



Safeguarding Policies

Updated By: A Lees	Approved By: C Johnson	Date: Oct 2021
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1. Child Protection Policy

This policy follows DfE guidelines in **Keeping Children Safe in Education** (September 2021 KCSIE), **Working Together to Safeguard Children** (July 2018 WTTSC - updated 2020) and the requirements of the **Children Act 2004** and follows the **Prevent Duty 2015** for the prevention of radicalisation.

In accordance with these guidelines Safeguarding and Child protection are defined as two things:

- 'Child Protection' is the broad term used to describe the philosophies, standards, guidance and procedures to protect children from both intentional and unintentional harm.
- Safeguarding and promoting the welfare of children is everyone's responsibility. Everyone who encounters children, and their families and carers have a role to play in safeguarding children. In order to fulfil this responsibility effectively, staff should always consider what is in the best interests of the child.

The Shrubbery promotes an environment in which staff feel able to raise concerns and feel supported in their safeguarding roles. Although there are clear procedures to follow within this policy, any member of staff may make a referral to external agencies. The term 'children' refers to everyone under the age of 18.

Safeguarding Principles

Safeguarding and promoting the welfare of all children, regardless of age, disability, gender, ability, culture, race, language, religion or sexual identity, is of paramount importance.

Everyone's responsibility. Safeguarding and promoting the welfare of children is everyone's responsibility. If children and families are to receive the right help, at the right time, everyone who encounters children and their families has a role to play in identifying concerns, sharing information and taking prompt action.

Child First. In order to fulfil our responsibility effectively, all members of the school community should make sure their approach is child centred. This means that they should always consider, what is in the best interests of the child.

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

This policy should be read alongside:

- The Education (Independent School Standards) Regulations 2014
- KCSIE (September 2021)
- Working Together to Safeguard Children (July 2018)
- Prevent Duty Guidance: for England and Wales (July 2015)
- Disqualification under the Childcare Act (July 2018)
- What do to if you are worried a child is being abused – Advice for practitioners (departmental advice) (March 2015)
- Early Years Foundation Stage Framework (Feb 2018)

Objectives:

- Clarify standards of behaviour for staff and pupils
- Proactively teach pupils about safeguarding
- Ensure that systems and procedures are in place to protect pupils

- Develop staff awareness of the causes of abuse
- Develop staff awareness of the risks and vulnerabilities their pupils face
- Address concerns at the earliest possible stage
- Reduce the potential risks pupils face of being exposed to violence, extremism, exploitation, discrimination or victimisation

Safeguarding and promoting the welfare of children is defined as:

- Protecting children from maltreatment
- Preventing impairment of children’s mental and physical health or development
- Ensuring that children grow up in circumstances consistent with the provision of safe and effective care
- Acting to enable all children to have the best life chances and to enter adulthood successfully.

Systems are required to:

- Prevent unsuitable people working with our pupils
- Promote safe practice, challenge poor and unsafe practice and take all reasonable measures to ensure that risks of harm to pupils’ welfare are minimised
- Identify circumstances in which there are grounds for concern about a child’s welfare, and initiate/take appropriate action to keep them safe (in full partnership with local agencies)
- Contribute to effective partnership working between all those involved in providing services for pupils (e.g., health, social services, police)

Responsibilities include:

- Ensuring that procedures are in place that are in line with the latest version of DfE guidelines ‘Keeping Children Safe in Education’ (KCSIE)
- Operating safe recruitment procedures
- Ensuring that there are procedures in place for dealing with allegations of abuse against members of staff/volunteers
- Providing a designated person for child protection
- Providing training for all staff and training for the designated person in inter agency work (all staff every three years and designated person training every two years)
- Remedying any weaknesses in child protection arrangements without delay
- Undertaking an annual review of safeguarding policies and procedures is the responsibility of the Headteacher (lead DSL).
- The Headteacher is responsible for producing the annual report for Safeguarding to the Board of Governors, with the annual proprietor review by Craig Johnson to ensure that the school has a robust overview of Safeguarding at The Shrubbery School.
- Ensuring that all staff and volunteers feel able to raise concerns about poor or unsafe practice regarding children, and that such concerns are addressed sensitively and effectively in a timely manner.

Designated People

Designated Safeguarding Lead (DSL)	Mrs Amanda Lees Email: alees@shrubberyschool.co.uk
Deputy Designated Safeguarding Leads	Mrs Toni Rowley-Field Email: trowleyfield@shrubberyschool.co.uk
	Mrs Monika Rao Email: mrao@shrubberyschool.co.uk
	Miss Shannon Smith Email: ssmith@shrubberyschool.co.uk
	Mrs Debbie Buckley Email: dbuckley@shrubberyschool.co.uk

The Role of the Designated Safeguarding Lead

The Designated Safeguarding Lead will take lead responsibility for safeguarding and child protection across the school. They will take part in strategy discussions and inter-agency meetings and contribute to the assessment of children. They will advise and support other members of staff on child welfare and child protection matters and liaise with relevant agencies such as the local authority and police. Some safeguarding activities may be delegated to deputies, although the DSL will retain lead responsibility for the work of deputies and will ensure it is completed to the highest standard.

Multi-Agency Working

The school is committed to inter-agency working in order to secure the best levels of safeguarding for all of its pupils. The school contributes to inter-agency working in accordance with statutory guidance. The school works with social care, the police, health services and other services to promote the welfare of children and protect them from harm. Outside agencies consist of Birmingham Children's Trust, Beacon Support Service, network links with other schools and DSL's, Police etc. (See Appendix for contact details).

Safer Recruitment

Our school prioritises embedding a culture of safer recruitment as part of our strategy for preventing harm to children. Statutory procedures for checking the suitability of staff and volunteers who work with children are always followed, see **Safer Recruitment Policy**.

Induction of New Staff

All staff, including temporary staff and volunteers, are provided with comprehensive induction training that includes:

- The school's **Safeguarding Policy**
- The identity of the Designated Safeguarding Lead and Deputies
- A copy of Part 1 of the latest version of 'Keeping Children Safe in Education'
- An overview of the Prevent Duty, including its location in the **Safeguarding Policy**
- An overview of the Staff Code of Conduct, including its location in the **Safeguarding Policy**
- An overview of the Children Missing Education Policy and its location in the **Safeguarding Policy**
- An overview of the **Equality Policy** and direction towards its location on the website
- Any other Health and Safety issues relevant to the position
- The school's Behaviour Policy
- KCSIE: Annex B for all leaders and those that work directly with children

The Role of Staff

- Staff are particularly important as they are able to identify concerns early, provide help for children, and prevent concerns from escalating.
- **All** staff have a responsibility to provide a safe environment in which children can learn.
- **All** staff should be prepared to identify children who may benefit from early help. In the first instance staff should discuss early help requirements with the Designated Safeguarding Lead
- **Any** staff member who has a concern about a child's welfare should follow the referral processes set out below, remembering that parental consent is not needed if the member of staff feels that the child is at risk of harm. Staff may be required to support social workers and other agencies following any referral.

- The Teachers' Standards 2012 state that teachers, including heads, should safeguard children's wellbeing and maintain public trust in the teaching profession as part of their professional duties.

