Visitor Policy.

As part of the Counter Terrorism and Security Act 2015, schools have a specific duty to 'prevent people being drawn into terrorism'. This has become known as the 'Prevent Duty'.

The school supports the Prevent strategy, which works to prevent the growth of issues that create a climate which encourages radicalisation and extremism, which in turn can lead to acts of violence or terrorism. Radicalisation is defined as the act or process of making a person more radical or favouring of extreme or fundamental changes in political, economic or social conditions. Extremism is defined as the holding of extreme political or religious views which may deny rights to any group or individual.

All staff have undertaken Prevent Duty training. Where staff are concerned that children and young people are developing extremist views or show signs of becoming radicalised, they should discuss this with the Designated Safeguarding Lead.

### ***Recognising Extremism***

- Early indicators of radicalisation or extremism may include:
- showing sympathy for extremist causes
- glorifying violence, especially to other faiths or cultures
- making remarks or comments about being at extremist events or rallies outside school
- evidence of possessing illegal or extremist literature
- advocating messages similar to illegal organisations or other extremist groups
- out of character changes in dress, behaviour and peer relationships (but there are also very powerful narratives, programmes and networks that young people can come across



online so involvement with particular groups may not be apparent.)

- secretive behaviour
- online searches or sharing extremist messages or social profiles
- intolerance of difference, including faith, culture, gender, race or sexuality
- graffiti, art work or writing that displays extremist themes
- attempts to impose extremist views or practices on others
- verbalising anti-Western or anti-British views
- advocating violence towards others

As with all matters pertaining to the maintenance of a safeguarding culture within the school, staff are expected to be vigilant in identifying concerns and ensuring these are passed to the DSL without delay.

Concerns will be discussed with the child's parents whenever possible and with the Local Authority Prevent co-ordinator. If appropriate, referrals will be made to the Channel process, which has three objectives: to identify individuals at risk of being drawn into violent extremism; to assess the nature and extent of that risk; to develop the most appropriate support for the individuals concerned. This key element of the Prevent strategy adopts the multi-agency approach to protect people at risk from radicalisation, focussing on providing support at an early stage to people who are identified as being vulnerable to being drawn into terrorism.

The school's Prevent Officers are the Designated Safeguarding Leads, who have completed the school risk assessment, attached in Appendix 6, to identify areas of potential risk from radicalisation at the school. The risk in the school is 'moderate to low' and the likelihood is 'low'. All staff and pupils are aware that the promotion of extreme political or religious ideology, whether directly or indirectly, is strictly forbidden at the school. Staff acknowledge the need for a culture of vigilance to be present in the school to support safeguarding.

## Online Safety

The school recognises that children and young people can be exploited and suffer bullying through their use of modern technology such as the internet, mobile phones and social networking sites. All staff have received specific Online Safety training.

In order to minimise the risks to our children school staff are vigilant when school computers are being used, as directed in the Code of Conduct for Staff and the Acceptable Use (ICT) policy. The acceptable and unacceptable use of ICT based technology at the school is detailed. It includes policies on staff/pupil relationships and communications between them, specifically through social media. To ensure that they do not compromise their position, these policies clearly state that mobile phone or electronic communications with pupils at our school is not acceptable.



The school has strict rules governing staff use of mobile phones, contained in the Code of Conduct for Staff:

1. Staff are not permitted to make/receive calls/texts during contact time with children. Emergency contact should be made via the school office
2. Staff using mobile telephones in non-contact, private time, must do so with consideration for others nearby
3. Staff should have their phones on silent or switched off and out of sight (e.g. in a drawer, handbag or pocket) during class time. Bluetooth functions should be off
4. Mobile phones should not be used in a space where children are present (for example, classroom, playground)
5. Use of phones (including receiving/sending texts and emails) should be limited to non-contact time when no children are present e.g. in office areas, staff room, empty classrooms
6. It is also advised that staff security protect access to functions of their phone.
7. Should there be exceptional circumstances (e.g. acutely sick relative), then staff should make the Head aware of this and can have their phone in case of having to receive an emergency call
8. Staff are not at any time permitted to use recording equipment on their mobile phones, for example: to take recordings of children, or sharing images. Legitimate recordings and photographs should be captured using school equipment such as cameras and iPad

Where it is suspected that a child is at risk from internet abuse or cyber bullying, we will report our concerns to the appropriate agency. The school's Anti-Bullying Policy will also be adhered to.

The school is conscious of potential child protection issues and of the need to protect children so that they are not exposed to potential harm, e.g. sexting and radicalisation. The school's Data Protection Policy also governs the correct use of images.

A firewall is operational in the School, and a valid subscription to an appropriate filtering service will be maintained. However, to avoid 'overblocking', we do not place unreasonable restrictions on what children can be taught with regards to online teaching and safeguarding.

### *Children Who Abuse Other Children (Peer-on-Peer Abuse)*

We recognise that children are capable of abusing their peers. This is most likely to include, but may not be limited to:

- bullying (including cyberbullying)
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm
- sexual violence and sexual harassment



- sexting (also known as trading nudes, or youth produced sexual imagery)
- initiation/hazing type violence and rituals
- upskirting, which typically involves taking a picture under a person's clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm (it is now a criminal offence)

Children should be free from harm by adults in the school and other pupils. As a school we work to minimise the risk of peer on peer abuse and have developed procedures to minimise the risk of this. Methods include teaching the children to follow the Spirit of the School; educating the children in PSHE; and reminding them of the behaviour expected, as detailed in our Pupil Code of Conduct and Behaviour Policy.

Occasionally, allegations may be made against pupils by others in the school, which are of a safeguarding nature. Safeguarding issues raised in this way may include physical abuse, emotional abuse, sexual abuse and sexual exploitation.

We recognise that there are different gender issues that can be prevalent when dealing with peer on peer abuse. This could for example include girls being sexually touched/assaulted or boys being subject to initiation/hazing type violence. All peer on peer abuse is unacceptable and will be taken seriously.

It is likely that to be considered a safeguarding allegation against a pupil, some of the following features will be found.

The allegation:

- is made against an older pupil and refers to their behaviour towards a younger pupil or a more vulnerable pupil
- is of a serious nature, possibly including a criminal offence
- raises risk factors for other pupils in the school
- indicates that other pupils may have been affected by this student
- indicates that young people outside the school may be affected by this student

The school provides clear processes as to how victims, perpetrators and any other child affected by peer on peer abuse will be supported. We will investigate and deal with any allegations robustly by following our policy on Sexual Violence and Sexual Harassment, the Department for Education advice 'Sexual violence and sexual harassment between children'; UKCCIS Guidance; our related policies, including Anti-Bullying, Acceptable Use (ICT), Behaviour Management and the Codes of Conduct; and by making referrals to social care, CAMHS and/or police as appropriate.

Where needed, risk assessments will be carried out and strategies put in place to protect the child who has suffered abuse and to offer them support. Concerns raised will be treated





seriously and followed up in a timely and sensitive fashion, drawing on the systems outlined in the school's policies.

In cases of '**sexting**' we follow guidance given to schools and colleges by the UK Council for Child Internet Safety (UKCCIS) published in 2017: 'Sexting in schools and colleges, responding to incidents, and safeguarding young people'. Sexting is when someone shares sexual, naked or semi-naked images or videos of themselves or others or sends sexually explicit messages. They can be sent using mobiles, tablets, smartphones, laptops - any device that allows media and messages to be shared. Sexting may also be called: trading nudes or youth produced sexual imagery.

It is important to be conscious that any child who is engaging in abusive behaviour towards others may have been subject to abuse from other children or from adults. Abusive behaviour can be displayed in a variety of ways and can consist of sexual abuse / activity; physical harm; emotional abuse and/or verbal abuse.

Behaviours such as alcohol and substance misuse, truanting and sexting put children at risk or in danger and safeguarding issues can manifest themselves via peer-on-peer abuse, including cyber-bullying and gender-based violence / sexual assaults.

Abuse is abuse and it should never be tolerated or passed off as "banter", "just having a laugh" or "part of growing up". Children who abuse others should be held responsible for their abusive behaviour, whilst being identified and responded to in a way which meets their needs as well as protecting others.

The school will have a difficult balancing act to consider. On one hand they need to safeguard the victim (and the wider pupil/student body) and on the other hand provide the alleged perpetrator with an education, safeguarding support as appropriate and implement any disciplinary sanctions.

### ***Serious Violence***

All staff should be aware of indicators which may signal that children are at risk from, or are involved with serious violent crime such as knife or gun crime and homicide. These may include increased absence from school, a change in friendships or relationships with older individuals or groups, a significant decline in performance, signs of self-harm or a significant change in wellbeing, or signs of assault or unexplained injuries. Unexplained gifts or new possessions could also indicate that children have been approached by, or are involved with, individuals associated with criminal networks or gangs. Early intervention is about recognizing and responding to the indicators of potential vulnerability, providing early support that is effective. When a young person begins to show signs of exploitation or vulnerability to exploitation, and thus at increased risk from Serious Violence, we should be able to intervene as early as possible to help reduce the risk factors and increase the protective factors.





### *Bullying*

Bullying is behaviour by an individual or group, repeated over time, that intentionally hurts another individual or group either physically or emotionally. Bullying can take many forms (for instance, cyber-bullying via text messages, social media or gaming, which can include the use of images and video) and is often motivated by prejudice against particular groups, for example on grounds of race, religion, gender, sexual orientation, special educational needs or disabilities, or because a child is adopted, in care or has caring responsibilities. It might be motivated by actual differences between children, or perceived differences.

The school's policy on bullying is set out in our separate Anti-Bullying Policy, in line with the guidance 'Preventing and tackling bullying July 2017' and acknowledges that to allow or condone bullying may lead to consideration under child protection procedures.

### *Discrimination*

As detailed in our Equal Opportunities/Anti-prejudicial Policy, the school opposes discrimination against pupils or potential pupils on the basis of the following 'protected characteristics', as outlined in the Equality Act 2010:

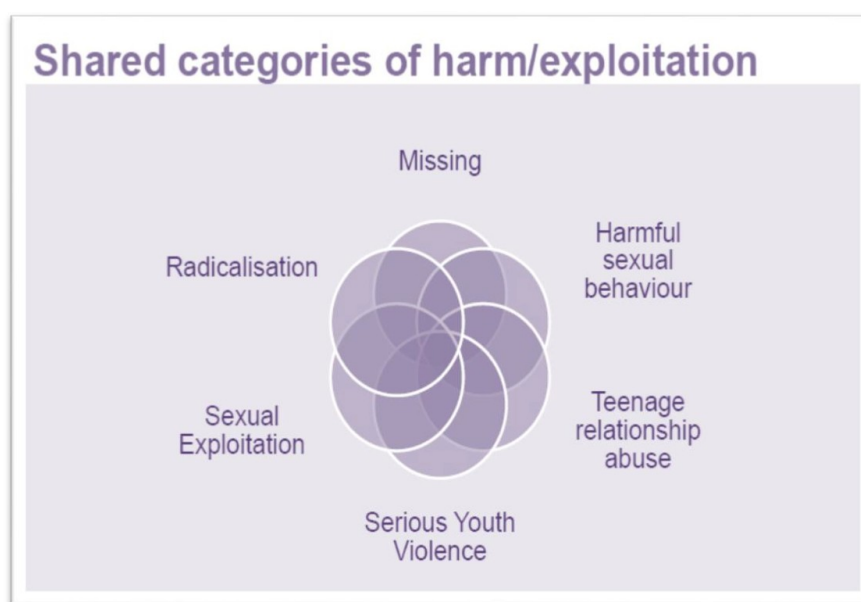
- race
- religion or belief
- gender
- sexual orientation
- disability
- gender reassignment
- pregnancy and maternity

### *Contextual Safeguarding*

Contextual Safeguarding expands the objectives of child protection systems in recognition that young people are vulnerable to abuse in a range of social contexts.



Safeguarding incidents and/or behaviours can be associated with factors outside the school and/or can occur between children outside the school. Assessments of children should consider whether wider environmental factors are present in a child's life that are a threat to their safety and/or welfare.



*Building responses to peer-on-peer abuse: A toolkit for auditing local policy and practice, University of Bedfordshire, the International Centre Researching Child Sexual Exploitation, Violence and Trafficking*

### ***Children with Special Educational Needs and/or Disabilities (SEND)***

Children and young people with special educational needs and disabilities can face additional safeguarding challenges.

- We recognise that children with SEND may be especially vulnerable to abuse and expect staff to take extra care to interpret apparent signs of abuse or neglect
- We will ensure assumptions are not made that indicators of abuse (such as behaviour, mood and injury) relate to the child's disability without further exploration
- We recognise that children with SEND are at higher risk of peer group isolation and can be disproportionately impacted by things like bullying without outwardly showing any signs.
- We recognise that difficulties may arise in overcoming communication barriers
- We will provide a school environment in which all pupils, including those with SEND, can feel confident and able to discuss their concerns, providing support with communication difficulties where needed, and differentiating appropriately
- The designated member of staff will work with the Head of Enhanced Learning, where necessary, to ensure that the needs of SEND pupils in relation to child protection issues are responded to appropriately (e.g. for a child with particular communication needs)



### *Positive Handling and Physical Intervention*

There are circumstances when it is appropriate for staff in schools and colleges to use reasonable force to safeguard children. The term 'reasonable force' covers the broad range of actions used by staff that involve a degree of physical contact to control or restrain children. This can range from guiding a child to safety by the arm, to more extreme circumstances such as breaking up a fight or where a young person needs to be restrained to prevent violence or injury. 'Reasonable' in these circumstances means 'using no more force than is needed'. The use of force may involve either passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact such as leading a pupil by the arm out of the classroom.

The school policy on Use of Reasonable Force will be followed, and incidents will be recorded on the incident form.

- Risk assessments will be carried out where individual pupils have additional needs or challenges that mean there is an increased likelihood of physical interventions being required and individual plans will be developed and shared/agreed with the parents/carers.
- Physical intervention which causes injury or severe distress to a child may have to be considered under child protection or disciplinary procedures.

All staff have completed training on the Use of Reasonable Force.

### *Mental Health and Behaviour*

- In order to help our pupils succeed, we recognise that the school plays an important role in supporting them to be resilient and mentally healthy
- We will ensure that pupils and their families are enabled to participate as fully as possible in decisions and are provided with information and support
- All staff have received mental health awareness training. We recognise that some children are more at risk of developing mental health problems than others. These risks can relate to the child, their family or to community and life events
- Risk factors are cumulative, and children exposed to multiple risks are more likely to develop behavioural or mental health problems
- Where severe problems occur, we will ensure that appropriate referrals are made (with consent) to specialist services (e.g. CAMHS)

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

Children who are looked after or who have been previously looked after are a particularly vulnerable group. The most common reason for children being looked after is as a result of



abuse and/or neglect. The school will ensure that staff have the skills, knowledge and understanding to keep looked after children safe.