Staff Training

- All staff receive appropriate safeguarding and child protection training that is regularly updated. In addition, staff receive safeguarding and child protection updates as required, to provide them with the relevant skills and knowledge to safeguard children effectively.
- All staff, whether full time, part time or voluntary, are made aware of arrangements for Child Protection and are provided with the latest version of 'Keeping Children Safe in Education', which they are required to read.
- All staff are made aware of the identity of the Designated Safeguarding Lead and Deputies.
- All staff are made aware of the DfE's advice about the use of force published on website: www.education.gov.uk/aboutdfe/advice/f0077153/use-of-reasonable-force and are aware of what constitutes inappropriate physical contact.
- Staff are trained in full Safeguarding procedures at least every three years, with the DSL and Deputy DSLs trained every two years.
- All staff are aware of the early help process and understand their role in it. This includes identifying emerging problems, liaising with the Designated Safeguarding Lead, sharing information with other professionals to support early identification and assessment and, in some cases, acting as the lead professional in undertaking an early help assessment.
- Staff are aware of the process for making referrals to children's social care and for statutory assessments under the Children Act 1989
- All staff know what to do if a child tells them they are being abused or neglected. Staff know how to manage the requirement to maintain an appropriate level of confidentiality whilst at the same time liaising with relevant professionals such as the designated safeguarding lead and children's social care.
- All staff have been advised that they are not allowed to take photographs of children using their own mobile phone or personal camera.
- Staff training includes raising awareness of issues including children who run away or go missing, female genital mutilation, peer on peer abuse and child sexual exploitation.
- Staff training includes understanding how to keep children safe who are looked after by a local authority. This includes ensuring that staff have up to date assessment information, the most recent care plan, contact arrangements with parents, delegated authority to carers and information available to the designated person.

What Staff Should Look Out For

Knowing what to look for is vital to the early identification of abuse and neglect. If staff members are unsure, they should always speak to the Designated Safeguarding Lead.

- Any child may benefit from early help, but all school staff should be particularly alert to the potential need for early help for a child who:
 - Is disabled and/or has specific additional needs
 - Has special educational needs (whether or not they have an Education, Health and Care Plan.
 - Is showing signs of being drawn in to anti-social or criminal behaviour
 - Is frequently missing or goes missing from care or from home
 - Is at the risk of modern slavery, trafficking or exploitation

- Is in a family circumstance presenting challenges to the child, such as around drug and alcohol 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 the risk of being radicalized or exploited
- **All staff members should be aware of indicators of abuse and neglect so that they are able to identify cases of children who may need help or protection. Indicators of abuse and neglect, and examples of safeguarding issues are described in Section Two.**
- Departmental advice: [What to do if you are worried a child is being abused- Advice for practitioners](#) provides more information on understanding and identifying abuse and neglect.
- Staff members working with children are advised to maintain an attitude of **'it could happen here'** where safeguarding is concerned. When concerned about the welfare of a child, staff members should always act in the best interests of the child.
- Knowing what to look out 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).

What staff should do if they have concerns about a child?

If staff have any concerns about a child, they will need to act on them **immediately** to decide what action to take.

- There should be a conversation with the Designated Safeguarding Lead to agree a course of action.
- If, in exceptional circumstances, the DSL or Deputy DSL are not available, this should not delay appropriate action being taken and any staff member should make a referral to children's social care.

If anyone other than the Designated Safeguarding Lead makes the referral, they should inform the Designated Safeguarding Lead as soon as is practically possible.

- Staff should not assume a colleague or another professional will act and share information that might be critical in keeping children safe.
- The local authority should decide 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 is not forthcoming.
- If after a referral the child's situation does not appear to be improving the Designated Safeguarding Lead (or the person that made the referral) should press for re-consideration to ensure their concerns have been addressed and, most importantly, that the child's situation improves.
- If early help is appropriate the Designated Safeguarding Lead (or Deputy) should lead on liaising with other agencies and setting up an inter-agency assessment as appropriate. Staff may be required to support other agencies and professionals in an early help assessment.
- If early help and or other support is appropriate the case should be kept under constant review and consideration given to a referral to children's social care if the child's situation doesn't appear to be improving.
- Whilst all staff should speak to the DSL (or Deputy) regarding any concern about Female Genital Mutilation (FGM), there is a specific legal duty on teachers. If a teacher, in the course of their work in the profession, discovers that an act of FGM appears to have been carried out on a girl under the age of 18, the teacher must report this to the police.

Children suffering, or likely to suffer, significant harm

Where a child is suffering, or is likely to suffer from harm, it is important that a referral to children's social care (and/or the police) is made **immediately**, remembering that parental consent is not needed if the member of staff feels that the child is at risk of harm.

- Anyone can make a referral.
- Local authorities, with the help of other organisations as appropriate, have a duty to make enquiries under section 47 of the Children Act 1989 if they have reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm.

Children requiring mental health support

Schools have an important role to play in supporting the mental health and wellbeing of their pupils. Mental health problems can, in some cases, be an indicator that a child has suffered or is at risk of suffering abuse, neglect or exploitation. More information can be found in the [mental health and behaviour in schools' guidance](#).

Information sharing

Information sharing is vital in identifying and tackling all forms of abuse and neglect. Fears about sharing information must not be allowed to stand in the way of the need to safeguard and promote the welfare and protect the safety of children. The Data Protection Act (2018) and GDPR do not prevent the sharing of information for the purposes of keeping children safe. School staff should, therefore, be proactive in sharing information as early as possible to help identify, assess and respond to risks or concerns about the safety and welfare of children, whether this is when problems are first emerging, or where a child is already known to the local authority children's social care. This includes the sharing of information without parental consent where there is good reason to do so, i.e. the risk of harm to the child will be increased.

Further details on information sharing can be found in the **GDPR Policy**.

Record Keeping

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

- Be written as soon as possible
- Describe the full sequence of events (before and after)
- Use the child's words as much as possible rather than adult interpretation
- Keep and include rough jottings/notes
- Be signed and dated, with name and post printed for easy reading by possible outside agencies.

When making a record, staff should keep an open mind about the concern and be sure to distinguish between fact and opinion/speculation.

Concerns about another Staff Member

If staff members have safeguarding concerns, or an allegation is made about another staff member, including supply staff and volunteers, then this should be referred to the Head teacher. Where there are concerns about the Head teacher this should be referred to the Governing Body.

Staff may consider discussing any concerns with the school's Designated Safeguarding Lead and make any referral via them.

Concerns about School Safeguarding Practices

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

Appropriate whistleblowing procedures, which are suitably reflected in staff training and staff behaviour policies, are in place for such concerns to be raised with the school's Senior Leadership Team. 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.

Educating Children

The non-statutory framework for Personal, Social and Health Education (PSHE) provides opportunities for children to learn about keeping safe, and who to ask for help if their safety is threatened. We teach children (via PSHE, class and assembly time) to develop a healthy and safe lifestyle and give opportunities to help them:

- To recognise and manage risks in different situation and then behave responsibly
- To judge what kind of physical contact is acceptable and unacceptable
- To recognise when pressure from others (including people they know) threatens their personal safety and well-being and develop effective ways of resisting pressure; including knowing when and where to get help
- To understand cyber bullying and to know where to find help
- To be aware of e-safety when using social messaging or the internet
- To use assertiveness techniques to resist unhelpful pressure
- To learn that it is acceptable to talk about their own problems and where to find help.

The school has appropriate filters and monitoring systems in place to safeguard children from potentially harmful and inappropriate online material.

Listening to Children

Children will speak to people that they feel they can trust, and they feel comfortable with. This will not always be a teacher. For this reason, all staff (teaching and non-teaching) are trained in child protection so that they know how to respond sensitively to a child's concerns, whom to approach for advice about them, and the importance of not guaranteeing complete confidentiality

Any member of staff who is approached by a child wanting to talk should listen positively and reassure the child. They should record the conversation on an encounter form as soon as possible, distinguishing clearly between fact, observation, allegation and opinion, noting any action taken and signing and dating the note. They should then inform the Designated Safeguarding Lead (or the Deputy DSLs).

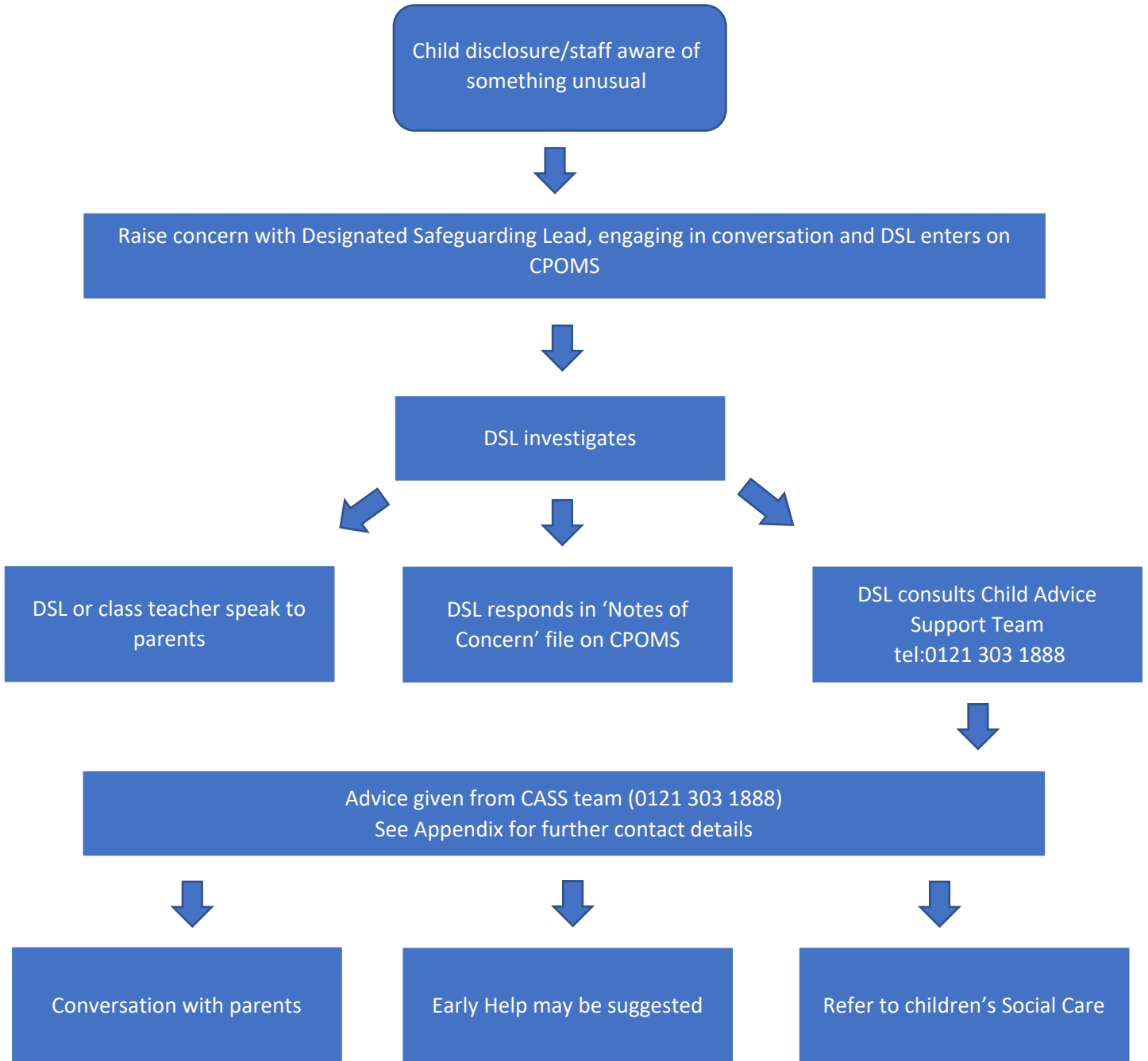
The member of staff should be aware that the way in which they talk to the child could influence the evidence that is put forward if there are subsequent proceedings. Staff should not jump to conclusions, ask leading questions, or put words in a child's mouth. There should be no pressure to talk or to stop the child from freely recalling.

Staff should not promise a child complete confidentiality – instead they must explain that they may need to pass information to other professionals to help keep the child or other children safe.

Bullying

A bullying incident should be treated as a child protection concern when there is reasonable cause to suspect that a child is suffering, or likely to suffer, significant harm. See the **Anti-Bullying Policy** for additional Guidance.

Safeguarding Timeline



2. Abuse and Neglect

Indicators of Abuse and Neglect

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

All staff should be aware that:

- abuse, neglect and safeguarding issues are rarely standalone events that can be covered by one definition or label. In most cases, multiple issues will overlap with one another.
- safeguarding incidents and/or behaviours can be associated with factors outside the school and/or can occur between children outside of these environments.

Child abuse may fall into one of the following four categories. These categories represent the criteria for registration on the Child Protection Register.

Physical Abuse

This is a form of abuse that may involve hitting, shaking or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.

Emotional Abuse

This is the persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate.

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

It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, although it may occur alone.

Sexual Abuse

This 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 kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at or in the production of sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways or grooming a child in preparation for abuse (including via the internet).

Neglect

This is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse.

Neglect may involve a parent or carer failing to: provide adequate food, clothing and shelter (including exclusion from home or abandonment); protect a child from physical and emotional harm or danger; ensure adequate supervision (including the use of inadequate caregivers); or ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

Identifying Abuse

It is always preferable to prevent abuse or for intervention to take place at the earliest possible stage. All school staff are well placed to observe outward symptoms which may be due to child abuse. Some of the signs and symptoms are as follows:

Physical

Bruising / aggression / moody / bed-wetting / absences / lethargy / make up to cover bruising / hanging about after school / anxious on Friday afternoon and the end of term.

Emotional

Tantrums / attention seeking / mood swings / poor knowledge of right and wrong / isolation / lack of communication. Children can be harmed by witnessing abuse, e.g., domestic violence. The child might be ignored / belittled / shouted at / terrorised / told they are useless etc.

Sexual

Provocative behaviour / new sexual language / fear of adults / secretive / refusing to allow physical contact / desire to cleanse / emphasising sex through play / self-mutilation / pregnancy / bleeding / anorexia / bulimia. Usually perpetrated by people who are known to, and trusted by, the child, e.g., relatives, family friends, neighbours, babysitters, people working in schools, clubs or activities.

Neglect

Weight loss or gain / lack of hygiene / fainting / slow physical development / hunger / tiredness/ nightmares / imagining friends. Clear lack of parental care. Often poverty contributes. Can include parents/carers failing to provide adequate food, clothing and shelter / protect a child from physical and emotional harm or danger / ensure adequate supervision or stimulation / ensure access to appropriate medical care or treatment.

Abuse can take place by one or more pupils against another pupil and may not involve adults.