In particular, the school will ensure that appropriate staff have the information they need in relation to a child's looked after legal status (whether they are looked after under voluntary arrangements with consent of parents or on an interim or full care order) and contact arrangements with birth parents or those with parental responsibility. They should also have information about the child's care arrangements and the levels of authority delegated to the carer by the local authority.

Section 22(3B) of the Children Act 1989 requires local authorities in England to appoint at least one person for the purpose of discharging the local authority's duty to promote the educational achievement of its looked after children. That person (known as the virtual school head) must be an officer employed by the authority or another local authority in England. The DSL should have details of the child's social worker and the name of the virtual school head in the authority that looks after the child, and a specified teacher should work with the virtual school head to promote the educational achievement of previously looked after children. The child's needs should be identified in a personal education plan (PEP). This is part of the care plan that the local authority looking after the child must have in place and review regularly.

On commencement of sections 4 to 6 of the Children and Social Work Act 2017 virtual school heads will have responsibilities towards children who have left care through adoption, special guardianship or child arrangement orders. Local authorities have on-going responsibilities to the young people who cease to be looked after and become care leavers. That includes keeping in touch with them, preparing an assessment of their needs and appointing a personal adviser who develops a pathway plan with the young person.

Designated safeguarding leads should therefore have details of the local authority Personal Advisor appointed to guide and support the care leaver and should liaise with them as necessary regarding any issues of concern affecting the care leaver.

### ***Private Fostering***

The school recognises that there is a mandatory duty to report to the local authority where a private fostering arrangement is known or suspected.

A private fostering arrangement is one that is made privately (without the involvement of a local authority) for the care of a child under the age of 16 years (under 18, if disabled) by someone other than a parent or close relative, in their own home, with the intention that it should last for 28 days or more.



A close family relative is defined as a 'grandparent, brother, sister, uncle or aunt' and includes half-siblings and step-parents; it does not include great-aunts or uncles, great grandparents or cousins.

Parents and private foster carers both have a legal duty to inform the relevant local authority at least six weeks before the arrangement is due to start; not to do so is a criminal offence.

Whilst most privately fostered children are appropriately supported and looked after, they are a potentially vulnerable group who should be monitored by the local authority, particularly when the child has come from another country. In some cases privately fostered children are affected by abuse and neglect, or be involved in trafficking, child sexual exploitation or modern-day slavery. Once the notification has been made to the authority, Children's Services have a duty to visit and speak to the child, the parent and the foster carer; and everyone in the foster carer's household. Children's services will then undertake a range of suitability checks including DBS checks on everyone in the household over the age of 16.

Although schools have a duty to inform the local authority, there is no duty for anyone, including the private foster carer or social workers to inform the school. However, it should be clear to the school who has parental responsibility. School staff should notify the designated safeguarding lead when they become aware of private fostering arrangements. The designated safeguarding lead will speak to the family of the child involved to check that they are aware of their duty to inform the LA. On admission to the school, we will take steps to verify the relationship of the adults to the child who is being registered.

### ***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, 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.

### ***Child Criminal Exploitation: County Lines***

Criminal exploitation of children is a geographically widespread form of harm that is a typical feature of county lines criminal activity: drug networks or gangs groom and exploit children and young people to carry drugs and money from urban areas to suburban and rural areas, market and seaside towns. Key to identifying potential involvement in county lines are missing episodes, when the victim may have been trafficked for the purpose of transporting drugs and a referral to the National Referral Mechanism, a framework for identifying victims of human



trafficking or modern slavery, should be considered. Like other forms of abuse and exploitation, county lines exploitation:

- can affect any child or young person (male or female) under the age of 18 years
- can affect any vulnerable adult over the age of 18 years
- can still be exploitation even if the activity appears consensual
- can involve force and/or enticement-based methods of compliance and is often accompanied by violence or threats of violence
- can be perpetrated by individuals or groups, males or females, and young people or adults
- is typified by some form of power imbalance in favour of those perpetrating the exploitation. Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, cognitive ability, physical strength, status, and access to economic or other resources

### *Children and the Court System*

Swinbrook House Nursery School - Marylebone recognises that children are sometime required to give evidence in criminal courts, either for crimes committed against them or for crimes they have witnessed. There are two age appropriate booklets for young witnesses available through the Gov Uk website offering guidance and support for children and young people: Ages 5-11-year olds: 'Going to Court', and 12-17 year olds: 'Going to Court and Being a Witness'.

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.

### *Children with family members in prison*

Approximately 200,000 children have a parent sent to prison each year. These children are at risk of poor outcomes including poverty, stigma, isolation and poor mental health. The National Information Centre on Children of Offenders (NICCO) provides information designed to support professionals working with offenders and their children, to help mitigate negative consequences for those children.

### *Children involved in paid performances, sports or modelling*

The child performance licensing and activities legislation (Child Performance & Activities licensing and Legislation in England, Feb 2015) sets out the arrangements that must be made to safeguard children when they take part in certain types of performances, paid sport or paid modelling. Staff should take note of this legislation if children under their care are involved in such paid activities.





## EARLY INTERVENTION AND HELP

### *What is Early Help*

Early Help means providing extra help and support to children, young people and families as soon as problems start to emerge, using approaches that promote and strengthen resilience. The school aims to work with families in a supportive, non-judgemental way so that trust is built up and the best possible outcomes are achieved. Our Early Help support falls into three broad areas:

### *General Pastoral Care*

Most of the time children, young people and families go through life with little or no need for outside support, other than that provided by family members, friends and school. Our open-door policy allows parents to speak to a member of staff in person, on the telephone or via email. Children are able to speak to a member of staff if they have worries or concerns about themselves or their peers. This means that day-to-day issues that arise can be dealt with through our pastoral care system.

### *Focused Pastoral Care*

From time to time children, young people and families may experience difficulties which could escalate without the appropriate support. Focused Pastoral Care is likely to involve regular meetings between parents and/or the child and the child's Section Head, if a pupil at the Junior School, or the Senor Tutor, if a pupil at the Senior School, to discuss concerns and identify ways to improve the situation. The school may provide parents with details of external agencies who are better placed to provide the appropriate support, for example private counselling or the Child and Adolescent Mental Health Service (CAMHS).

### *Early Help Assessment*

For children, young people and families whose circumstances make them more vulnerable, or where the school requires specialist support to meet a child's needs, an Early Help Assessment may be undertaken. An Early Help Assessment follows the Signs of Safety and Wellbeing model and provides support through a multi-agency approach in which the school plays a key role.

The school will always involve the family in all Early Help strategies and most will only be put in place with their permission. However, there may be occasions when the school's safeguarding team feel that a child may be at immediate risk of significant harm and that by informing the parents/carers of the concern the child may be put at further risk. If such a case should arise, the school will make an immediate referral to social care without the parents/carer's knowledge.





### *What school staff should look out for*

Any child may benefit from early help, but all school and college staff should be particularly alert to the potential need for early help for a child who:

- is disabled and has specific additional needs
- has special educational needs (whether or not they have a statutory education, health and care plan)
- is a young carer
- is showing signs of being drawn in to anti-social or criminal behaviour, including gang involvement and association with organised crime groups
- is frequently missing/goes missing from care or from home
- is misusing drugs or alcohol themselves
- is at risk of modern slavery, trafficking or exploitation
- is in a family circumstance presenting challenges for the child, such as substance abuse, adult mental health problems or domestic abuse; has returned home to their family from care; is showing early signs of abuse and/or neglect
- is at risk of being radicalised or exploited
- is a privately fostered child

## CURRICULUM INPUT

The school ensures that pupils are aware of safeguarding through:

- The content of the curriculum, which includes teaching about online safety, safe relationships and personal resilience.
- The school ethos, *The Spirit of the School*, which promotes a positive, supportive and secure environment and gives pupils a sense of being valued.
- The school behaviour policy, which is aimed at supporting vulnerable pupils in the school.
- Liaison with other agencies that support the pupil such as Social Care, Child and Adult Mental Health Service, Education Welfare Service and Educational Psychology service, attending case conferences where necessary.
- Providing opportunities for feedback.

### EYFS Specific Curriculum and Welfare

The Early Years Foundation Stage, Safeguarding and Welfare Requirements (2017 pg. 16 sections 3.4 – 3.8, England only) state “providers must be alert to any issues for concern in the child’s life at home or elsewhere. Providers must have and implement a policy and procedures to safeguard children.”

Staff should provide a safe, secure environment for learning and children will learn and thrive at their best when they are healthy, safe and secure, with their individual needs met.



The staff ensure pupils are aware of safeguarding through:

- the implementation of the EYFS Prime areas which encourage young children's awareness of the world around them, their place within it and what is right and wrong in relation to their behaviours and others' behaviours towards them. It also refers to remaining healthy, hygienic and looking after their bodies as well as communicating their needs where possible.
- Within the EYFS there are many factors (delayed development, EAL, Speech and Language Difficulties etc) that may make a child less able to express themselves through speech and staff should be aware of these additional needs at all times when observing and caring for children, and use visual stimuli to support their learning and development.

## MULTI-AGENCY WORKING

The Children and Social Work Act makes several significant changes for safeguarding at both local and national levels, by amending the Children Act 2004.

### *Local safeguarding arrangements*

The Children and Social Work Act effectively abolished Local Safeguarding Children Boards, removing the Children Act 2004 duties relating to them. In their place, it puts duties on three 'safeguarding partners' - the local authority, any Clinical Commissioning Groups operating in the area and the Chief Officer of Police - to make safeguarding arrangements that respond to the needs of children in their area.

Their main responsibilities are:

- To involve 'relevant agencies' in their area
- To identify and supervise the review of serious safeguarding cases in their area
- To publish their local safeguarding arrangements. This is likely to include the issue of threshold document.
- To arrange for independent scrutiny of their local safeguarding arrangements
- To publish a report every 12 months on what they and the relevant agencies have done as a result of the local safeguarding arrangements and how effective the arrangements have been in practice

## COMMUNICATION WITH PARENTS / CARERS

- We will ensure that all parents are informed that the school has a child protection and safeguarding policy and is required to follow local social care guidelines in respect of reporting suspected abuse.
- Pupils and parents will be made aware of how the school's safeguarding system works and with whom they can discuss any concerns.



- Information will also be made available about any local and national telephone helplines.
- In individual cases, parents will be notified of the school's concerns at the earliest appropriate opportunity.

The Child Protection and Safeguarding Policy is published on the school website.

## THE CHILD'S WISHES

Where there is a safeguarding concern the school will ensure the child's wishes and feelings are taken into account when determining what action to take and what services to provide.

Guarantees of confidentiality cannot be given but we can give assurances that only those who need to know will be informed. Systems will be put in place for children to express their views and give feedback. Ultimately any systems and processes will operate with the best interests of the child at their heart.

## CONFIDENTIALITY

Members of staff have access to confidential, personal information in order to undertake their everyday responsibilities. This information must be handled responsibly and sensitively. It is important to:

- Avoid sharing information casually in conversation or other than on a need-to-know basis
- Avoid holding sensitive discussions about pupils in public areas, such as corridors, dining areas or playgrounds
- Keep notes and records about pupils suitably secure
- Be careful about the kinds of personal information about pupils which are on view in staff rooms, work areas and offices, especially if these areas are used or visited by parents, visitors or contractors
- Ensure you are familiar with your responsibilities under Data Protection Regulations.

In areas where confidentiality may be an issue, it is important to remember that it is the welfare and safety of the pupil, which is the key focus.

Children need to be educated that other members of staff may have to pass information on to others in order to help them and keep them safe. In certain circumstances, it may also be the case that pupils themselves receive a disclosure and should understand the importance of passing such information on, and who to speak to. It is important to reassure pupils, including very young children, that if their personal information is shared it will only be passed on to those who need to know and will not become common knowledge amongst other staff/pupils. This can be brought to the attention of pupils through:

- PSHEE



- RS/RE discussions on ethical issues
- Assemblies
- Leaflets and other material telling pupils and parents about pastoral care arrangements
- Discussions with parents

It is essential that staff avoid being pressured into promising that they will keep information 'secret' when pupils give them information about changes in their family, their concerns, worries or other possible indications of abuse. The dangers of keeping secrets are that this approach:

- helps perpetuate the cycle of secrecy and concealment which characterises much abusive behaviour
- leads to the child feeling a greater sense of betrayal when material has to be disclosed, again reinforcing a sense that adults cannot be trusted
- will put the person who has promised secrecy in an impossible situation, for example, if the child then discloses evidence of extensive abuse or a situation in which a vulnerable sibling is clearly at risk of significant harm

We recognise that matters related to child protection are of a confidential nature. The designated member of staff / Head, as appropriate, will therefore share detailed information with other staff members on a need to know basis only.

All staff must be aware that they have a professional responsibility to share information with the designated lead and with other relevant agencies where necessary to safeguard and promote the welfare of children.

All staff must be aware that they cannot promise a child that they will keep certain information secret.

## SCHOOL SYSTEMS

Our school systems are in accordance with local safeguarding arrangements. Details of relevant guidance documents are provided in Appendix 8.