General signs of abuse

There are many signs of abuse that staff should be aware of. These include:

- Unexplained delay in seeking treatment which is needed;
- Incompatible explanations
- A series of minor injuries
- Unexplained bruising:
 - In and around the mouth
 - black eyes – especially if both eyes are black and there is no bruising to the forehead or nose
 - grasp marks

- bruising of the ears
- linear bruising (particularly buttocks or back)
- differing age bruising
- Bite marks
- Burns and scalds
- General physical disability
- Unresponsiveness in the child
- Soiling and wetting
- Change in behavioural pattern
- Attention seeking
- Anti-social behaviour
- Unkempt appearance
- Sexually precocious behaviour
- Sexualised drawings and play
- Sudden poor performance in school
- Poor self-esteem
- Self-mutilation
- Withdrawal
- Running away or going missing
- Reluctance to return home after school
- Resistance to undressing for PE
- Resistance to school medicals
- Difficulty in forming relationships
- Confusing affectionate displays
- Poor attendance
- Excessive dependence
- Poor growth

No list of symptoms can be exhaustive. They may give rise to concern but are not in themselves proof that abuse has occurred. Where a member of staff is concerned that abuse may have occurred, he or she must report this immediately to the Designated Safeguarding Lead.

We recognise the importance of partnership between home and school but where issues of child abuse or suspected child abuse arise, our first and only responsibility is to the child.

Child Sexual Exploitation (CSE)

Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 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 using technology.

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

- can still be abuse even if the sexual activity appears consensual
- can affect any child or young person (male or female) under the age of 18 years
- can include both contact (penetrative and non-penetrative acts) and non-contact sexual activity
- can take place in person or via technology, or a combination of both
- 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 (e.g., through others copying videos or images they have created and posted on social media)
- 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.

Child Criminal Exploitation (CCE)

Child Criminal Exploitation is where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child into any criminal activity for:

- in exchange for something the victim needs or wants, and/ or
- for the financial or other advantage of the perpetrator or facilitator and/or
- through violence or the threat of violence.

Some specific forms of CCE can include children being forced or manipulated into transporting drugs or money through county lines, shoplifting or pickpocketing. Data shows children as young as 8 can become victims of CCE.

Child Financial Exploitation (CFE)

Child Financial Exploitation may accompany other forms of exploitation, abuse and violence. For example, financial exploitation can be a feature of modern slavery, sexual exploitation and county lines activity, and may be used to control the victim (or their families) and prevent them from leaving the exploitative situation.

County Lines

Page 126 of KCSIE, 2021 document highlights how children can be at risk of exploitation in a geographically widespread form of abuse relating to drug and gang cultures. Children are moved around the area and in some cases across the country to carry drugs, money and other illegal activities. Further information is available in the document produced by the [Home Office](#).

Preventing Radicalisation

Preventing violent extremism by countering the ideology of extremism and by identifying those who are being drawn into radicalism has for some time formed part of our approach to safeguarding. The Counterterrorism and Security Act 2015 now imposes a duty on a wide range of bodies including all schools to respond when they become concerned that a child is being, or is at risk of, becoming radicalised. Compliance will be monitored through various inspection regimes such as Ofsted that will be looking to see that organisations have assessed the level of risk and that staff are appropriately trained to look out for signs of radicalisation. Also, schools will be monitored to ensure they are aware of the process for making referrals to Channel, the panel that reviews and refers individuals to programmes to challenge extremist ideology. Statutory guidance is available at <https://www.gov.uk/government/publications/prevent-duty-guidance>

If you have any concerns about individuals who may be being drawn into support for extremist ideology, please contact your regional police Prevent Team who will then contact you to discuss whether a referral should be made. Although a police team, their role is to support early intervention so that vulnerable children or adults do not end up facing criminal sanctions.

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

The DSL will undertake Prevent awareness training and make sure that staff have access to appropriate training to equip them to identify children at risk. The school will also have Internet filtering in place and equip our pupils to stay safe online at school and at home.

There is no single way of identifying an individual who is likely to be susceptible to an extremist ideology. Radicalisation can occur quickly or over a long period. Staff should be alert to changes in pupils' behaviour. The government website [Educate Against Hate](#) and charity NSPCC say that signs that a pupil is being radicalised can include:

- Refusal to engage with, or becoming abusive to, peers who are different from themselves
- Becoming susceptible to conspiracy theories and feelings of persecution
- Changes in friendship groups and appearance
- Rejecting activities they used to enjoy
- Converting to a new religion
- Isolating themselves from family and friends
- Talking as if from a scripted speech
- An unwillingness or inability to discuss their views
- A sudden disrespectful attitude towards others
- Increased levels of anger
- Increased secretiveness, especially around internet use
- Expressions of sympathy for extremist ideologies and groups, or justification of their actions
- Accessing extremist material online, including on Facebook or Twitter
- Possessing extremist literature
- Being in contact with extremist recruiters and joining, or seeking to join, extremist organisations

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

Staff should always act if they are worried. All staff are responsible as individuals to report any concerns.

Honour Based Violence (HBV)

Honour based Violence (HBV) encompasses incidents or crimes which have been committed to protect or defend the honour of the family and/or the community, including female genital mutilation (FGM), forced marriage, and practices such as breast ironing. Abuse committed in the context of preserving "honour" often involves a wider network of family or community pressure and can include multiple perpetrators.

It is important to be aware of this dynamic and additional risk factors when deciding what form of safeguarding action to take. All forms of HBA are abuse (regardless of the motivation) and should be handled and escalated as such. If staff have a concern regarding a child that might be at risk of HBA or who has suffered from HBA, they should speak to the Designated Safeguarding Lead (or Deputy).

Female Genital Mutilation (FGM)

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

Section 5B of the Female Genital Mutilation Act 2003 (as inserted by section 74 of the Serious Crime Act 2015) places a statutory duty upon teachers along with regulated health and social care professionals in England and

Wales, to report to the police where they discover (either through disclosure by the victim or visual evidence) that FGM appears to have been carried out on a girl under 18.

Forced Marriage

Forced marriage is a term used when a person is made to marry against their will. Forced marriage takes place when there is an absence of free and full consent of one or both parties, but the parties are forced to get married under duress, including physical and emotional pressure, usually from their families. In the UK, forced marriage is considered a serious abuse of human rights and, when it involves a child, a form of child abuse. A child marriage is always a forced marriage as children lack the capacity to make a fully informed and consensual decision to marry or not.

We are committed to a whole school approach to ensure the prevention, early identification and appropriate management of peer-on-peer abuse within our school and beyond, including online.

Peer on Peer Abuse

Our school recognises that children are vulnerable to and capable of abusing their peers. We take such abuse as seriously as abuse perpetrated by an adult. This includes verbal (including written online) as well as physical abuse, which can happen inside and outside of school. Staff must challenge inappropriate behaviours between peers. Peer on peer abuse will not be tolerated.

We recognise that peer on peer abuse can manifest itself in many ways such as, but not limited to:

- bullying (including cyberbullying, prejudice-based discriminatory bullying)
- abuse in intimate personal relationships between peers
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm (this may include an online element which facilitates, threatens and/or encourages sexual violence)
- sexual violence, such as rape, assault by penetration and sexual assault (this may include an online element which facilitates, threatens and/or encourages sexual violence)
- sexual harassment, such as sexual comments, remarks, jokes and online sexual harassment, which may be stand-alone or part of a broader pattern of abuse
- causing someone to engage in sexual activity without consent, such as forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party
- consensual and non-consensual sharing of nudes and semi nudes images and or videos¹³ (also known as sexting or youth produced sexual imagery)
- upskirting, (now a criminal offence) 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
- sexting (also known as youth produced sexual imagery)
- initiation/hazing type violence and rituals (this could include activities involving harassment, abuse or humiliation used as a way of initiating a person into a group and may also include an online element).