We will therefore ensure that

- We have a designated member of staff for each school who has received appropriate training and support for this role, in accordance with mandatory requirements.
- We have five additional members of staff who will act in the absence of the designated member of staff and have also received appropriate training for this role.
- We will ensure designated staff attend training and receive relevant updates every year and all staff are provided with training at induction and thereafter on a regular basis including safeguarding briefings and updates at least annually
- Every member of staff or volunteer knows the name of their designated safeguarding lead



(DSL) and their role, their deputies (DDSLs) and what the back-up arrangements are if the DSL is unavailable

- All staff are familiar with the school's Child Protection and Safeguarding Policy as well as the staff Code of Conduct and these issues are included in the induction for each new staff member
- All staff develop their understanding of signs and indicators of abuse and report any concerns to the designated lead but know that they can also refer direct to social care if needed
- We will ensure that all staff are aware that it is important to identify any concerns about children at as early a stage as possible so that their needs can be identified and monitored and appropriate support put in place
- Enquiries will be made to the previous school of any new child to confirm that there were no safeguarding issues
- Where a pupil on the child protection register leaves, their information is transferred to the new school immediately and that the school's DSL and child's social worker is informed. A receipt is obtained to confirm the safe arrival of information.
- We recognise that there is a variety of expertise within the staff team and will provide opportunities for staff to contribute to and shape safeguarding arrangements and policy
- We are aware of risks to children online and will ensure children are safeguarded in school from potentially harmful and inappropriate online material through appropriate filtering and monitoring systems
- When considering referrals to support agencies the school will act in accordance with Thresholds for Intervention guidance for the authority in which the child lives.
- All staff are aware that they should raise any concerns about colleagues or other adults with the Head. However, if the adult is a member of the Senior Management Team, concerns should be raised with the LADO.
- All staff know how to respond to a child who discloses abuse.
- All parents and/or carers are made aware of the responsibilities of staff members with regard to child protection procedures.
- We will refer any child believed to have suffered or to be likely to suffer significant harm to children's social care without delay, and will follow up any such referral in writing within 48 hours
- We will ensure the immediate safety of any child felt to be at serious risk by taking appropriate action and by involving other relevant agencies as necessary
- We will develop effective links with relevant agencies and co-operate as required with their enquiries regarding child protection matters, including attendance at child protection case conferences wherever possible and providing reports as a matter of course (sample format attached as Appendix 7). We will contribute to multi-agency assessments of children's needs where appropriate and work in a fully integrated way with other relevant services as appropriate.
- If a child's situation does not appear to be improving, the school will take responsibility for



finding out what is happening and keep pressing for action to be taken

- Written records are kept of all concerns, whether or not there is a need to refer the matter immediately, and that these records are kept securely, separate from the main pupil file, and in locked locations
- All concerns, discussions and decisions made and the reasons for those decisions are recorded in writing.
- All staff members are made aware of the record keeping requirements and how they are expected to record any safeguarding concerns.
- The child's social worker is notified of any pupil subject to a Child Protection Plan who is absent from school without explanation for more than 2 days
- Any new concern or relevant information about a child subject to a Child Protection Plan will be passed to the child's allocated social worker without delay
- If a child subject to a Child Protection Plan leaves the school, records will be transferred to the new school without delay and the child's social worker informed of the change
- If school staff are unsure how to proceed in a potential Child Protection situation, or require advice, this will be appropriately sought via the DSL, Education Safeguarding Advisor, or the link social worker for the school, a duty social worker or directly from the safeguarding standards service. (Contact numbers listed in Appendix 11)

## SAFER RECRUITMENT

The school follows its detailed Recruitment Policy to ensure that all those working in the school in 'regulated activity', in either a paid or unpaid capacity are suitable to do so as far as can be reasonably ascertained. The full legal definition of regulated activity is set out in Schedule 4 of the Safeguarding Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012. HM Government has produced a 'Factual note on regulated activity in relation to children: scope'.

Summarised by the school's DBS provider, regulated activity in relation to children can be split into two main categories: activities and places of work.

Those working in specified activities will be classed as engaging in regulated activity. Put simply, this is anyone who is teaching/training/instructing/coaching/caring for or supervising children. Anyone who is carrying out such a role would most likely be eligible for an enhanced DBS check, with a children's barred list check.

Applicants would also be classed as working in regulated activity if they were working in a specified establishment. These are referred to as a limited range of establishments, and include, but are not limited to schools, children's homes and nurseries. Permanently working in these institutions would mean an applicant was engaging in regulated activity, e.g. those working as teachers, nursery nurses, or caretakers. For those who work in these establishments sporadically, such as contractors or photographers, their eligibility for a check would be determined by the





frequency of their work. To be eligible for a DBS check they would need to work in any one of these specified places more than three times in a 30-day period.

- It is school policy that all staff, regardless of their employment start date, have a satisfactory DBS Enhanced level certificate.
- Appropriate checks (i.e. against lists of prohibitions, sanctions and restrictions) will be carried out on all potential employees and volunteers,
- Risk assessments will be undertaken on all volunteers.
- All references will be taken up and verified.
- At least one member of each interview panel will have completed Safer Recruitment training
- At interview, candidates will be asked to account for any gaps in their employment history.
- The school ensures that declarations are obtained to ensure that individuals are not disqualified under the Childcare (Disqualification) Regulations 2009 and the Disqualification under the Childcare Act 2006 (Regulations amended September 2018). These regulations apply to staff providing early years childcare or later years childcare, including before school and after school clubs, to children who have not attained the age of 8 and to those who are directly concerned in the management of that childcare.

### *Policy on the Recruitment of Ex-Offenders*

The School will not unfairly discriminate against any candidate for employment on the basis of conviction or other details revealed. The School makes appointment decisions on the basis of merit and ability. If an individual has a criminal record this will not automatically bar him or her from employment within the School. Instead, each case will be decided on its merits in accordance with the objective assessment criteria set out below.

All candidates should be aware that the provision of false information is an offence and could result in the application being rejected, or summary dismissal if they have been appointed, and a possible referral to the Police and/or Disclosure and Barring Service (DBS).

Under the relevant legislation, it is unlawful for the School to employ anyone who is included on the lists maintained by the DBS of individuals who are considered unsuitable to work with children. In addition, it will also be unlawful for the School to employ anyone who is the subject of a disqualifying order made on being convicted or charged with the following offences against children: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence.

It is a criminal offence for any person who is disqualified from working with children to attempt to apply for a position within the School. The School will report the matter to the Police and/or the DBS if the School:



- receives an application from a disqualified person
- is provided with false information in, or in support of, a candidate's application, or
- has serious concerns about an applicant's suitability to work with children.

In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process, or obtained through a disclosure check, the School will consider the following factors before reaching a recruitment decision:

- whether the conviction or other matter revealed is relevant to the position in question
- the seriousness of any offence or other matter revealed
- the length of time since the offence or other matter occurred
- whether the applicant has a pattern of offending behaviour or other relevant matters
- whether the applicant's circumstances have changes since the offending behaviours or other relevant matters, and
- the circumstances surrounding the offence and the explanation(s) offered by the convicted person

If the post involves regular contact with children, it is the School's normal policy to consider it a high risk to employ anyone who has been convicted at any time of any of the following offences: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence, serious class A drug related offences, robbery, burglary, theft, deception or fraud.

If the post involves access to money or budget responsibility, it is the School's normal policy to consider it high risk to employ anyone who has been convicted at any time of robbery, burglary, theft, deception or fraud.

If the post involves some driving responsibilities, it is the School's normal policy to consider it high risk to employ anyone who has been convicted of drink driving.

## SUPPORTING STAFF

The school recognises that staff working in the school who have become involved with a child who has suffered harm or appears to be likely to suffer harm may find the situation stressful and upsetting. The school will support such staff by providing an opportunity to talk through their anxieties with the Designated Safeguarding Lead and will consider further support for Leads and other staff as appropriate. We will consider what arrangements can be made to provide supervision for designated leads and any other staff members as appropriate



## REVIEWING PRACTICE

The Child Protection Safeguarding Policy will be reviewed annually. At the conclusion of any case, whether the allegation is substantiated or not, the school will review its procedures and practice to help prevent similar events in the future



## APPENDIX 1

### RECOGNISING PHYSICAL ABUSE

Guidance with reference to the potential signs of abuse from London SCB procedures

The following are often regarded as indicators of concern:

- An explanation which is inconsistent with an injury
- Several different explanations provided for an injury
- Unexplained delay in seeking treatment
- The parents / carers are uninterested or undisturbed by an accident or an injury
- Parents are absent without good reason when their child is presented for treatment
- Repeated presentation of minor injuries (which may represent a 'cry for help' and if ignored could lead to a more serious injury.
- Family use of different doctors and A&E departments
- Reluctance to give information or mention previous injuries

#### Bruising

Children can have accidental bruising, but the following must be considered as non-accidental unless there is evidence or an adequate explanation provided:

- Any bruising to a pre-crawling or pre-walking baby
- Bruising in or around the mouth, particularly in small babies which may indicate force feeding
- Two simultaneous bruised eyes, without bruising to the forehead (rarely accidental, though a single bruised eye can be accidental or abusive)
- Repeated or multiple bruising on the head or on sites unlikely to be injured accidentally
- Variation in colour possibly indicating injuries caused at different times
- The outline of an object used e.g. belt marks, hand prints or a hair brush
- Bruising or tears around, or behind, the earlobe/s indicating injury by pulling or twisting
- Bruising around the face
- Grasp marks on small children
- Bruising on the arms, buttocks and thighs may be an indicator of sexual abuse

#### Bite Marks

Bite marks can leave clear impressions of the teeth. Human bite marks are oval or crescent shape. Those over 3 cm in diameter are more likely to have been caused by an adult or an older child.



A medical opinion should be sought where there is any doubt over the origin of the bite.

### **Burns and Scalds**

It can be difficult to distinguish between accidental and non-accidental burns and scalds and will always require experienced medical opinion. Any burn with a clear outline may be suspicious e.g.:

- Circular burns from cigarettes (but may be friction burns if along the bony protuberance of the spine)
- Linear burns from hot metal rods or electrical fire elements
- Burns of uniform depth over a large area
- Scalds that have a line indicating immersion or poured liquid (a child getting into hot water of its own accord will struggle to get out and cause splash marks)
- Old scars indicating previous burns / scalds which did not have appropriate treatment or adequate explanation

Scalds to the buttocks of a small child, particularly in the absence of burns to the feet, are indicative of dipping into a hot liquid or bath.

### **Fractures**

Fractures may cause pain, swelling and discoloration over a bone or a joint. Non-mobile children rarely sustain fractures.

There are grounds for concern if:

- The history provided is vague, non-existent or inconsistent with the fracture type
- There are associated old fractures
- Medical attention is sought after a period of delay when the fracture has caused symptoms such as swelling, pain or loss of movement
- There is an unexplained fracture in the first year of life

### **Scars**

A large number of scars or scars of different sizes or ages, or on different parts of body, may suggest abuse

### **Behavioural Indications**

Some children may behave in ways that alert you to the possibility of physical injury, for example

- Withdrawal from physical contact
- Fear of returning home



- Self-destructive tendencies
- Aggression towards others

## Recognising Emotional Abuse

Emotional abuse may be difficult to recognise, as the signs are usually behavioural rather than physical. The manifestations of emotional abuse might also indicate the presence of other kinds of abuse.

The indicators of emotional abuse are often also associated with other forms of abuse. The following may be indicators of emotional abuse:

- Developmental delay
- Abnormal attachment between a child and parent / carer e.g. anxious, indiscriminate or no attachment
- Aggressive behaviour towards others
- Scape-goated within the family
- Frozen watchfulness, particularly in pre-school children
- Low self-esteem and lack of confidence
- Withdrawn or seen as a 'loner' – difficulty relating to others
- Over-reaction to mistakes
- Fear of new situations
- Inappropriate responses to painful situations
- Neurotic behaviours
- Self-harming
- Running away

## Recognising Neglect

Evidence of neglect is built up over a period of time and can cover different aspects of parenting. Indicators include:

- Failure by parents or carers to meet the basic essential needs e.g. adequate food, clothes, warmth, hygiene and medical care
- A child seen to be listless, apathetic and unresponsive with no apparent medical cause
- Failure of child to grow within normal expected pattern, with accompanying weight loss
- Child thrives away from home environment
- Child frequently absent from or late for school
- Child left with adults who are intoxicated or violent
- Child abandoned or left alone for excessive periods
- Compulsive stealing or scavenging





### Recognising Sexual Abuse

Boys and girls of all ages may be sexually abused and are frequently scared to say anything due to guilt and / or fear. This is particularly difficult for a child to talk about and full account should be taken of the cultural sensitivities of any individual child / family.

Recognition can be difficult, unless the child discloses and is believed. There may be no physical signs and indications are likely to be emotional / behavioural.

Some behavioural indicators associated with this form of abuse are:

- Inappropriate sexualised conduct
- Sexually explicit behaviour, play or conversation, inappropriate for the child's age
- Continual and inappropriate or excessive masturbation
- Self-harm (including eating disorder, self-mutilation and suicide attempts)
- Involvement in prostitution or indiscriminate choice of sexual partners
- An anxious unwillingness to remove clothes for e.g. sports events (but this may be related to cultural norms or physical difficulties)
- Concerning changes in behaviour or general presentation
- Regressive behaviour
- Distrust of a particular adult
- Unexplained gifts of money
- Sleep disturbances or nightmares
- Phobias or panic attacks

Some physical indicators associated with this form of abuse are:

- Pain or itching of genital area
- Blood on underclothes
- Pregnancy in a younger girl where the identity of the father is disclosed
- Physical symptoms such as injuries to the genital or anal areas, bruising to buttocks, abdomen and thighs, sexually transmitted disease, presence of semen in vagina, anus, external genitalia or clothing
- Wetting or soiling



## APPENDIX 2

### Swinbrook House Nursery School - Marylebone Child Protection Forms

#### Concern Form

Please complete this form if you have any concerns about a pupil. This form can also be used for concerns about a member of staff.

For non-safeguarding concerns, please contact your child's Senior Tutor or Section Head.

Child's Name				
Concern Day/Date/Time		Year/Class		
Member(s) of staff noting concern (Full name please – no initials)				
Concern (Please describe as fully as possible)				
Would you like feedback about this concern?	Yes		No	
Signature	Date and Time			

PLEASE PASS ON IMMEDIATELY TO DSL FOR CONCERN ABOUT A CHILD OR TO HEAD FOR CONCERN ABOUT A MEMBER OF STAFF

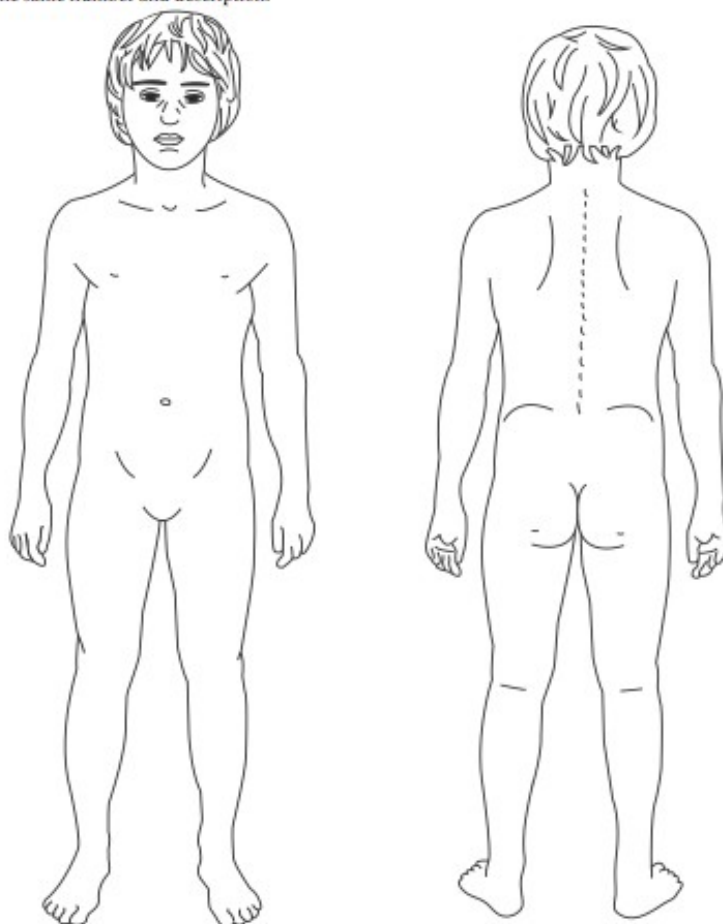


## Swinbook House Nursery School - Marylebone Body Chart

This chart must be used together with the Concern Form or Incident or Observation Form.