Our peer-on-peer abuse policy covers all aspects of peer-on-peer abuse and is compliant with the statutory guidance on peer on peer abuse as set out in KCSiE (September 2021)

Preventative Strategies to minimise the risk of Peer on Peer abuse

We aim to create and sustain an environment that helps to minimise the risk and occurrence of peer-on-peer abuse. The school also looks to take a proactive, preventive and educative approach to safeguarding issues with its staff and pupils. Opportunities are sought to give teaching and learning opportunities to our pupils, within the context of PSHEE/RSE and the wider curriculum, as well as staff discussion and training. Pupils are frequently told what to do if they witness or experience such abuse, the effect that it can have on those who experience it and the possible reasons for it, including vulnerability of those who inflict such abuse.

The possible avenues for such education to take place, including education about abusive behaviour, include the following:

- School Assemblies
- PSHEE/RSE lessons
- Challenging the attitudes that underlie such abuse (both inside and outside the classroom)
- Promote positive values and to encourage a culture of tolerance and respect amongst all members of the School community
- Creating conditions in which pupils can aspire to and realise safe and healthy relationships
- Creating a culture in which pupils feel able to share their concerns openly, in a non-judgmental environment, and have them listened to

Sexual violence and sexual harassment

Sexual violence and sexual harassment can occur between two children of any age and sex. Incidents of this nature could happen inside, outside of school or online. It can occur through a group of children sexually assaulting or sexually harassing a single child or group of children. Sexual violence and sexual harassment exist on a continuum and may overlap; they can occur online and face to face (both physically and verbally) and are never acceptable. Even if there are no reported cases of peer-on-peer abuse, such abuse may still be taking place and is simply not being reported.

Children who are victims of sexual violence and sexual harassment wherever it happens, will likely find the experience stressful and distressing. This will, likely, adversely affect their educational attainment and will be exacerbated if the alleged perpetrator(s) attends the same school. Staff should be aware that it is more likely that girls will be the victims of sexual violence and sexual harassment, and more likely it will be perpetrated by boys but all peer-on-peer abuse is unacceptable and will be taken seriously. We have a zero tolerance to abuse Banter, gender-based issues; and initiating/hazing type violence and rituals will be taken very seriously and will not be passed off as “banter” or “part of growing up” as this can lead to a culture of unacceptable behaviours and an unsafe environment for children. Regardless of the sex of the victim, they should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report (page 111 of KCSI outlines possible support mechanisms for the victim). Support will be given to the victim during the investigation and afterwards. The perpetrator may be suspended during the investigation and will be supported afterwards.

Abuse that occurs online or outside of the school should not be downplayed and treated equally seriously. A child may not disclose directly, and staff must be vigilant, and rather than waiting for a disclosure recognise that young people may not always make a direct report. Information may come from overheard conversations or observed behaviour changes.

When there has been a report of sexual violence, the designated safeguarding lead (or a deputy) will make an immediate risk and needs assessment. Where there has been a report of sexual harassment, the need for a risk assessment should be considered on a case-by-case basis. The risk and needs assessment should consider:

- the victim, especially their protection and support
- whether there may have been other victims
- the alleged perpetrator(s)
- all the other children, (and, if appropriate, adult students and staff) at the school, especially any actions that are appropriate to protect them from the alleged perpetrator(s), or from future harms.

Risk assessments should be recorded (written or electronic) and should be kept under review. At all times, the school will be actively considering the risks posed to all their pupils and students and put adequate measures in place to protect them and keep them safe.

The designated safeguarding lead (or a deputy) should ensure they are engaging with children's social care and specialist services as required. Where there has been a report of sexual violence, it is likely that professional risk assessments by social workers and or sexual violence specialists will be required. The school risk assessment is not intended to replace the detailed assessments of expert professionals. Any such professional assessments should be used to inform the school's or college's approach to supporting and protecting their pupils and students and updating their own risk assessment.

Reports of sexual violence and harassment are likely to be complex and require difficult professional decisions to be made, often quickly and under pressure. Via training and sharing of key policies the school aims to ensure a calm, considered approach is taken. This will be done on a case-by-case basis. Important considerations will include:

The school is committed to working with safeguarding partners in managing such scenarios, in line with statutory guidance [Working Together to Safeguard Children](#).

If a report is determined to be unsubstantiated, unfounded, false or malicious, the designated safeguarding lead will consider whether the child and/or person who made the allegation is in need of help or may have abused someone else and this is a cry for help. The school may consider whether the behaviour policy will be introduced at this stage.

Up skirting

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

Serious violence

Schools are important places where important interventions can take place to prevent negative behaviour, such as young people carrying a knife. Primary schools are also increasingly recognised as places where early warning signs that younger children may be at risk of getting involved in gangs can be spotted. Crucial preventive work can be done at this stage to prevent negative behaviour from escalating and becoming entrenched.

Risk factors strongly associated with serious youth violence may include:

- involvement in anti-social behaviour
- substance usage
- aggression
- truancy/running away
- high or irregular attendance patterns

Further advice and information relating to this area is provided in the Home Office's [Preventing youth violence and gang involvement](#).

Domestic Abuse

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.

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

Children going Missing from Education

All staff should be aware that children going missing, particularly repeatedly, can act as a vital warning sign of a range of safeguarding possibilities. Early intervention is necessary to identify the existence of any underlying safeguarding risk and to help prevent the risks of a child going missing in future. Staff should be aware of the school's unauthorised absence and children missing from education procedures below.

The school will carry out daily registration and all absences will be dealt with in accordance with the school's **Attendance Policy**. This policy covers those instances where:

- there is a repeated pattern of absence
- the reason for absence is unclear or unexplained
- a member of staff has concerns about the nature of a pupil's absence

In these instances, the school's Designated Safeguarding Lead (DSL, or the Deputy DSL), should record the welfare concerns and any details in the Safeguarding Log.

When a pupil leaves the school, the school will contact the receiving school to ensure the child is registered at the school and has started to attend. If the school has welfare concerns, the DSL will forward the appropriate records to the receiving school.

When a pupil leaves the school without clear indication of a receiving school, the school will contact the Local Authority Safeguarding Children Board to advise them of the situation and to start their tracking procedures.

Children with Special Educational Needs and Disabilities

Children with special educational needs (SEN) and disabilities can face additional safeguarding challenges. Additional barriers can exist when recognising abuse and neglect in this group of children including:

- assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability without further exploration
- children with SEN and disabilities can be disproportionately impacted by things like bullying- without outwardly showing any signs and
- communication barriers and difficulties in overcoming these barriers

All staff should have an awareness of safeguarding issues that can put children at risk of harm.

Mental Health

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

Only appropriately trained professionals should attempt to make a diagnosis of a mental health problem. Staff however, are well placed to observe children day-to-day and identify those whose behaviour suggests that they may be experiencing a mental health problem or be at risk of developing one.

If staff have a mental health concern about a child that is also a safeguarding concern, immediate action should be taken, following their child protection policy and speaking to the Designated Safeguarding Lead or a deputy.

The department has published advice and guidance on [Mental Health and Behaviour in Schools](#).

Additional information and support

Departmental advice [What to Do if You Are Worried a Child is Being Abused - Advice for Practitioners](#) provides more information on understanding and identifying abuse and neglect. Examples of potential indicators of abuse and neglect are highlighted throughout the advice and will be particularly helpful for school staff.

Child Abduction and Community Safety Incidents

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

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

As children get older and are granted more independence (for example, as they start walking to school on their own) it is important they are given practical advice on how to keep themselves safe. Many schools provide outdoor-safety lessons run by teachers or by local police staff.