Show clearly the location of your concern and label with a number and a brief description, eg. '1. Burn about 4cm.' On the Concern Form refer to the injury using the same number and description.

Child's Name \_\_\_\_\_



Observations made by \_\_\_\_\_ Signed \_\_\_\_\_ Date \_\_\_\_\_

Once completed attach this body chart to the relevant form

## Swinbook House Nursery School - Marylebone Chronological Log

For completion by the Designated Safeguarding Lead

Child's Name

[illegible]



## Swinbook House Nursery School - Marylebone Overview Grid

For completion by the Designated Safeguarding Lead																																	
Swinbook House Nursery School - Marylebone Child Protection Form Date Check List																																	
Concern Form Completed												Name										Year Group											
2018	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31		
September																																	
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August																																	



## APPENDIX 3

### Role of the designated safeguarding lead – From KCSIE September 2019

Governing bodies, proprietors and management committees should ensure an appropriate senior member of staff, from the school or college leadership team, is appointed to the role of designated safeguarding lead.<sup>109</sup> The designated safeguarding lead should take **lead responsibility** for safeguarding and child protection (including online safety). This should be explicit in the role holder's job description. This person should have the appropriate status and authority within the school to carry out the duties of the post. They should be given the time, funding, training, resources and support to provide advice and support to other staff on child welfare and child protection matters, to take part in strategy discussions and inter-agency meetings, and/or to support other staff to do so, and to contribute to the assessment of children.

#### Deputy Designated Safeguarding Leads

It is a matter for individual schools and colleges as to whether they choose to have one or more deputy designated safeguarding leads. Any deputies should be trained to the same standard as the designated safeguarding lead and the role should be explicit in their job description.

Whilst the activities of the designated safeguarding lead can be delegated to appropriately trained deputies, the ultimate **lead responsibility** for child protection, as set out above, remains with the designated safeguarding lead, this **lead responsibility** should not be delegated.

#### Manage Referrals

The designated safeguarding lead is expected to:

- refer cases of suspected abuse to the local authority children's social care as required
- support staff who make referrals to local authority children's social care
- refer cases to the Channel programme where there is a radicalisation concern as required
- support staff who make referrals to the Channel programme
- refer cases where a person is dismissed or left due to risk/harm to a child to the Disclosure and Barring Service as required
- refer cases where a crime may have been committed to the Police as required

#### Work with Others

The designated safeguarding lead is expected to:

- liaise with the headteacher or Head to inform him or her of issues especially ongoing enquiries under section 47 of the Children Act 1989 and police





investigations;

- liaise with the relevant authority (eg LADO, MASH team) on who may be informed of cases or information and exactly what information may be shared when referrals come to light
- as required, liaise with the "case manager" (and the designated officer(s) at the local authority for child protection concerns in cases which concern a staff member
- liaise with staff (especially pastoral support staff, school nurses, IT Technicians, and SENCOs or the named person with oversight for SEN in a college) on matters of safety and safeguarding (including online and digital safety) and when deciding whether to make a referral by liaising with relevant agencies
- act as a source of support, advice and expertise for all staff

## Training

The designated safeguarding lead (and any deputies) should undergo training to provide them with the knowledge and skills required to carry out the role. This training should be updated at least every two years.

The designated safeguarding lead should undertake Prevent awareness training.

In addition to the formal training set out above, their knowledge and skills should be refreshed (this might be via e-bulletins, meeting other designated safeguarding leads, or simply taking time to read and digest safeguarding developments) at regular intervals, as required, and at least annually, to allow them to understand and keep up with any developments relevant to their role so they:

- understand the assessment process for providing early help and statutory intervention, including local criteria for action and local authority children's social care referral arrangements
- have a working knowledge of how local authorities conduct a child protection case conference and a child protection review conference and be able to attend and contribute to these effectively when required to do so
- ensure each member of staff has access to, and understands, the school or college's child protection policy and procedures, especially new and part time staff
- are alert to the specific needs of children in need, those with special educational needs and young carers
- are able to keep detailed, accurate, secure written records of concerns and referrals
- understand and support the school or college with regards to the requirements



of the Prevent duty and are able to provide advice and support to staff on protecting children from the risk of radicalisation

- are able to understand the unique risks associated with online safety and be confident that they have the relevant knowledge and up to date capability required to keep children safe whilst they are online at school or college
- can recognise the additional risks that children with SEN and disabilities (SEND) face online, for example, from online bullying, grooming and radicalisation and are confident they have the capability to support SEND children to stay safe online
- obtain access to resources and attend relevant or refresher training courses
- encourage a culture of listening to children and taking account of their wishes and feelings, among all staff, in any measures the school or college may put in place to protect them

### Raise Awareness

The designated safeguarding lead should:

- ensure the school or college's child protection policies are known, understood and used appropriately
- ensure the school or college's child protection policy is reviewed annually (as a minimum) and the procedures and implementation are updated and reviewed regularly, and work with governing bodies or proprietors regarding this
- ensure the child protection policy is available publicly and parents are aware of the fact that referrals about suspected abuse or neglect may be made and the role of the school or college in this
- link with the local LSCB to make sure staff are aware of any training opportunities and the latest local policies on local safeguarding arrangements

### Child Protection File

Where children leave the school or college ensure their child protection file is transferred to the new school or college as soon as possible. This should be transferred separately from the main pupil file, ensuring secure transit, and confirmation of receipt should be obtained. Receiving schools and colleges should ensure key staff such as designated safeguarding leads and SENCOs or the named person with oversight for SEN in colleges, are aware as required.

In addition to the child protection file, the designated safeguarding lead should also consider if it would be appropriate to share any information with the new school or college in advance of a child leaving. For example, information that would allow the



new school or college to continue supporting victims of abuse and have that support in place for when the child arrives.

## Availability

During term time the designated safeguarding lead (or a deputy) should always be available (during school or college hours) for staff in the school or college to discuss any safeguarding concerns. Whilst generally speaking the designated safeguarding lead (or deputy) would be expected to be available in person, it is a matter for individual schools and colleges, working with the designated safeguarding lead, to define what "available" means and whether in exceptional circumstances availability via phone and or Skype or other such media is acceptable.

It is a matter for individual schools and colleges and the designated safeguarding lead to arrange adequate and appropriate cover arrangements for any out of hours/out of term activities.

## Specific Role of the Swinbrook House Nursery School - Marylebone Designated Safeguarding Lead(s)

The **Designated Safeguarding Lead** (DSL) is the senior member of staff designated to take lead responsibility for child protection at the school, and to support all other staff in dealing with any child protection concerns that arise. This person should have the status and authority within the school to carry out the duties of the post including committing resources and, where appropriate, supporting and directing other staff.

Key aspects of the role include:

- Making sure that all staff are aware of how to raise safeguarding concerns
- Maintain **detailed, accurate, secure written** records of concerns and referrals
- Ensuring that all staff understand the symptoms of child abuse and neglect
- Referring any concerns to social care
- Monitoring children who are the subject of child protection plans
- Maintaining accurate and secure child protection records
- Ensuring that all staff adhere to the school's safeguarding policy and procedures
- Promoting a safe environment

The broad areas of responsibility for the DSL are:

## *Managing Referrals*

The DSL is expected to:

- Liaise with staff on matters of safety and safeguarding and when deciding whether to make



a referral by liaising with the relevant agencies. Act as a source of support, advice and expertise for staff on matters of safety and safeguarding and when deciding whether to make a referral by liaising with relevant agencies

- Refer all cases of suspected abuse to the local authority children's social care services;
- Refer all cases where a person is dismissed or has left due to risk/harm to a child, to the Disclosure and Barring Service
- Refer all cases where a crime may have been committed to the Police
- Liaise with the Head to inform him of issues, especially on-going enquiries under section 47 of the Children Act 1989 and police investigations

### *Training*

The DSLs and Deputy DSLs have had and will continue to have regular training from an appropriate source.

- Understand the assessment process for providing early help and intervention, for example through locally agreed common and shared assessment processes such as early help assessments
- Have a working knowledge of how local authorities conduct a child protection case conference and a child protection review conference and be able to attend and contribute to these effectively when required to do so
- Ensure each member of staff has access to and understands the school's child protection policy and procedures, especially new and part time staff
- Be alert to the specific needs of children in need, those with special educational needs and young carers
- Be able to keep **detailed, accurate, secure written** records of concerns and referrals
- Obtain access to resources and attend any relevant or refresher training courses
- Encourage a culture of listening to children and taking account of their wishes and feelings, among all staff, in any measures the school may put in place to protect them

In addition to the formal training, the DSL should update her/his knowledge at regular intervals and at least annually, in order to keep up with any developments relevant to their role.

The DSL is also responsible for organising staff safeguarding training, delivering the training where appropriate, and keeping accurate records of all training undertaken.

### *Raising Awareness*

The DSL should ensure that the school's policies are known and used appropriately:

- Ensure that the school's Safeguarding and Child Protection Policy and Safeguarding Procedures (as reviewed at least annually) are customised with appropriate names and



contact details; and that implementation is reviewed regularly. Work with the SMT to ensure that documentation and procedures are reviewed in an annual audit

- Ensure that the Safeguarding and Child Protection Policy is available publicly on the school's website, and parents are aware of the fact that referrals about suspected abuse or neglect may be made and the role of the school in this
- Ensure that staff are kept informed of changes to the Safeguarding and Child Protection Policy and to the Safeguarding Procedures and to other relevant legislation and guidance, in particular *Keeping Children Safe in Education*
- Link with the local authorities to make sure staff are aware of training opportunities and the latest local policies on safeguarding
- Complete an annual report, in conjunction with the Senior Management team, for the governing body.

The DSL is also responsible for ensuring information relating to safeguarding concerns is sought from any feeder schools and, where children leave the school, ensuring their child protection file, is transferred to the new school, as soon as possible. This should be transferred separately from the main pupil file, via secure transit, and confirmation of receipt should be obtained.

### *Preventing Radicalisation*

- In accordance with the *Prevent duty*, the DSL has the following responsibilities:  
Act as the first point of contact for parents, pupils, teaching and support staff and external agencies in all matters relating to the *Prevent Duty*
- Co-ordinate *Prevent Duty* procedures in the School
- Undergo appropriate training on the *Prevent Duty*, such as the Home Office 'Workshop to Raise Awareness of Prevent' (WRAP) training
- Undergo appropriate training on the Channel programme
- Assess the training needs of all school staff in relation to the *Prevent Duty*, and implement and maintain an on-going training programme for staff including induction training for all newly appointed staff and volunteers; keeping records of such staff training
- Monitor the keeping, confidentiality and storage of records in relation to the *Prevent Duty*
- Liaise with local *Prevent* co-ordinators, the police and local authorities and existing multi-agency forums in all necessary or appropriate circumstances relating to the *Prevent Duty*

The **Deputy Designated Safeguarding Leads** are the members of staff designated to deputise for the DSL in child protection matters at the school. These members of staff have the status and authority within the school to carry out the duties of the post including committing resources and, where appropriate, supporting and directing other staff.

The Deputy DSL's role may encompass two dimensions:



- Deputise for the DSL in the latter's absence, covering all areas of responsibility described in the DSL Role
- Lead on child protection responsibilities within a defined section of the school.
- The Deputy DSLs are trained to the same standard as the DSL



## APPENDIX 4

### Managing Allegations of Abuse against Staff

All staff understand that if they receive an allegation that might indicate a person would pose a risk of harm if they continue to work in regular or close contact with children in their present position, or in any capacity against another member of staff, or they have concerns about the behaviour of another member of staff, the matter should be reported **immediately** to the Head. The Disclosure and Barring Service harm test should be considered.

#### *The Harm Test*

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.

Harm is not defined in legislation. The DBS view harm as its common understanding or the definition you may find in a dictionary.

Harm is considered in its widest context and may include:

- sexual harm
- physical harm
- financial harm
- neglect
- emotional harm
- psychological harm
- verbal harm

This policy will be used in respect of all cases in which it is alleged that a member of staff (including a volunteer, student) has:

- behaved in a way that has harmed a child, or may have harmed a child
- possibly committed a criminal offence against or related to a child
- behaved towards a child or children in a way that indicates s/he is unsuitable to work with children. This will include cases of verbal abuse

There may be up to 3 strands in the consideration of an allegation:

- a police investigation of a possible criminal offence
- enquiries and assessment by children's social care about whether a child is in need of protection or in need of services
- consideration by the School of disciplinary action in respect of the individual





The Westminster City Council local authority referral procedure, which we adhere to, is in line with the Local Child Protection Procedures (LCPP). The School's complaints procedure will be followed alongside this policy.

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

This guidance relates to members of staff and volunteers who are currently working in any school, regardless of whether the school is where the alleged abuse took place. Allegations against a teacher who is no longer teaching, or historical allegations of abuse, should be referred to the police.

***Procedure when receiving an allegation of abuse against staff what school staff should do:***

- Where a concern or allegation relates to a member of staff, including those on the Senior Management Team but not including the Head, the matter should be reported to the Head. It is our policy that all allegations will be reported straight away to the Head who becomes the 'case manager'
- Safeguarding concerns or allegations relating to the Head or the proprietor must be taken directly to the LADO. Staff may consider discussing any concerns with the school's DSL

Some rare allegations will be so serious they require immediate intervention by children's social care services and/or police. The LADO should be informed of all allegations that come to the school's attention and appear to meet the criteria so they can consult police and children's social care services as appropriate.

***Responding to an allegation or a complaint against staff from a child***

The person who receives the information regarding the allegation **will not question the child or investigate the matter any further**. That person will:

- Treat the matter seriously, avoid asking leading questions, communicate with the child in a manner appropriate to the child's understanding and communication style
- Make a written record of the information, where possible in the child's own words stating when the alleged incident took place, who was present and what was said to have happened
- Sign and date the record
- Report the matter immediately to the Head



### *Initial Action by the Head*

The Head will **not** investigate the matter by interviewing the accused, the child making the allegation or any of the potential witnesses. The Head should **not speak** to the member of staff who is the subject of the allegation at this point or commence an internal inquiry before consulting with the LADO.

It is the responsibility of the Police and the Children's Services to investigate allegations of abuse involving children. Any such intervention at this stage could jeopardise a potential criminal investigation. The Head may make basic enquiries to determine whether there may be some potential foundation to the allegation. The enquiries should be minimal to establish the facts of the allegation, if these were not established or were unclear at the time of the concern being raised, such as:

- Was the employee at work that day?
- Did the employee come into contact with the child?
- Have any other potential witnesses come forward?

The Head will:

- Countersign and date the written details provided of the allegation
- Record any other information about times, dates and location of any incident and the names of any potential witnesses
- Following confirmation that there is some potential foundation, the Head should seek the advice of the LADO **within one working day of the allegation being reported.**

Referral to the LADO will **not** be delayed in order to gather any further information. The LADO will consider the information and whether it meets the criteria for consultation with the police and social care.

The LADO will provide advice, guidance and help to determine whether a concern or allegation sits within the scope of safeguarding procedures. They have responsibility for ensuring the workforce is safe by managing allegations of abuse or misconduct of professionals working with children, offering advice and making referrals to the relevant bodies as appropriate

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



what action should follow both in respect of the individual and those who made the initial allegation.

In rare cases allegations will be so serious as to require immediate intervention by children's social work services and/or police. Other scenarios may seem much less serious and on the face of it will not warrant consideration of a police investigation, or enquiries by children's services. However, the school recognises that it is important that someone independent of the employer concerned examines them objectively. Investigations must be dealt with quickly, fairly and impartially.

If the school removes an individual (paid worker or unpaid volunteer) from work in regulated activity with children (or would have, had the person not left first) because the person poses a risk of harm to children, the school will make a referral to the Disclosure and Barring Service to consider whether to add the individual to the barred list.

This applies irrespective of whether a referral has been made to local authority children's social care and/or the designated officer or team of officers. The school acknowledges that it is an offence to fail to make a referral without good reason.

KCSIE 2019 states: The headteacher or Head or (where the headteacher or Head is the subject of an allegation) the chair of governors, or the chair of the management committee or proprietor of an independent school (the 'case manager'), should discuss the allegation immediately with the LADO. The purpose of an initial discussion is for the LADO and the case manager to consider the nature, content and context of the allegation and agree a course of action. The LADO may ask the case manager to provide or obtain relevant additional information, such as previous history, whether the child or their family have made similar allegations previously and about the individual's current contact with children. There may be situations when the case manager will want to involve the police immediately, for example if the person is deemed to be an immediate risk to children or there is evidence of a possible criminal offence. Where there is no such evidence, the case manager should discuss the allegations with the LADO in order to help determine whether police involvement is necessary.

### ***Informing Accused Person/Suspension***

The case manager should inform the accused person about the allegation as soon as possible after consulting the LADO. It is extremely important that the case manager provides them with as much information as possible at that time. However, where a strategy discussion is needed, or police or children's social care services need to be involved, the case manager should not do that until those agencies have been consulted and have agreed what information can be disclosed to the accused. Employers must consider carefully whether the circumstances of a case warrant a person being suspended from contact with children at the school or whether



alternative arrangements can be put in place until the allegation or concern is resolved. All options to avoid suspension should be considered prior to taking that step.

If there is cause to suspect a child is suffering or is likely to suffer significant harm, a strategy discussion should be convened in accordance with the statutory guidance Working Together to Safeguard children. If the allegation is about physical contact, the strategy discussion or initial evaluation with the police should take into account that teachers and other school and college staff are entitled to use reasonable force to control or restrain children in certain circumstances, including dealing with disruptive behaviour, under s.93 of the Education and Inspections Act 2006 and Use of Reasonable Force in Schools 2013.

Where it is clear that an investigation by the police or children's social care services is unnecessary, or the strategy discussion or initial evaluation decides that is the case, the LADO should discuss the next steps with the case manager. In those circumstances, the options open to the school or college depend on the nature and circumstances of the allegation and the evidence and information available. This will range from taking no further action to dismissal or a decision not to use the person's services in future. Suspension should not be the default position: an individual should be suspended only if there is no reasonable alternative.

### *Supporting those involved*

Employers have a duty of care to their employees. They should act to manage and minimise the stress inherent in the allegations process. Support for the individual is vital to fulfilling this duty. Individuals should be informed of concerns or allegations as soon as possible and given an explanation of the likely course of action, unless there is an objection by the children's social care services or the police. The individual should be advised to contact their trade union representative, if they have one, or a colleague for support. They should also be given access to welfare counselling or medical advice where this is provided by the employer.

The case manager should appoint a named representative to keep the person who is the subject of the allegation informed of the progress of the case and consider what other support is appropriate for the individual. For staff in maintained schools and colleges, that may include support via the local authority occupational health or employee welfare arrangements. Particular care needs to be taken when employees are suspended to ensure that they are kept informed of both the progress of their case and current work-related issues. Social contact with colleagues and friends should not be prevented unless there is evidence to suggest that such contact is likely to be prejudicial to the gathering and presentation of evidence.

Parents or carers of a child or children involved should be told about the allegation as soon as possible if they do not already know of it. However, where a strategy discussion is required, or police or children's social care services need to be involved, the case manager should not do so until those agencies have been consulted and have agreed what information can be disclosed to



the parents or carers. Parents or carers should also be kept informed about the progress of the case and told the outcome where there is not a criminal prosecution, including the outcome of any disciplinary process. The deliberations of a disciplinary hearing, and the information taken into account in reaching a decision, cannot normally be disclosed, but the parents or carers of the child should be told the outcome in confidence.

Parents and carers should also be made aware of the requirement to maintain confidentiality about any allegations made against teachers whilst investigations are ongoing as set out in section 141F of the Education Act 2002. If parents or carers wish to apply to the court to have reporting restrictions removed, they should be told to seek legal advice.

In cases where a child may have suffered significant harm, or there may be a criminal prosecution, children's social care services, or the police as appropriate, should consider what support the child or children involved may need.

### Suspension

The possible risk of harm to children posed by an accused person should be evaluated and managed in respect of the child(ren) involved in the allegations. In some rare cases that will require the case manager to consider suspending the accused until the case is resolved. Suspension should not be an automatic response when an allegation is reported; all options to avoid suspension should be considered prior to taking that step. If the case manager is concerned about the welfare of other children in the community or the teacher's family, those concerns should be reported to the LADO, children's social care or police. But suspension is highly unlikely to be justified on the basis of such concerns alone.

Suspension should be considered only in a case where there is cause to suspect a child or other children at the school is/are at risk of harm or the case is so serious that it might be grounds for dismissal. However, a person should not be suspended automatically: the case manager must consider carefully whether the circumstances warrant suspension from contact with children at the school or until the allegation is resolved and may wish to seek advice from their personnel adviser and the LADO. In cases where the school is made aware that the Secretary of State has made an interim prohibition order in respect of an individual at the school, immediate action should be taken to ensure the individual does not carry out work in contravention of the order, i.e. pending the findings of the Teaching Regulation Agency TRA investigation, the individual must not carry out teaching work.

The case manager should also consider whether the result that would be achieved by immediate suspension could be obtained by alternative arrangements. In many cases an investigation can be resolved quickly and without the need for suspension. If the LADO, police and children's social care services have no objections to the member of staff continuing to work during the investigation, the case manager should be as inventive as possible to avoid suspension. Based on



assessment of risk, the following alternatives should be considered by the case manager before suspending a member of staff:

- redeployment within the school so that the individual does not have direct contact with the child or children concerned
- providing an assistant to be present when the individual has contact with children
- redeploying to alternative work in the school so the individual does not have unsupervised access to children
- moving the child or children to classes where they will not come into contact with the member of staff, making it clear that this is not a punishment and parents have been consulted
- temporarily redeploying the member of staff to another role in a different location, for example to an alternative school site

These alternatives allow time for an informed decision regarding the suspension and possibly reduce the initial impact of the allegation. This will, however, depend upon the nature of the allegation. The case manager should consider the potential permanent professional reputational damage to employees that can result from suspension where an allegation is later found to be unsubstantiated or maliciously intended.

If immediate suspension is considered necessary, the rationale and justification for such a course of action should be agreed and recorded by both the case manager and the LADO. This should also include what alternatives to suspension have been considered and why they were rejected.

Where it has been deemed appropriate to suspend the person, written confirmation should be dispatched within one working day, giving as much detail as appropriate for the reasons for the suspension. It is not acceptable for an employer to leave a person who has been suspended without any support. The person should be informed at the point of their suspension who their named contact is within the organisation and provided with their contact details.

Children's social care services or the police cannot require the case manager to suspend a member of staff or a volunteer, although they should give appropriate weight to their advice. The power to suspend is vested in the proprietor of the school, or governing bodies of the school who are the employers of staff at the school. However, where a strategy discussion or initial evaluation concludes that there should be enquiries by the children's social care services and/or an investigation by the police, the LADO should canvass police and children's social care services for views about whether the accused member of staff needs to be suspended from contact with children in order to inform the school consideration of suspension. Police involvement does not make it mandatory to suspend a member of staff; this decision should be taken on a case-by-case basis having undertaken a risk assessment.





### *Information Sharing*

In a strategy discussion or the initial evaluation of the case, the agencies involved should share all relevant information they have about the person who is the subject of the allegation, and about the alleged victim.

Where the police are involved, wherever possible the employer should ask the police to obtain consent from the individuals involved to share their statements and evidence for use in the employer disciplinary process. This should be done as their investigation proceeds and will enable the police to share relevant information without delay at the conclusion of their investigation or any court case. Children's social care services should adopt a similar procedure when making enquiries to determine whether the child or children named in the allegation are in need of protection or services, so that any information obtained in the course of those enquiries which is relevant to a disciplinary case can be passed to the employer without delay.

### *Confidentiality*

It is extremely important that when an allegation is made, the school makes every effort to maintain absolute confidentiality and guard against unwanted publicity while an allegation is being investigated or considered. The Education Act 2002 introduced reporting restrictions preventing the publication of any material that may lead to the identification of a teacher who has been accused by, or on behalf of, a pupil from the same school (where that identification would identify the teacher as the subject of the allegation). The reporting restrictions apply until the point that the accused person is charged with an offence, or until the Secretary of State publishes information about an investigation or decision in a disciplinary case arising from the allegation. The reporting restrictions are disapplied if the individual to whom the restrictions apply effectively waives their right to anonymity by going public themselves or by giving their written consent for another to do so or if a judge lifts restrictions in response to a request to do so.

Parents and carers should also be made aware of the requirement to maintain confidentiality about any allegations made against teachers whilst investigations are ongoing as set out in section 141F of the Education Act 2002. Legislation imposing restrictions makes clear that "publication" of material that may lead to the identification of the teacher who is the subject of the allegation is prohibited. "Publication" includes "any speech, writing, relevant programme or other communication in whatever form, which is addressed to the public at large or any section of the public". This means that a parent who, for example, published details of the allegation on a social networking site would be in breach of the reporting restrictions (if what was published could lead to the identification of the teacher by members of the public).

In accordance with the Authorised Professional Practice published by the College of Policing in May 2017, the police will not normally provide any information to the press or media that might





identify an individual who is under investigation, unless and until the person is charged with a criminal offence. (In exceptional cases where the police would like to depart from that rule, for example an appeal to trace a suspect, they must apply to a magistrates' court to request that reporting restrictions be lifted.)

The case manager should take advice from the LADO, police and children's social care services to agree the following:

- who needs to know and, importantly, exactly what information can be shared
- how to manage speculation, leaks and gossip
- what, if any information can be reasonably given to the wider community to reduce speculation
- how to manage press interest if and when it should arise

### *Outcomes*

If the allegation is about physical contact, the strategy discussion or initial evaluation with the police will take account of the fact that school staff are entitled to use reasonable force to control or restrain children in certain circumstances, including dealing with disruptive behaviour, under s.93 of the Education and Inspections Act 2006 and Use of Reasonable Force in Schools 2013

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 to prove or disprove the allegation. The term, therefore, does not imply guilt or innocence.
- **Unfounded:** to reflect cases where there is no evidence or proper basis which supports the allegation being made.

The additional definition of 'unfounded' can be used to reflect cases where there is no evidence or proper basis which supports the allegation being made. It might also indicate that the person making the allegation misinterpreted the incident or was mistaken about what they saw. Alternatively they may not have been aware of all the circumstances.

In cases where a formal strategy discussion is not considered appropriate because the threshold of "significant harm" is not reached, but a police investigation might be needed, the Head will



consult with the Designated Officer, police and any other agencies involved with the child to evaluate the allegation and decide how it should be dealt with.

The police will be consulted about any case in which a criminal offence may have been committed.

The LADO and the Head may conclude that the complaint or allegation is such that it is clear that an investigation by police and/or enquiries by social care is not necessary. In these circumstances the school will be guided by the LADO as to the most appropriate action. The options open to the school depend on the nature and circumstances of the allegation and the evidence and information available and will range from taking no further action to summary dismissal.

### *Timescales*

It is in everyone's interest to resolve cases as quickly as possible consistent with a fair and thorough investigation. All allegations should be investigated as a priority to avoid any delay. Target timescales are shown below: the time taken to investigate and resolve individual cases depends on a variety of factors including the nature, seriousness and complexity of the allegation, but these targets should be achieved in all but truly exceptional cases. It is expected that 80 per cent of cases should be resolved within one month, 90 per cent within three months, and all but the most exceptional cases should be completed within 12 months.

For those cases where it is clear immediately that the allegation is unsubstantiated or malicious, they should be resolved within one week. Where the initial consideration decides that the allegation does not involve a possible criminal offence it will be for the employer to deal with it, although if there are concerns about child protection, the employer should discuss them with the LADO. In such cases, if the nature of the allegation does not require formal disciplinary action, the employer should institute appropriate action within three working days. If a disciplinary hearing is required and can be held without further investigation, the hearing should be held within 15 working days. and subsequent procedures, as outlined in the Grievance and Disciplinary Procedure will be followed.

If, on conclusion of the case, it is decided that the person can return to work, the Head will consider how best to facilitate the return and provide relevant support to the staff member and consider how to best manage the person's contact with the child who made the allegation. The parents/carers of the child will be kept fully informed of any decisions/action taken by the Management Committee. Resignations and "Compromise Agreements"

If the accused person resigns, or ceases to provide their services, this should not prevent an allegation being followed up in accordance with this guidance. **A referral to the DBS *must* be made, if the criteria are met.** Schools must also consider whether a referral to the TRA for professional misconduct is appropriate, to consider prohibiting the individual from teaching.



There is a legal duty to refer if the following two conditions are met:

#### Condition 1

The school withdraws permission for a person to engage in regulated activity with children. Or the person is moved to another area of work that isn't regulated activity. This includes situations when the above action would have been taken, but the person was re-deployed, resigned, retired, or left. For example, a teacher resigns when an allegation of harm to a pupil is first made.