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

Ensure sufficient consideration has been looked at – Refer to Annex B KCSIE

Children with family members in prison

Approximately 200,000 children in England and Wales have a parent sent to prison each year. These children are at risk of poor outcomes including poverty, stigma, isolation and poor mental health. 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

Ensure sufficient consideration has been looked at – Refer to Annex B KCSIE

Cybercrime: Preventing young people from getting involved

Children are getting involved in cybercrime, many do it for fun without realising the consequences of their actions – but the penalties can be severe. Cybercrime is a serious criminal offence under the Computer Misuse Act. If we become aware of any incidents of cyber crimes, we will consider each case individually as to any criminal act that may have been committed. The school will pass on information to the police if it feels that it is appropriate, or we are required to do so.

Risks associated with Gaming

Online gaming is an activity that the majority of children and many adults get involved in.

The school raise awareness by:

- Talking to parents and carers about the games their children play and help them identify whether they are appropriate
- Supporting parents in identifying the most effective way of safeguarding their children by using parental controls and child safety mode
- Talking to parents about setting boundaries and time limits when games are played
- Highlighting relevant resources
- Making our children aware of the dangers including of online grooming and how to keep themselves safe
- Making our children aware of how to report concerns

Ensure sufficient consideration has been looked at – Refer to Annex B KCSIE

Homelessness

Being homeless or being at risk of becoming homeless presents a real risk to a child's welfare. The designated safeguarding lead (and any deputies) should be aware of contact details and referral routes into the Local Housing Authority so they can raise/progress concerns at the earliest opportunity. Indicators that a family may be at risk of homelessness include household debt, rent arrears, domestic abuse and anti-social behaviour, as well as the family being asked to leave a property. Whilst referrals and/or discussion with the Local Housing Authority should be progressed as appropriate, and in accordance with local procedures, this does not, and should not, replace a referral into children's social care where a child has been harmed or is at risk of harm. The Homelessness Reduction Act 2017 places a new legal duty on English councils so that everyone who is homeless or at risk of homelessness will have access to meaningful help including an assessment of their needs and circumstances, the development of a personalised housing plan, and work to help them retain their accommodation or find a new place to live. Links to fact sheets are available in KCSIE 2021. The new duties shift focus to early intervention and encourage those at risk to seek support as soon as possible, before they are facing a homelessness crisis. In most cases school and college staff will be considering homelessness in the context of children who live with their families, and intervention will be on that basis. However, it should also be recognised in some cases 16 and 17 year olds could be living independently from their parents or guardians, for example through their exclusion from the family home, and will require a different level of intervention and support. Children's social care will be the lead agency for these children and the designated safeguarding lead (or a deputy) should ensure appropriate referrals are made based on the child's circumstances. The Department and the Ministry of Housing, Communities and Local Government have published joint statutory guidance on the provision of accommodation for 16 and 17 year olds who may be homeless and/or require accommodation.

Ensure sufficient consideration has been looked at – Refer to Annex B KCSIE

3. Allegations of abuse against staff

This document outlines school procedure for managing cases of allegations of abuse by a member of staff.

Duties as an employer and an employee

This policy is about managing cases of allegations 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. It should be used in respect of all cases in which it is alleged that a teacher or member of staff (including volunteers) has:

- behaved in a way that has harmed a child, or may have harmed a child
- behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children
- behaved or may have behaved in a way that indicates they may not be suitable to work with children.

This policy relates to all members of staff regardless of where the alleged abuse took place. Allegations against a teacher who is no longer teaching will be referred to the police.

The Shrubbery has a duty of care to its employees. It is essential that any allegation of abuse made against a member of staff or volunteer is dealt with very quickly, in a fair and consistent way that provides effective protection for the child and at the same time supports the person who is the subject of the allegation.

Levels of thresholds

KCSIE (2021) has two sections covering two levels of allegation/concern and should be referred to as the source document:

- allegations that may meet the harms threshold;
- allegations/concerns that do not meet the harms threshold ('low level concerns').

Allegations that may meet the harms threshold

These are allegations that might indicate that a person would pose a risk of harm if they continue to work in their present position, or in any capacity with children in our school. If it has been alleged that any member of staff including supply teachers, volunteers and contractors has:

- behaved in a way that has harmed a child, or may have harmed a child and/or;
- possibly committed a criminal offence against or related to a child and/or;
- behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children: and/or
- behaved or may have behaved in a way that indicates they may not be suitable to work with children (including because of transferable risk)

If we identify:

- that a child has been harmed,
- that there may be an immediate risk of harm to a child, or
- if the situation is an emergency,

then we contact children's social care and as appropriate the police immediately in accordance with the processes set out in part one of *KCSIE*.

If an allegation is made, it is essential to looking after the welfare of the child and also investigate and support the person subject to the allegation. We will conduct basic enquiries to establish facts that will help then determine whether there is any foundation to the allegation.

Further, detailed guidance can be found in *KSCIE* (2021) on:

- when to inform the individual of the allegation;
- what to do if there is cause to suspect a child is suffering or is likely to suffer significant harm;
- where the case manager is concerned about the welfare of other children in the community of the member of staff's family;
- where it is clear or decided that an investigation by the police or children's social care is unnecessary;
- where the initial discussion leads to no further action;
- where further enquiries are necessary (including where there is a lack of appropriate resource within the school);
- suspension (which should not be an automatic response when an allegation is reported);
- support (of the child(ren) involved, employees of the school subject to an allegation and the parents or carers of any child involved);
- confidentiality and information-sharing;
- allegation outcomes;
- following a criminal investigation or prosecution;
- unsubstantiated, unfounded, false or malicious accusations;
- returning to work;
- resignations and settlement agreements;
- record keeping;
- references;
- learning lessons;
- non-recent allegations.

As soon as basic enquiries and initial information have been conducted to establish facts and help determine whether there is any foundation to the allegation, the LADO will be promptly contacted. There will then be a discussion with the LADO(s) about the allegation which will consider the nature, content and context and agree a course of action including any involvement of the police. GDPR cannot be allowed to stand in the way of safeguarding children. Discussions should be recorded in writing, and any communication with both the individual and the parents of the child/children agreed. Schools should give due weight to the views of the LADO, *KCSIE* and *WT* when making a decision about suspension and whether the circumstances warrant it or if alternative arrangements should be put in place.

Record Keeping

Records concerning allegations of abuse must be preserved for the term of the Independent Inquiry into Child Sexual Abuse and at least until the accused has reached normal pension age or for 10 years from the date of the allegation if it is longer. For all allegations, other than those found to have been malicious or false, the following information must be kept on the file of the person accused:

- a clear and comprehensive summary of the allegation;
- details of how the allegation was followed up and resolved;
- a note of any action taken, and decisions reached and (new) whether the outcome was substantiated, unsubstantiated or unfounded;
- a copy provided to the person concerned, where agreed by children's social care or the police
- a declaration on whether the information will be referred to in any future reference

Substantiated allegations should from September 2021 be included in references, provided that the information is factual and does not include opinions.

Concerns that do not meet the harm threshold ('low-level concerns')

Along with the staff code of conduct and whistleblowing policy, this policy makes clear the importance of sharing ANY concerns that staff may have. These may arise from a variety of sources, including suspicion, complaint, a disclosure (by child or adult) or during vetting checks.

KCSIE 2021 describes it as critical that a culture is created in which **all** concerns about adults are shared responsibly and with the right person, recorded and dealt with appropriately. This should enable an open and transparent culture, enable the early identification of concerning, problematic or inappropriate behaviour, minimise the risk of abuse, ensure that adults working in schools are clear about and act within professional boundaries in accordance with the values and ethos of the institution, and protect those working in or on behalf of schools from potential false allegations or misunderstandings.

A low-level concern is 'any concern – no matter how small, and even if no more than causing a sense of unease or a 'nagging doubt' – that an adult working in or on behalf of the school or college may have acted in a way that:

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

These behaviours can exist on a wide spectrum, from inadvertent to that which is ultimately intended to enable abuse. They include, for example:

- being over friendly with children;
- having favourites;
- taking photographs of children on their mobile phone;
- engaging with children on a one-to-one basis in a secluded area or behind a closed door
- using inappropriate sexualised, intimidating or offensive language.

Low-level concerns about a member of staff should be reported to the headteacher. Staff should feel confident to self-refer. Low-level concerns about someone employed by a supply agency or contractor should be shared with the head, the concern recorded, and their employer notified so that potential patterns of inappropriate behaviour can be identified.

Where a third party has raised the concern, the headteacher should collect as much evidence as possible by speaking:

- directly to the person who raised the concern (if known);
- to the individual involved and any witnesses.

The headteacher should record all low-level concerns in writing. This should include:

- details of the concern;
- the context in which it arose;
- evidence collected by the DSL where the concern has been raised via a third party;
- the decision categorising the type of behaviour;
- action taken;
- the rationale for decisions and action taken; the name of the individual sharing the concerns (respecting any wish to remain anonymous as far as possible)

The records must be kept confidential, held securely and comply with the Data Protection Act 2018 and the UK GDPR. They **should be reviewed** so that potential patterns of concerning, problematic or inappropriate behaviour can be identified. Where such a pattern is identified, the school should either take action through its disciplinary procedures or, if it meets the harms threshold, refer to the LADO. *KCSIE* specifies that, **‘Consideration should also be given to whether there are wider cultural issues within the school that enabled the behaviour to occur and where appropriate policies could be revised or extra training delivered to minimise the risk of it happening again.’** It is recommended that schools retain this information at least until the individual leaves their employment.

Detailed guidance is provided in *KCSIE* as to when a low-level concern should be referred to in a reference. More detailed guidance and case studies on low-level concerns are available in [Developing and implementing a low-level concerns policy \(farrer.co.uk\)](#).

Initial considerations

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

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

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

Reporting an allegation

- All allegations against a member of staff (including volunteers) should be reported to the Head teacher
- In her absence any allegations against a member of staff should be reported to the Deputy Head teacher.
- If the allegation is against the Head teacher the allegation should be reported to the Chair of the Governing Body, the Proprietor, Craig Johnson. (Email – cjohnson@shrubberyschool.co.uk. Telephone – 07500 111222)
- If the allegation is against a member of the Governing Body, the allegation should be reported to the Local Authority Designated Officer.

Contacting the local authority

- In the first instance the Head teacher, or where the Head teacher is the subject of an allegation the Chair of the Governing Body, should immediately discuss the allegation with the designated officer(s) at the local authority.
- All unnecessary delays will be eradicated, and the school will not conduct its own investigation of allegations without prior consultation with the designated officer and/or the Police.
- The purpose of an initial discussion is for the designated officer(s) and the case manager to consider the nature, content and context of the allegation and agree a course of action.
- The designated officer(s) may ask the case manager to provide or obtain relevant additional information, such as previous history, whether the child or their family have made similar allegations previously and the individual’s current contact with children.

Contacting the police

- 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 designated officer(s) in order to help determine whether police involvement is necessary.

No further action

- The initial evaluation with the designated officer(s) may lead to a decision that no further action is required; in which case this decision and a justification will be recorded by both the case manager and the designated officer(s)
- The case manager will consider with the designated officer (s) what action should follow both in respect of the individual and those who made the initial allegation.

Informing the accused person

- The case manager should inform the accused person about the allegation as soon as possible after consulting the designated officer(s).
- 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.

Strategy discussion

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 consider that teachers and other school staff are entitled to use reasonable force to control or restrain children in certain circumstances, including dealing with disruptive behaviour.

Wherever possible, a strategy discussion should take the form of a face-to-face meeting and should:

- Decide whether there should be a police investigation and consider the implications
- Consider whether any parallel disciplinary process can take place and agree protocols for sharing information
- Consider the current allegation in the context of any previous allegations or concerns
- Where appropriate, take account of any entitlement by staff to use reasonable force to control or restrain children
- Consider whether a complex abuse investigation is applicable
- Plan enquiries if needed, allocate tasks and set timescales
- Decide what information can be shared, with whom and when
- Ensure that arrangements are made to protect the child/ren involved and any other child/ren affected, including taking emergency action where needed
- Consider what support should be provided to all children who may be affected
- Consider what support should be provided to the member of staff and others who may be affected
- Ensure that all investigations are sufficiently independent

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 designated officer(s) should discuss the next steps with the case manager. In those circumstances, the options open to the school 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.

In some cases, further enquiries will be needed to enable a decision about how to proceed. If so, the designated officer(s) should discuss with the case manager how and by whom the investigation will be undertaken. In straightforward cases, the investigation should normally be undertaken by a senior member of the school's staff. In other circumstances, such as the nature or complexity of the allegation, the school will require an independent investigator.

Support for employees

The school has a duty of care to its employees, support for the individual is vital to fulfilling this duty.

- Individuals should be informed of concerns or allegations as soon as possible and explained to regarding 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 if necessary.

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. 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.

Liaising with the parents or carers of a child or children

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 considered 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.

Support for a child or children

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 Head teacher will consider carefully whether the circumstances of a case warrant a person being suspended from contact with children at 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.

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. Suspension should not be an automatic response when an allegation is reported and is unlikely to be justified based on such concerns alone.

Suspension should be considered especially in a case where there is cause to suspect:

- a child or other children at the school is/are at risk of harm
- the case is so serious that it might result in dismissal

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 it will be necessary to immediately suspend that person from teaching pending the findings of the Teacher Regulation Agency's investigation.

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 designated officer(s). This should also include what alternatives to suspension have been considered and why they were rejected. Written confirmation should be sent within one working day giving as much detail as appropriate for the reasons for the suspension. The person should be informed at the point of their suspension who their named contact is for support and provided with their contact details.

Confidentiality

It is extremely important that when an allegation is made, the school makes every effort to maintain confidentiality and guard against unwanted publicity while the matter is being investigated. 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 also cease to apply 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 restriction in response to a request to do so.

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

In accordance with the Association of Chief Police Officers' (ACPO) guidance 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 designated officer(s), 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

Record keeping

Details of allegations that are found to have been malicious will 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.

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. 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 the majority of cases will be resolved 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 designated officer(s). In such cases, if the nature of the allegation does not require formal disciplinary action, the employer should instigate 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.

Oversight and monitoring

The designated officer(s) has overall responsibility for oversight of the procedures for dealing with allegations; for resolving any inter-agency issues; and for liaison with the Children's Advice & Support Service (0121 303 1888 or secure email: CASS@birminghamchildrenstrust.co.uk) on the subject. The designated officer(s) 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 as quickly as possible consistent with a thorough and fair process. Reviews should be conducted at fortnightly or monthly intervals, depending on the complexity of the case.

Police forces should also identify officers who will be responsible for:

- liaising with the designated officer(s)
- taking part in the strategy discussion or initial evaluation
- subsequently reviewing the progress of those cases in which there is a police investigation
- sharing information on completion of the investigation or any prosecution.