#### Condition 2

You think the person has carried out one of the following:

- engaged in relevant conduct in relation to children. An action or inaction has harmed a child or put them at risk of harm or;
- satisfied the harm test in relation to children. e.g. there has been no relevant conduct but a risk of harm to a child still exists.
- Or been cautioned or convicted of a relevant offence (automatic barring either with or without the right to make representations)

#### ***Relevant conduct in relation to children***

A child is a person under 18 years of age. Relevant conduct is conduct which:

- endangers a child or is likely to endanger a child
- if repeated against or in relation to a child would endanger the child or be likely to endanger the child
- involves sexual material relating to children (including possession of such material)
- involves sexually explicit images depicting violence against human beings (including possession of such images)
- is of a sexual nature involving a child

A person's conduct endangers a child if they:

- harm a child
- cause a child to be harmed
- put a child at risk of harm
- attempt to harm a child
- incite another to harm a child

(See previous definition of The Harm Test)



### *DBS Referral Procedure*

How to make a referral if there are concerns that an individual may have harmed a child, or put a child at risk of harm:

The Disclosure and Barring Service accepts referrals made online or by post, providing as much relevant information as possible:

Online: <https://www.gov.uk/guidance/making-barring-referrals-to-the-dbs#what-is-a-referral>

Postal address: DBS Barring, PO Box 3963, Royal Wootton Bassett, SN4 4HH)

When a person has been referred, the DBS will consider if they need to be added to a barred list.

If the accused person resigns or their services cease to be used and the criteria are met it will not be appropriate to reach a settlement/compromise agreement. A settlement/compromise agreement which prevents the school from making a DBS referral when the criteria are met would likely result in a criminal offence being committed, as the school would not be complying with its legal duty to make the referral.

It is important that every effort is made to reach a conclusion in all cases of allegations bearing on the safety or welfare of children, including any in which the person concerned refuses to cooperate with the process. Wherever possible the accused should be given a full opportunity to answer the allegation and make representations about it. But the process of recording the allegation and any supporting evidence and reaching a judgement about whether it can be substantiated on the basis of all the information available, should continue even if that cannot be done or the accused does not cooperate. It may be difficult to reach a conclusion in those circumstances, and it may not be possible to apply any disciplinary sanctions if a person's period of notice expires before the process is complete, but it is important to reach and record a conclusion wherever possible.

'Settlement agreements' (sometimes referred to as compromise agreements), by which a person agrees to resign if the employer agrees not to pursue disciplinary action, and both parties agree a form of words to be used in any future reference, should not be used in cases of refusal to cooperate or resignation before the person's notice period expires. Such an agreement will not prevent a thorough police investigation where that is appropriate.

Furthermore, it will not override the statutory duty, previously referred to, to make a referral to the DBS (and TRA, if appropriate) for consideration where circumstances require that.

Where we cease to use the services of any person (staff member (including agency staff), peripatetic teacher, volunteer or any other person) or the person resigns or otherwise ceases to provide his or her services because it is considered that the person may be unsuitable to work with children, a referral will be made to the DBS promptly in accordance with our legal duty. In



cases involving teaching staff, the School will also decide whether to refer the matter to the TRA to consider prohibiting the individual from teaching. Where required to do so, we will provide information requested by the DBS or TRA in respect of a member of staff or volunteer in accordance with our legal duty.

### ***Record Keeping***

Details of allegations that are found to have been malicious should be removed from personnel records. However, for all other allegations, it is important that a clear and comprehensive summary of the allegation, details of how the allegation was followed up and resolved, and a note of any action taken and decisions reached, is kept on the confidential personnel file of the accused, and a copy provided to the person concerned. The purpose of the record is to enable accurate information to be given in response to any future request for a reference, where appropriate. It will provide clarification in cases where future DBS checks reveal information from the police about an allegation that did not result in a criminal conviction and it will help to prevent unnecessary re-investigation if, as sometimes happens, an allegation re-surfaces after a period of time. The record should be retained at least until the accused has reached normal pension age or for a period of 10 years from the date of the allegation if that is longer. The Information Commissioner has published guidance on employment records in its Employment Practices Code and supplementary guidance, which provides some practical advice on record retention.

### ***Oversight and Monitoring***

The LADO has overall responsibility for oversight of the procedures for dealing with allegations; for resolving any inter-agency issues; and for liaison with the Local Safeguarding Children Board (LSCB) on the subject. The LADO will provide advice and guidance to the case manager, in addition to liaising with the police and other agencies and monitoring the progress of cases to ensure that they are dealt with thoroughly and fairly, as quickly as possible. Reviews should be conducted at fortnightly or monthly intervals, depending on the complexity of the case.

### ***References***

Cases in which an allegation was proven to be false, unsubstantiated or malicious should not be included in employer references. A history of repeated concerns or allegations which have all been found to be false, unsubstantiated or malicious should also not be included in any reference.

### ***Specific actions following a criminal investigation or a prosecution***

The police should inform the school and LADO immediately when a criminal investigation and any subsequent trial is complete, or if it is decided to close an investigation without charge, or



not to continue to prosecute the case after the person has been charged. In those circumstances, the LADO should discuss with the case manager whether any further action, including disciplinary action, is appropriate and, if so, how to proceed. The information provided by the police and/or children's social care services should inform that decision. The options will depend on the circumstances of the case and the consideration will need to take into account the result of the police investigation or the trial, as well as the different standard of proof required in disciplinary and criminal proceedings.

### ***Action on Conclusion of a Case***

If the allegation is substantiated and the person is dismissed or the employer ceases to use the person's services, or the person resigns or otherwise ceases to provide his or her services, the LADO should discuss with the case manager and their personnel adviser whether the school will decide to make a referral to the DBS for consideration of whether inclusion on the barred lists is required; and, in the case of a member of teaching staff at a school, whether to refer the matter to the TRA to consider prohibiting the individual from teaching.

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

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

### ***In respect of malicious or unsubstantiated allegations***

If an allegation is determined to be unsubstantiated or malicious, the LADO should refer the matter to the children's social care services to determine whether the child concerned is in need of services or may have been abused by someone else. If an allegation is shown to be deliberately invented or malicious, the headteacher, Head or proprietor should consider whether any disciplinary action is appropriate against the pupil who made it; or whether the police should be asked to consider if action might be appropriate against the person responsible, even if he or she were not a pupil.

### ***Learning Lessons***

At the conclusion of a case in which an allegation *is* substantiated, the LADO should review the circumstances of the case with the case manager to determine whether there are any



improvements to be made to the school 's procedures or practice to help prevent similar events in the future. This should include issues arising from the decision to suspend the member of staff, the duration of the suspension and whether or not suspension was justified. Lessons should also be learnt from the use of suspension when the individual is subsequently reinstated. The LADO and case manager should consider how future investigations of a similar nature could be carried out without suspending the individual.





## APPENDIX 5

### Code of Conduct for all Staff

**Includes all volunteers and peripatetic teachers**

The purpose of this Code of Conduct is to define in detail the manner in which members of staff should carry out all aspects of their work at Swinbrook House Nursery School - Marylebone has very specific and clearly defined principles and staff must believe in, adhere to and promote these principles.

This Code does not supersede the school policies, which you should always refer to for clarification.

This document defines a code of conduct between a member of staff and

- Children
- Colleagues
- Head
- Parents
- Visitors
- General Public

Individually the following standards are expected of a member of staff. Each member of staff must:

- attend on time and for all those hours for which they are paid
- always be smartly dressed (jeans may not be worn and trainers only with tracksuit)
- promote the interests of their pupils and their school
- not use a mobile telephone during contact hours, unless authorised by the Head, and never to use a personnel mobile telephone to photograph children, under any circumstances .
- not at any stage leave their class unattended
- in any of their dealings with their pupils, consider first safety, second happiness.
- adhere to the Code of Manners. While certain aspects of table and other manners might be disputed, staff are expected to observe the particular code which this school happens to follow
- in every aspect of their appearance and behaviour, set an extremely high standard  
Examples of what may be considered to be misconduct are contained in the Behaviour Management Policy
- **report, to the Designated Safeguarding Lead, any concerns regarding the possible**



abuse of a child (including neglect, physical, emotional and sexual abuse) and make an accurate, detailed record of these concerns. *Please adhere to the procedure outlined in the school's current Child Protection and Safeguarding Policy*

- *report, to the Head, any safeguarding concerns relating to a member of staff; or to the relevant LADO, any safeguarding concerns relating to a member of the Senior Management Team*
- comply with all school policies and procedures, such as Equal Opportunities and Anti-Bullying policies, and all contract clauses. All staff should be aware that the promotion of extreme political or religious ideology, whether directly or indirectly, is forbidden

Staff must devote the whole of their time, attention and abilities during their hours of work for the School to their duties for the School. You may not under any circumstances whether directly or indirectly undertake any other employment of whatever kind during your normal hours of work for the School. This includes, examination marking, peripatetic music lessons and private tutoring.

They may not, without the prior written consent of the Head (which will not be unreasonably withheld) engage, whether directly or indirectly, in any business or employment outside their normal hours of work for the School.

### ***A. Children***

The sole purpose of Swinbrook House Nursery School - Marylebone is to provide an excellent education for its pupils. The school has no other purpose and in all matters the children must always be considered first. Staff should also realise that we are actually rendering a service to parents who pay fees to send their children to this school. Staff act in 'loco parentis' and must care for their pupils as if they were their own children.

1. Children must be treated courteously at all times. Staff must consider the dignity of the child and never seek to humiliate or demoralise him/her. Children should be addressed by their first name
2. Staff may not punish children. They must apply the sanctions as detailed in the Behaviour Management Policy. Children will err either by misbehaviour or by omission. This school accepts that school itself and the disciplines involved are strange and sometimes uncomfortable for children. A child will err through misjudgement or through lack of experience. We believe that a child will only very rarely misbehave wilfully. The purpose of discipline is to secure a settled, cooperative environment in which learning is possible. It is not to secure peace and quiet and an easy life for the teacher
  - a. Initially, control will be established through the natural authority of the teacher, wholly supported by the school. Thereafter, any mistakes made by a child should



result in the child being told off, the consequences of any action explained, an apology given and an undertaking by the child not to repeat his error. Further episodes of poor behaviour should then be referred to the relevant senior member of staff who will repeat this process. In the last resort, the child should be taken to the Head

- b. Children may not be hit, be put off any school activity, be insulted or be put in the corner. A child may be deprived of the company of his class by standing outside provided this is controlled and safe. Ultimately, a child can be separated from his class with the permission of the Head. A child should accept discipline with good grace and should not sulk
  - c. It goes without saying that any misbehaviour should be reported to the parent at time of collection or later in writing
  - d. Any issues relating to behaviour must always be explained to the children in terms of the society and environment of the school. They should behave because it is social to do so. They should work hard because that is the culture of the school. No aspect of the school's discipline should unreasonably spoil or hinder a child's enthusiasm and happiness
3. Staff must ensure that good English is spoken at all times by the children. Any and all errors must be corrected
  4. Staff must encourage courtesy and consideration at all times
  5. Staff should not criticise a child's parents nor relay messages to the parents via the child.
  6. At no stage should a child go out of his teacher's sight unless it is within the school premises to visit the lavatory.
  7. Staff should not create any false ogres. Most particularly they must not frighten or intimidate a child about examinations. It is the policy of the school that good teaching and proper, timely preparation should take the place of any panic or trepidation about exams.
  8. Staff should not accept any casual language, any swearing or blasphemy from the children nor at any stage should staff set a bad example in this regard.
  9. No child must derive an impression that he is disliked. Children must be treated with absolute equality. This does not exclude the possibility of honest and enthusiastic reaction to some example of excellence
  10. **Safeguarding Children:** The School has the following expectations of all staff with regard to the treatment of children, as referred to in the school's current Child



## Protection Safeguarding Policy

- a. Treat all children and young people with respect
- b. Provide an example of good conduct that you wish others to follow
- c. Ensure that whenever possible there is more than one adult present during activities with children and young people, or at least that you are within sight or hearing of others
- d. Alert a colleague if it is strictly necessary to speak to a child on their own. This should not be a secluded area of the school, and you should ensure visual access and/or an open door
- e. A 'no touch' approach is impractical for some staff and may be appropriate in some circumstances. When physical contact is made, this should be in response to a pupil's needs at the time, of limited duration and appropriate given their age, gender, stage of development, ethnicity and background
- f. Be aware that physical contact with a child or young person may be misinterpreted
- g. Adults should never touch a child in such a way that could be considered indecent, nor indulge in horseplay, tickling or play fighting
- h. If you intervene in a fight to prevent harm, you should use the minimum force possible. Avoid contact with bare skin, or any areas that could be considered erogenous
- i. If physical contact is necessary (e.g. to demonstrate a piece of equipment or a racket stroke) the pupil should be asked in advance, and if they say 'no' or indicate discomfort this must be respected
- j. Recognise that special caution is required in moments when you are discussing sensitive issues with children or young people. You may wish to take guidance from a senior member of staff in these situations
- k. Any sexual behaviour by a member of staff with or towards a child is inappropriate and illegal. It is a criminal offence for any person in a position of trust to engage in sexual activity with a child under 18
- l. Staff must be vigilant when children are using the school's computers. Under no circumstances should adults or children in schools access inappropriate or indecent images. Please also adhere to the school's Acceptable Use Policy in this regard
- m. Mobile 'phones must not be used to take images of pupils under any circumstances. If specifically asked to take photographs of sporting events or off-site activities, teachers must use a school camera. Please also adhere to the school's Acceptable Use Policy in this regard
- n. Staff must not use their mobile 'phones during pupil contact time. Phones must be switched off or on silent and out of sight during contact time. Bluetooth must be switched off



- o. If you think a pupil may be infatuated with you, speak to a senior colleague as soon as possible so that appropriate action can be taken
- p. Respect a child's right to personal privacy. If a child requires assistance with intimate care (e.g. help with toileting) staff should ensure another appropriate adult is in the vicinity and is aware of the task to be undertaken
- q. Confidential information about a child should never be disclosed without good reason or used to intimidate or embarrass the pupil
- r. Staff should ensure they are dressed decently, safely and appropriately for the tasks they undertake. Underwear must not be visible
- s. Staff are discouraged from accepting gifts from parents and children other than at special occasions such as Christmas and the end of term. Gifts with a value of more than £30 must be recorded on the school's gift register.
- t. Staff should not establish social contact with any pupil or seek to. This includes not giving out personal details such as address, phone number or email. Mobile phone or electronic communications, including any contact through social media, with a student at our school is not acceptable
- u. Babysitting for a child at the school is discouraged
- v. Wherever possible, transport should not be undertaken in private vehicles. The school has a specific Occasional Use motor insurance policy, which covers any situations when this is unavoidable
- w. Staff should challenge unacceptable behaviour by another member of staff and bring this to the immediate attention of the Head
- x. Staff should feel able to raise concerns about any suspected wrongdoing or dangers at work. These referrals should be made to the Head. Alternatively, an appropriate Whistleblowing Policy is in place for such concerns to be raised. If a staff member feels unable to raise the issue with the Head or feels that their genuine concerns are not being addressed, other members of the Senior Management Team or a senior member of staff should be approached. (The Policy also provides information on independent whistleblowing channels.)
- y. In the event that a member of staff has received an allegation or has child protection concerns involving another member of staff, such allegations must be reported straight away to the Head, who becomes the 'case manager'. When concerning a member of general staff, the school is obliged to refer the allegation to the Local Authority Designated Officer (LADO). Some rare allegations will be so serious they require immediate intervention by children's social care services and/or police. The Designated Safeguarding Lead will make such referrals
- z. In cases where the Head is absent or he or a member of the Senior Management Team is the subject of the allegation or concern, the allegation should be reported to the local authority (LADO). Please also refer to Appendix 4 of the school's Child



## Protection and Safeguarding Policy for the full procedure

Sources: *Guidance for Safe Working Practice for the Protection of Children and Staff in Education Settings; Stopcheck, NSPCC; Early Years Foundation Stage Framework; and Keeping Children Safe in Education 2019*

11. As stated in the Code of Conduct for the children, staff have the responsibility -
  - a. to give pupils the opportunity to succeed
  - b. to plan and deliver appropriate lessons
  - c. to provide adequate equipment
  - d. to ensure material and progression are appropriate
  - e. to provide age and level appropriate lessons
  - f. to be punctual to lessons
  - g. to provide a safe, stimulating and orderly environment for learning. To ensure 'emotional' safety for pupils to contribute and build confidence
  - h. to monitor pupil progress, mark work regularly and provide feedback to let pupils know how they are doing
  - i. to challenge and stretch pupils, to be responsible for the whole well-being of pupils and enable them to fulfil their full potential
  - j. to prepare pupils for examinations
  - k. to respect pupils and treat them with politeness and consideration
  - l. to listen to pupils' problems and allow them to express their points of view
  - m. to be consistent in discipline
  - n. to reward and praise good work and behaviour
  - o. to apply sanctions properly and carry out threats
  - p. to be fair and explain reasons for actions
  - q. to support and enforce rules even if they don't agree with them
  - r. to liaise with parents as appropriate, following consultation with the relevant senior member of staff
  - s. to support other staff members
  - t. to be aware of school policies and procedures and implement them
  - u. to act in a professional way and lead by example and most especially by attitude and conduct to provide good role models for pupils
  - v. to apologise and admit when in the wrong
  - w. to promote equal opportunities and challenge racist/sexist remarks and behaviour





## Classroom Rights

Pupils have the right in lessons to -

- well prepared lessons that challenge them to work to their best ability
- have homework and other work set regularly, which is achievable within the time available
- lessons free from disruption by other pupils
- ask for help and receive it

### ***B. Colleagues***

It is highly desirable that cordial relations should pertain amongst staff.

1. Staff must be loyal to their colleagues when talking to the children or staff
2. Staff should not enter conspiratorial huddles anywhere on the school premises. It is expected that staff should be honest, friendly, open and courteous to each other at all times
3. Staff must not correct colleagues or imply criticism in front of the children
4. During lessons or when on duty at lunch or break time, staff must be present and vigilant and must not be distracted by talking to colleagues other than very briefly and in relation to that period of responsibility
5. Staff should be sensitive to the possibility of colleagues doing more than their fair share of tasks. The spirit of the school is to 'muck in' and share work equally
6. The administration staff are accountable only to the Head and may not accept tasks or instruction from other staff. It is the intention to always keep staff properly informed but this will usually be on a 'Need to Know' basis. The administration staff should not be discomfited by being asked questions that they are uncertain whether they should or should not answer
7. Staff must take great care not to confuse the emotions of their pupils
8. At the end of each day children should shake hands with their class teacher and any other teacher in the immediate vicinity. It is the duty of the teacher to clear the air of any disagreement that might have occurred during the day

### ***C. Parents***

This school has an often-stated policy of free and full communication between school and parents. This is in part because it assists the process of education but also because as fee





payers' parents have a right to full and free information about their child's performance. It is also the case that the school has established a relaxed and informal working relationship with parents. Surprisingly, this policy of openness requires significantly more subtlety than otherwise. The presumption must always be a slightly adapted version of 'the customer is always right'. This could be adapted for our purposes to 'the customer always has a right to make a comment which must be courteously and rapidly dealt with'. On those occasions when a teacher might feel that something is entirely the matter for his/her professional judgement and, further, that a parent is wrong, then great diplomacy and tact are required.

1. Staff must always be cheerful and friendly towards parents. On an occasion when a parent is interrupting a lesson, or delaying the start the teacher should firmly and courteously say when a matter might be discussed
2. A member of staff must at no time say anything to a parent about the running of the school or some incident at school that might reflect badly or be misunderstood
3. A member of staff must never relay a domestic mishap that does not concern their child (discipline problem, exam failure) to a parent. A parent only has a right to know about his/her child and not to know anything concerning another child
4. The school would never seek to deceive a parent about any issue that might have a bearing on their child's school experience. However, certain areas are more sensitive than others and presentation of an issue is important e.g. management of a parent's ambition for their child. Equally, certain things cannot adequately be discussed in casual conversation
5. In discussing a child, a teacher must never give a view as to a child's chances for a particular Public School. Such views may only be given in formal conversation between parents and Senior Managers. Teachers must also avoid any comment that implies any ceiling in a child's future possibilities. It is impossible to foreclose any option or possibility. Until the very last moment a child is the responsibility of a teacher, that teacher's presumption should always be that any child is potentially an Olympic athlete, a Shakespeare or an Einstein. The school acknowledges the phenomenon of the late developer
6. Staff must ignore any critical comments about other parents, colleagues or the school. He or she should give no indication of agreeing with such comments. If appropriate, comments about the school and colleagues should be actively refuted. A teacher might quite properly say "I'm sorry would you mind discussing that with the Head"
7. Staff should not make hurtful or careless criticism of the home environment of parents, nor should they patronise parents

#### *D. Visitors*



The school's Visitor Policy should be adhered to in full. All visitors wear lanyards and receive an information leaflet, which provides them with safeguarding details. Any stranger on school premises should be stopped. He or she should be asked if they would like assistance. Casual passers-by should be escorted to the school office or seen off the premises. Those requiring information should likewise be taken to the School Office. Official visitors will be escorted by a member of staff.

1. Staff should greet visitors, introduce themselves and if appropriate the children in their lesson.
2. Staff should communicate their enthusiasm for the school and be prepared to talk about it and answer questions
3. If a visitor is a guest at lunch the teacher should ensure that the guest is being properly entertained
4. On no account should a teacher tell a child off in front of a visitor or do anything that might cause embarrassment
5. If a guest looks at a loss at the end of a visit, a member of staff must be assigned to that guest who should then be taken to the person coordinating the visitor to the school's Reception office
6. Staff must show some sensitivity to other staff engaged in teaching activities when showing visitors around

#### ***E. General Public***

When the school is outside the school building it is on show and standards of behaviour must be exemplary. Children must walk in pairs, in lines and with every consideration for other pedestrians. In the event that a member of the public should criticise the children then an apology must be readily given; conversely, a compliment should be gratefully received.

**Members of the public may not photograph the children.**



## Annex 1

(of Appendix 5: Code of Conduct for all Staff)

### HEALTH AND SAFETY CODE OF SAFE CONDUCT

This list is not exhaustive and does not have greater precedence than the school's Health and Safety policy. Staff are expected to

- Conform to the Health and Safety at Work policy, all health and safety rules and signs, fire precautions and emergency procedures
- Report any matters that might put at risk pupils, parents, staff or visitors
- Ensure that they understand and follow the safe operation of their duties; ask if they do not understand any aspect of these
- Report all accidents, near misses, potential hazards and damage immediately
- In the event that personal protective equipment or clothing are provided, they must be used and properly looked after
- Not to interfere with or misuse anything provided for the health and safety of employees
- Not to act in a way that could endanger themselves or others; they should not play practical jokes
- Not to run, especially on stairs or steps. Use handrails; never read while walking
- Keep work areas tidy and clear of obstructions; do not to leave things lying around
- Clean up any spilt liquids, tracked in rain etc. immediately
- In the event of being called upon to handle bulky or heavy objects, only lift or move what they can easily manage; always bend knees and keep backs straight – take the stress in legs, not backs. **GET ASSISTANCE** if in doubt. Not to overreach; not to climb on anything not meant for the purpose; use a ladder, ensuring that it is good condition
- Ensure electrical equipment is regularly checked and is normally safe when properly used

#### BUT:

- never touch electrical equipment with wet hands
- always disconnect electrical equipment before moving it
- never attempt electrical repairs unless authorised
- always keep electrical supply cables and wires away from wet areas or from where they could be walked over etc.
- always switch off equipment if not in use; including computers, Science, DT and Music equipment; disconnect from the mains outside term times, unless instructed otherwise
- Information on any specific hazards and precautions (e.g. COSHH, DSE) will be issued as appropriate and is available from the executive responsible for health and safety Training



in dealing with hazards will be conducted as appropriate

- The school and its sites are no-smoking zones.



## Annex 2

(of Appendix 5: Code of Conduct for all Staff)

# PERSONAL MOBILE TELEPHONES – STAFF AND VISITORS

### Personal Mobiles - Staff

1. Staff are not permitted to make/receive calls/texts during contact time with children. Emergency contact should be made via the school office
2. Staff using mobile telephones in non-contact, private time, must do so with consideration for others nearby
3. Staff should have their phones on silent or switched off and out of sight (e.g. in a drawer, handbag or pocket) during class time. Bluetooth functions should be off
4. Mobile phones should not be used in a space where children are present (for example, classroom, playground)
5. Use of phones (inc. receiving/sending texts and emails) should be limited to non-contact time when no children are present e.g. in office areas, staff room, empty classrooms
6. It is also advised that staff securely protect access to functions on their phone
7. Should there be exceptional circumstances (e.g. acutely sick relative), then staff should make the Head aware of this and can have their phone in case of having to receive an emergency call
8. Staff are not at any time permitted to use recording equipment on their mobile phones, for example: to take recordings of children, or sharing images. Legitimate recordings and photographs should be captured using school equipment such as cameras and iPads
9. Staff should report any usage of mobile devices that causes them concern to the Head

### *Mobile Phones for Work Related Purposes*

We recognise that mobile phones provide a useful means of communication on off-site activities.

However, staff should ensure that:

1. School mobile telephone use on these occasions is appropriate (but will never include taking photographs of children)
2. Unless in an emergency, no personal mobile phones should be used to make contact with parents during school trips – all relevant communications should be made via the school office
3. Where parents are accompanying trips, they must not make contact with other parents (via calls, text, email or social networking) during the trip or use their phone to take photographs of children



## *Use of Cameras*

An increasing number of electronic devices now have built-in cameras and have the capability to capture copy and transmit images and other recordings through a range of technologies and formats. Staff must not take or transmit any recording of pupils on any personal device. Only school hardware must be used for this purpose.

No parent or visitor is permitted to use a camera (including a mobile phone's camera facility) whilst on school premises, except for some<sup>1</sup> specific events such as plays, recitals, concerts, sporting events, open days or other promotional events. We strongly advise parents against the publication of any such photographs on the internet (e.g. on social media) and will request parents to remove any such material if we deem it illegal, harmful or inappropriate in any way. Where appropriate, our policy regarding this matter should be explained clearly to parents by a member of staff before difficult situations arise.

The live recording of a school event may only take place with the prior permission of the Head. This applies to staff, parents, visitors and professional photographers. Any permitted recording must relate to the recording of a parent's child only and must not be distributed.

## SUMMARY

1. No mobile telephone use by staff during pupil contact time. Keep out of sight
2. Mobile devices must be on silent or switched off and Bluetooth turned off during pupil contact time
3. Use of the camera in a mobile phone to photograph children on school premises is prohibited, unless permitted under the following item (4)
4. Parents may use their camera to photograph their **own child** in a play, recital, concert or sporting event. They must not share these images with others
5. Personal mobile telephones belonging to staff or parents, must not be used to contact parents during school trips
6. The use of a mobile telephone on school premises must take account of school activities and the user should always consider withdrawing from an event or place so as not to disturb others
7. Concern over the use of a mobile telephone in school must be reported to the Head

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<sup>1</sup> We reserve the right to prohibit the use of cameras for some events if deemed inappropriate by staff.



## APPENDIX 6

### Prevent Duty Risk Assessment

#### Swinbrook House Nursery School - Marylebone

#### Prevent Duty – Risk of Pupils being drawn into Terrorism

DATE : 01-04-2019

ASSESSOR : Laura De Oliveira

LOCATION : Swinbrook House Nursery School - Marylebone

DESCRIPTION OF POTENTIAL RISK AND INADEQUATE PROVISION	WHO IS AT RISK? High - 3 Medium - 2 Low -1	CATEGORY OF RISK High - 3 Medium - 2 Low -1	LIKELIHOOD High - 3 Medium - 2 Low -1	COMMENTS, ACTION TAKEN/PLANNED
Internal distribution of terrorist recruitment material	Pupils and staff	2	1	Vigilance of staff and pupil whistleblowing will make this unlikely. Notice to Parents/Staff
External distribution of terrorist recruitment material	Pupils and staff	2	1	Again, parent, pupil and staff vigilance will make this unlikely. Notice to Parents/Staff
Radicalisation through external speakers	Pupils and staff	1	1	External speakers must be approved by SMT making this very unlikely. Notice to Staff



Security of School Premises	Pupils and Staff	1	1	School boundaries are secure and provide little opportunity for radicalisation in school grounds
Access to radicalisation through internet use	Pupils and Staff	2	1	Potential danger of pupils and staff being influenced by personal, online activity. Internet filtering systems in place at both sites and Acceptable Use policy makes this unlikely, subject to effective software monitoring.
Use of school premises outside school hours	Pupils and Staff	1	1	Buildings only used in the knowledge of the SMT and for school related activities only
Direct or indirect reference to radicalisation by teaching staff	Pupils and Staff	1	1	Radicalisation or political indoctrination not permitted. Notice to Staff. Curriculum Policy
Staff Training	Pupils and Staff	1	1	To included awareness training, roles and responsibilities as they relate to the School's prevent duty



<p>School Policies</p> <ul style="list-style-type: none"> <li>- Whistleblowing</li> <li>- Safeguarding</li> <li>- IT Acceptable use</li> </ul>	Pupils and Staff	2	1	Reviewed annually. Special reference made to School's Prevent Duty. Role, responsibilities of staff, pupils and parents
School Curriculum	Pupils and Staff	1	1	To provide opportunities to reinforce dangers and consequences of radicalisation and promote appropriate responses required of children and staff
Teaching of British Values	Pupils and Staff	1	1	To ensure proper teaching of British Values and the dangers of radicalisation to their adherence and retention



## APPENDIX 7

### Sample school report to Child Protection Conference or Looked After Child Review

School	
Name of Child	
Date of Birth	
Year Group	
Name of Class Teacher / Tutor / Head of Year	
<p><i>When completing the sections below consider issues such as attendance and punctuality; preparation for school/learning; general appearance; emotional presentation and wellbeing; indicators that child may have suffered harm/be at risk of harm; disclosures made by child; behaviour and social development; relationships with peers and adults; academic progress/ areas requiring improvement; contact with family; etc</i></p>	
<p>What is working well?</p>	



What are we worried about?