If the strategy discussion or initial assessment decides that a police investigation is required, the police should also set a target date for reviewing the progress of the investigation and consulting the Crown Prosecution Service (CPS) about whether to: charge the individual; continue to investigate; or close the investigation. Wherever possible, that review should take place no later than four weeks after the initial evaluation. Dates

for subsequent reviews, ideally at fortnightly intervals, should be set at the meeting if the investigation continues.

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 school's 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 need 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.

Disciplinary Action

The designated officer(s) and case manager should discuss whether disciplinary action is appropriate in all cases where:

- It is clear at the outset or decided by a strategy meeting that a police investigation or LA children's social care enquiry is not necessary
- The school is informed by the police or the Crown Prosecution Service that a criminal investigation and any subsequent trial is complete, or that an investigation is to be closed without charge, or a prosecution discontinued

The discussion should consider any potential misconduct or gross misconduct on the part of the member of staff, and consider:

- Information provided by the police and / or Children and Families' First Response Team
- The result of any investigation or trial

In the case of supply, contract and volunteer workers, normal disciplinary procedures may not apply. In these circumstances, the designated officer(s) and school should act jointly with the providing agency, if any, in deciding whether to continue to use the person's services, or provide future work with children, and if not, whether to make a report for consideration of barring or other action.

The aim of an investigation is to obtain, as far as possible, a fair, balanced and accurate record in order to consider the appropriateness of disciplinary action and / or the individual's suitability to work with children. Its purpose is not to prove or disprove the allegation.

The investigating officer should aim to provide a report within ten working days. On receipt of the report the Head teacher should decide, within two working days, whether a disciplinary hearing is needed. If a hearing is required, it should be held within 15 working days and should follow the **Disciplinary Policy**.

Following a criminal investigation or a prosecution

The police should inform the employer and designated officer(s) immediately when a criminal investigation and any subsequent trial is complete, or if it is decided to close an investigation without charge, or not to continue to prosecute the case after person has been charged. In those circumstances the designated officer(s) should discuss with the case manager whether any further action, including disciplinary action, is appropriate and, if so, how to proceed. The information provided by the police and/or children's social care services should inform that decision. The options will depend on the circumstances of the case and the consideration will need to consider the result of the police investigation or the trial.

Unsubstantiated and false allegations

If an allegation is determined to be unsubstantiated or malicious, the designated officer(s) should refer the matter to the children's social care services to determine whether the child concerned needs services or may have been abused by someone else. If an allegation is shown to be deliberately invented or malicious, the Head teacher 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 was not a pupil.

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

Resignations and 'settlement 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.

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.

Settlement/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.

Referral to the Disclosure and Barring Service (DBS)

The school will report to the DBS any person (whether employed, contracted, a volunteer or student) whose services are no longer used and the DBS referral criteria are met. The report to the DBS should include as much evidence about the circumstances of the case as possible.

There is a legal requirement for the school to make a referral to the DBS if 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.

Referral to the Teacher Regulation Agency

The school is also under a duty to consider making a referral to the Teacher Regulation Agency where a teacher has been dismissed (or would have been dismissed had he/she not resigned) and a prohibition order may be appropriate. The reasons such an order would be considered are: "unacceptable professional conduct", "conduct that may bring the profession into disrepute" or a "conviction, at any time, for a relevant offence".

Where a referral has been made to the DBS, it is not necessary for a referral also to be made to the Teacher Regulation Agency, as information is shared between the two bodies. Where a dismissal does not reach the threshold for DBS referral, separate consideration must be given to a Teacher Regulation Agency referral.

Related/Supporting policies

This policy should be read in conjunction with:

- School's Peer on Peer Abuse Policy
- Staff Code of Conduct
- Whistleblowing Policy
- Behaviour Policy

- Use of Force Policy
- Attendance Policy
- Anti-Bullying Policy
- Online Safety Policy
- Safer Recruitment Policy
- First Aid Policy
- Intimate Care Policy
- Security Policy
- Children Missing in Education Policy
- Complaints Policy
- Equality Policy
- Accessibility Plan
- Data Protection Policy

APPENDIX

KEY EXTERNAL CONTACTS

If the concern is regarding a child, it is where the child lives that determines who to contact:

BIRMINGHAM

Birmingham Children's Trust - Advice and Support

The first point of contact is the **Birmingham Children's Trust Contact Centre**

Mon to Thur 8.45am to 5.15pm, Fri 8.45am to 4.15pm Tel **0121 303 1888**

Emergency Duty Team (all other hours) **0121 675 4806**

Email cass@birminghamchildrenstrust.co.uk

More information is on their website <http://birminghamchildrenstrust.co.uk>

MASH - Birmingham Safeguarding Children Partnership Advice and Support Service (CASS)

Tel: **0121 303 1888** or via secure email cass@birminghamchildrenstrust.co.uk

Outside normal hours please call the Emergency Duty Team on **0121 675 4806**

Local Authority Designated Officers (LADO) – For Position of Trust – Child Safeguarding Concerns

The LADO service has produced a toolkit that you can access via

<https://www.lscpbirmingham.org.uk/lado>

The LADO Team can be contacted on 0121 675 1669 or via email:

ladoteam@birminghamchildrenstrust.co.uk

PREVENT Service

For information see <https://policeandschools.org.uk/RESOURCES/prevent.html>

PREVENT Lead Birmingham is Waqar Ahmed email waqar.ahmed@birmingham.gov.uk

Any concerns regarding radicalisation should be referred to West Midlands Police via CTU_Gateway@west-midlands.pnn.police.uk in addition to this concerns around persons under 18 years old should also be referred to Birmingham MASH

SOLIHULL

The first point of contact is **Solihull Safeguarding Children and Young People** Tel **0121 788**

4300 Mon to Thur 8.45am to 5.20pm, Fri 8.45am to 4.30pm

Emergency Duty Team (all other hours) **0121 605 6060**

More information is on their website <https://solihull.gov.uk/children-and-family-support/safeguarding-childre-young-people>

STAFFORDSHIRE including Lichfield

The first point of contact is **Staffordshire County Council's First Response Service** Tel **0300**

111 8007 Mon to Thur 8.30am to 5.00pm, Fri 8.30am to 4.30pm

Emergency Duty Team (all other hours) **0345 604 2886** or Mobile **07815 492613**

More information is on their website <https://staffssc.org.uk>

WALSALL

The first point of contact is **Walsall Family Information Service** Tel **0300 555 2866 option 2**
Mon to Thur 8.45am to 5.15pm, Fri 8.45am to 4.45pm
Emergency Response Team (all other hours) **0300 555 2922** or **03000 555 2836**

More information is on their website <https://mywalsall.org/fis/safeguarding-in-walsall>

WARWICKSHIRE

The first point of contact is **Warwickshire Children and Families Front Door** Tel **01926 414144** option 3 Mon to Thurs 8.30am to 5.30pm, Fri 8.30am to 5.00pm
Emergency Duty Team (all other hours) **01926 886922**

More information is on their website <https://safeguardingwarwickshire.co.uk/safeguarding-children>

POLICE

If a crime has been committed or a child is in immediate danger **call 999**

CHILDLINE

Tel **0800 1111** <https://childline.org.uk>

NSPCC

Email: help@nspcc.org.uk

TEL: 0800 028 0285

<https://www.nspcc.org.uk/what-you-can-do/report-abuse/>

PREVENT DUTY

The **Department for Education** has set up a telephone helpline **020 7340 7264** Mon to Fri 9am to 5pm to enable people to raise concerns directly. More information is on their website <https://educateagainsthate.com/what-should-i-do-if-i-have-a-concern-about-a-child/>