What needs to happen?

Signature

Print name

Date

***Reports should be shared with families prior to the meeting except in exceptional circumstances***

Please send this report wherever possible at least 48 hours in advance of the relevant meeting and bring copies for those attending the meeting.



## APPENDIX 8

### Safeguarding Training Record

#### *All staff:*

- Laura de Oliveira, Natasha Strong, Alison Watts, Katie Golding, Jessie Jenkinson, Hannah Porter (1:1 Support)

Have read, understood and signed off this safeguarding policy, inclusive of KCSIE Part 1 2019, as well as 'What to do if you're worried a child is being abused'.

Attended by all:

WCC Level 1 Safeguarding training

#### Current Training

**Safeguarding Team (DSL/DDSLs):** Laura De Oliveira have had appropriate training from safeguarding consultancy firms, supplemented by on-going local authority training:

21.11.2018 – Laura De Oliveira – Safer Recruitment

13.11.2018 – Natasha Strong- Level 3 Multi-Agency Safeguarding and Child protection training

15.10.2018 – Laura De Oliveira - Level 3 Multi-Agency Safeguarding and Child protection training

(all previous training is recorded in staff files)



## APPENDIX 9

*Further Information can be found in the following guidance:*

### Department for Education Guidance

- Care of unaccompanied migrant children and child victims of modern slavery
- Child performance and activities licensing legislation in England
- Child sexual exploitation: definition and guide for practitioners
- Children Act 1989: care planning, placement and case review
- Children Act 1989: court orders
- Children Act 1989: private fostering
- Information sharing: advice for practitioners providing safeguarding services
- Keeping children safe in education: for schools and colleges
- Knowledge and skills statements for child and family social work
- Listening to and involving children and young people Department for Education and Home Office
- Mandatory reporting of female genital mutilation: procedural information Department for Education and Home Office
- Multi-agency statutory guidance on female genital mutilation Department for Education, Department of Health and Social Care, and Home Office
- National action plan to tackle child abuse linked to faith or belief
- National minimum standards for private fostering
- Non-Maintained Special Schools Regulations 2015
- Pathways to harm, pathways to protection: a triennial analysis of serious case reviews, 2011 to 2014
- Preventing and tackling bullying
- Safeguarding children Department for Education, Home Office, Ofsted, Department of Health and Social Care, Ministry of Housing, Communities & Local Government, Care Quality Commission, Department for Digital, Culture, Media & Sport, and Foreign & Commonwealth Office
- Safeguarding Children in whom illness is fabricated or induced Department for Education, Department of Health and Social Care and Home Office
- Safeguarding children who may have been trafficked Department for Education and Home Office
- Safeguarding strategy - unaccompanied asylum seeking and refugee children
- Sexual violence and sexual harassment between children in schools and colleges
- Statutory framework for the early years [under 5s] foundation stage (EYFS)



- Statutory guidance on children who run away or go missing from home or care
- Statutory visits to children with special educational needs and disabilities or health conditions in long- term residential settings Department for Education and Department of Health and Social Care.
- Teaching Online Safety in School 2019
- The Child Safeguarding Practice Review and Relevant Agency (England) Regulations 2018
- The prevent duty: for schools and childcare providers
- United Nations Convention on the rights of the child
- Use of reasonable force in schools
- Visiting children in residential special schools and colleges Department for Education and Department of Health and Social Care
- What to do if you're worried a child is being abused: advice for practitioners

### Guidance issued by other Government Departments and Agencies

- Achieving Best Evidence in Criminal Proceedings: Guidance on interviewing victims and witnesses, and guidance on using special measures Ministry of Justice
- Advice to parents and carers on gangs Home Office
- Advice to schools and colleges on gangs and youth violence Home Office
- Apply for a forced marriage protection order Foreign & Commonwealth Office
- Arrangements to Safeguard and Promote Children's Welfare (original title "Every Child Matters") UK Visas and Immigration
- Asset Plus: assessment and planning in the youth justice system Youth Justice Board
- Carers Strategy: Second National Action Plan 2014-2016 Department of Health and Social Care
- Carers Strategy: the second national action plan 2014-2016 Department of Health and Social Care
- Channel Duty guidance - Protecting vulnerable people from being drawn into terrorism Home Office
- Criminal exploitation of children and vulnerable adults: county lines Home Office
- Cyber Aware National Cyber Security Centre
- DBS barring referral guidance Disclosure and Barring Service
- Developing local substance misuse safeguarding protocols Public Health England
- Disclosure and Barring Services Disclosure and Barring Service
- Female Genital Mutilation Protection Orders: factsheet Home Office
- Forced marriage Foreign & Commonwealth Office and Home Office
- Forced Marriage Protection Orders HM Courts & Tribunals Service



- Guidance for health professionals on domestic violence Department of Health and Social Care
- Handling cases of forced marriage: multi-agency practice guidelines Foreign & Commonwealth Office
- Indecent images of children guidance for young people Home Office
- Mental Health Act 2015. Guidance on the visiting of psychiatric patients by children Department of Health
- Missing Children and Adults - A Cross Government Strategy Home Office
- Modern slavery Act statutory guidance Home Office
- Multi-agency public protection arrangements (MAPPA) Ministry of Justice, National Offender Management Service, and HM Prison Service
- National service framework: children, young people and maternity services Department of Health and Social Care
- NHS England safeguarding Policy NHS England
- Prison, probation and rehabilitation: Public protection manual National Offender Management Service and HM Prison Service
- Probation service guidance on conducting serious further offence reviews framework Ministry of Justice
- Radicalisation - Prevent strategy Home Office
- Recognised, valued and supported: next steps for the carer's strategy 2010 Department of Health and Social Care
- Safeguarding vulnerable people in the reformed NHS: Accountability and Assurance Framework NHS England
- Serious and Organised Crime Toolkit: An Interactive Toolkit for practitioners working with young people Home Office
- Thinkuknow [Supporting children to stay safe online] National Crime Agency
- Understanding the female genital mutilation enhanced dataset: updated guidance and clarification to support implementation Department of Health and Social Care
- Violence against women and girls Home Office

## Guidance issued by External Organisations

- Child maltreatment: when to suspect maltreatment in under 18s NICE
- Child Protection and the Dental British Dental Association
- Children's Commissioner
- Children's rights and the law - Children's Rights Alliance for England
- Cyberbullying: Understand, Prevent, Respond – Guidance for Schools Childnet International



- How we protect children's rights – Unicef
- Inter parental relationships Early Intervention Foundation
- NICE guideline on child abuse and neglect NICE
- Prison and Probation Ombudsman's fatal incidents investigation
- Private fostering CoramBAAF
- Protecting children and young people: doctors' responsibilities General Medical Council
- Safeguarding Children Toolkit for General Practice Royal College of General Practitioners
- Standards for safeguarding and protecting children in sport NSPCC
- Sudden unexpected death in infancy and childhood: multi-agency guidelines for care and investigation Royal College of Pathologists
- Whistleblowing advice line NSPCC
- Working Together with Parents Network update of the DoH/DfES Good practice guidance on working with parents with a learning disability (2007) University of Bristol



## APPENDIX 10

### Additional guidance for schools on children who abuse other children

#### Introduction

Managing situations where children have been abused by other children can be complex and stressful. For the purpose of this document 'child' refers to any child or young person up to the age of 18 years.

It is important to be conscious that any child who is engaging in abusive behaviour towards others may have been subject to abuse from other children or from adults. Abusive behaviour can be displayed in a variety of ways and can consist of sexual abuse / activity; physical harm; emotional abuse, verbal abuse.

When dealing with such allegations, professionals should be mindful that there is significant research evidence to suggest that children who behave in a sexually inappropriate and / or aggressive way towards other children are often victims of abuse themselves.

There is also significant research evidence which indicates that abuse is likely to be repeated without appropriate intervention and treatment. This must be considered throughout the planning stages of managing cases of abuse perpetrated by children.

Where an allegation is made regarding alleged abuse perpetrated by another child, the age and understanding of the alleged perpetrator must be considered throughout decision making.

The circumstances of the alleged perpetrator must be assessed separately from those of the alleged victim and must include exploration of why this behaviour has occurred.

The focus of involvement with the alleged perpetrator and their family will be both to determine risks to and from the child concerned within the parameters of the Children Act 1989, and to manage allegations against them within the criminal justice framework.

Children who abuse others should be held responsible for their abusive behaviour, whilst being identified and responded to in a way which meets their needs as well as protecting others.

#### Process

When an instance of child on child abuse comes to light, is disclosed or where there is evidence to indicate it has occurred, a referral should be made to children's social care in respect of both children concerned. The interests of the identified victim must always be the paramount consideration.



Where the allegation relates to an incident that took place within the school, or relates to pupils attending the same school the school should

- Keep the involved children separate during the school day while the investigation is taking place to avoid collusion or intimidation
- Having established what is alleged to have taken place, avoid talking to the children any further about the incident(s)
- Keep a detailed log of actions, discussions and decisions
- Carry out a risk assessment and put a risk management plan in place if necessary – ensure that non-teaching times are considered, especially times when pupils are moving around the school as the child who has been harmed may feel very vulnerable at such times
- Be aware that whether the incident(s) happened in school or elsewhere, other pupils may know what has happened (or is alleged to have happened). Other pupils may have been involved, either directly or indirectly. Other pupils may be judgemental or make unkind, or even threatening, comments
- Contact parents where possible (unless advised otherwise, or serious concern re further risk to child or in particularly complex situations e.g. sexual exploitation – in these instances seek advice)
- Consider whether the situation warrants information being shared with other parents in the school (e.g. where press coverage is likely) and seek advice

The decision as to whether or not behaviour directed at another child should be categorised as harmful is clearly dependent on the individual circumstances of the case. It may be helpful to consider the following factors:

- The relative chronological and developmental age of the two children
- Whether the alleged abuser is supported or joined by other children
- Any differential in power or authority (e.g. related to race, gender, physical, emotional or intellectual vulnerability of victim)
- The actual behaviour (consider all factors)
- Whether the behaviour could be described as age appropriate or involves inappropriate sexual knowledge or motivation
- The degree of coercion, physical aggression, intimidation or bribery
- The victim's experience of the behaviour and the impact it is having on them
- Attempts to ensure secrecy
- Duration and frequency of behaviour





In such cases the needs of each child should be separately considered by social care. In cases where a significant incident has occurred or the alleged incident is of a serious nature the usual process will involve a separate strategy meeting in respect of each child, and s47 enquiries initiated, which will involve discussion with police (CAIT). Different social workers should be allocated for the child who is the victim and the child who has harmed, even if they are living in the same household. Police will decide whether an alleged offence should be subject to criminal investigation.

If the investigation / assessment concludes that the allegations are substantiated, the children should not necessarily be expected to continue their education in contact with each other. The child(ren) responsible for the abuse should be moved if necessary. The views and wishes of the child who has been abused and their parents should be appropriately considered in the decision making.

Once initial actions have been taken and processes are in place consideration should be given to the provision of ongoing support / counselling for the children involved, where appropriate / necessary.

Additional guidance is available via the London Child Protection procedures  
[http://www.londoncp.co.uk/chapters/ch\\_harm\\_others.html](http://www.londoncp.co.uk/chapters/ch_harm_others.html)



## APPENDIX 11

### CONTACT INFORMATION

#### DSL/DDSL contact details;

Laura De Oliveira - Designated Safeguarding Lead

Office No. 02079352441

Mobile No. 07976326921

Natasha Strong - Deputy DSL

Office No. 02079352441

Mobile No. 07875402330

Chatsworth Schools DSL, Viv Thompson, [Tel:07957207138](tel:07957207138)

[vthompson@chatsworthschools.com](mailto:vthompson@chatsworthschools.com)

Chatsworth Schools Lead Safeguarding Governor, Gordon Milne, [Tel:07515991671](tel:07515991671)

[gmilne@chatsworthschools.com](mailto:gmilne@chatsworthschools.com)

### EXTERNAL CONTACT INFORMATION

#### Local Children's Social Care

Initial Point of Contact (IPOC) - 02076414000

Out of Hours Duty Service - 02076416000

Email

Safeguarding in Education Advisor – Hilary Shaw – 02075984876 mobile: 07817365519

[Hilary.shaw@rbkc.gov.uk](mailto:Hilary.shaw@rbkc.gov.uk)

Multi-Agency Safeguarding Hub (MASH) Out of Hours - 02076416000

[accesstochildrens services@westminster.gov.uk](mailto:accesstochildrens services@westminster.gov.uk)

Local Authority Designated Officers (LADO) Kembra Healy – 07522217314

[Kembra.healy@rbkc.gov.uk](mailto:Kembra.healy@rbkc.gov.uk)



Police -101

NSPCC

0808 800 5000

NSPCC Whistleblowing Line

0800 028 0285

Email

[help@nspcc.org.uk](mailto:help@nspcc.org.uk)

Alternatively, staff can write to:

National Society for the Prevention of Cruelty to Children (NSPCC)  
Weston House,  
42 Curtain Road,  
London.  
EC2A 3NH

## OFSTED

The Office for the Standards in Education, Children's Services and Skills (OFSTED) is the body responsible for inspecting and safeguarding child protection issues:

Ofsted Head Office:

Piccadilly Gate,  
Store Street,  
Manchester  
M1 2WD

Tel : 0300 123 1231

Website : [www.ofsted.gov.uk](http://www.ofsted.gov.uk)

## THE CHILDREN'S COMMISSIONER

The Children's Commissioner has a legal duty to promote and protect the rights of all children in England with a specific focus on children and young people with difficulties or challenges in their lives, and in particular those living away from home, in or leaving care, or receiving a social care service.

The Office of the Children's Commissioner

Children's Commissioner  
Sanctuary Buildings,  
20 Great Smith Street,  
London.  
SW1P 3BT

Tel : 080 7783 8330

Children's Freephone : 0800 528 0731

Website : [www.childrenscommissioner.gov.uk](http://www.childrenscommissioner.gov.uk)

### Interpretation

In this policy, the term "senior manager" means a School Head and their designated deputies.

This policy applies to all employees in all Schools (save for Schools with their own procedure which shall prevail) and other work environments within Chatsworth Schools

This policy applies within all companies, which are wholly owned subsidiaries of Chatsworth Schools Ltd, a company registered in England, registered number 11552579.

The registered office of all companies is Crimea Office, The Great Tew Estate, Great Tew, Chipping Norton, Oxfordshire, OX7 4AH. Any enquiries regarding the application of this policy should be addressed to the Director of Operations at the above address.

## POLICY AMENDMENT PAGE

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