Hope Learning Trust York

SAFEGUARDING AND CHILD PROTECTION POLICY

THIS POLICY APPLIES TO THE HOPE TRUST BOARD, CENTRAL TEAM, ALL TRUST SCHOOLS AND THE EBORHOPE TEACHER TRAINING PARTNERSHIP. IT IS TO BE READ IN CONJUNCTION WITH EACH INDIVIDUAL SCHOOL'S SAFEGUARDING AND CHILD PROTECTION POLICY, WHICH HAS BEEN TAILORED TO SPECIFIC SCHOOL CONTEXTS

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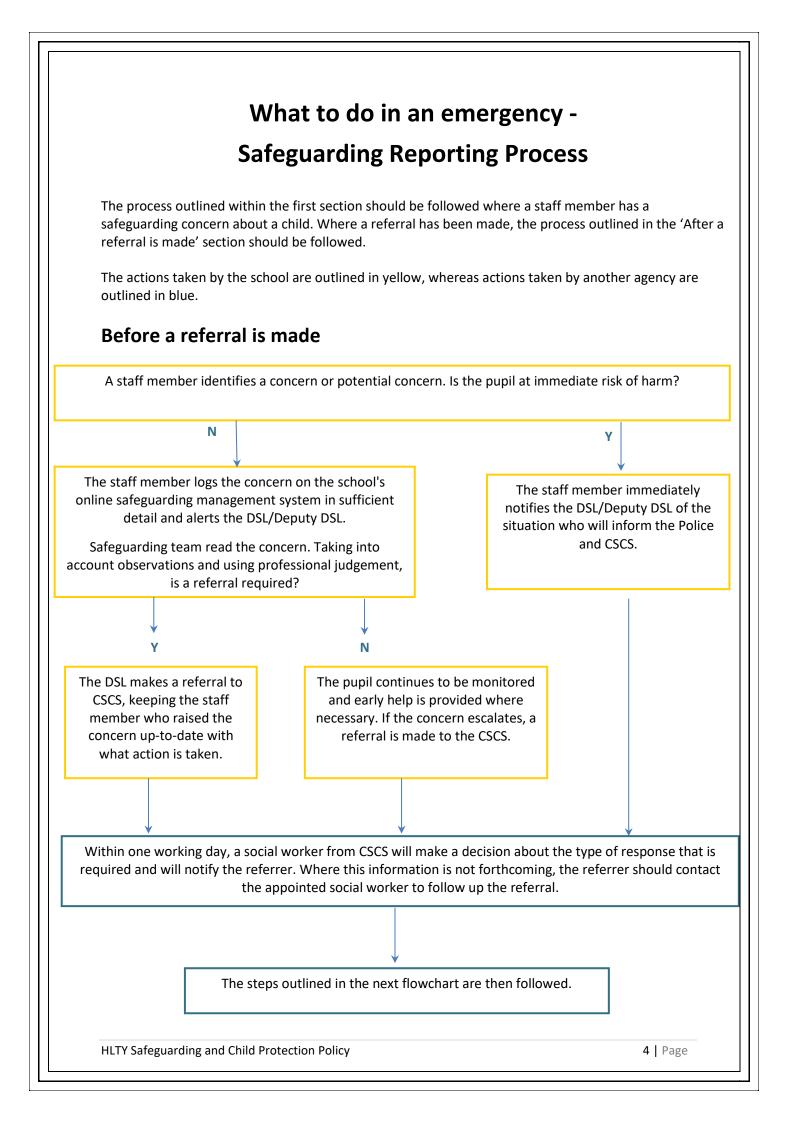
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Signed by:

	Chief Executive Officer	Date:	
	Chief Operating Officer	Date:	
	Chair of Trust	Date:	
	Trust Safeguarding Lead	Date:	
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Policy updates

Date	Page	Policy updates	
08.03.21	p5, Statement of Intent	Addition of a further bullet point for clarification	
08.03.21	p6, item 1	Addition references to Legislation and Statutory Guidance has	
		been added	
08.03.21	p7, item 3	Additional section added on Equality Statement	
08.03.21	p11, item 7.2	Additional duties have been assigned to the Headteacher/	
Principal		Principal	
08.03.21	p14, item 8.4, 8.10	These items have been updated	
08.03.21	p14, item 8.15, 8.16	These items have been added in addition	
08.03.21	p18, item 13.15	Six additional bullet points have been added	
08.03.21	p21, item 18	Detail added regarding SCR checks	
08.03.21	p22, item 18.3	Language around Section 128 checks has been clarified	
08.03.21	p22, item 18.4 - 6	Detail added regarding the European Economic Area (EEA)	
		regulating authority - teacher sanctions or restrictions	
08.03.21	Appendix A, item x	Further detail added regarding 'A Child Missing from Education'	
08.03.21	Appendix A, item xiv	Additional section added on Child Criminal Exploitation (CCE)	
08.03.21	Appendix A, item xv	Additional section added on Domestic Abuse	
08.03.21	Appendix C	LA contact details for NYCC and CYC have been added	



STATEMENT OF INTENT

Serving Others, Growing Together, Living Life to the Full

Hope Learning Trust is committed to enabling our communities to Thrive. To support all our learners and staff to flourish in high performing schools, to achieve and exceed their personal and academic potential. To transform life chances of young people, particularly the most vulnerable and disadvantaged and to transform our local communities.

We are committed to safeguarding and promoting the welfare, both physical and emotional, of every pupil both inside and outside of the school premises. We implement a whole-trust preventative approach to managing safeguarding concerns, ensuring that the wellbeing of pupils is at the forefront of all action taken.

This policy sets out a clear and consistent framework for delivering this promise, in line with safeguarding legislation and statutory guidance.

It will be achieved by:

- Ensuring that the Trust is compliant with the guidance provided in Section 175 and Section 157 of the Education Act 2002;
- Ensuring that all staff are aware that Safeguarding and Child Protection is everybody's responsibility to ensure pupils and staff are safe. To create a positive safeguarding ethos within the Trust so that pupils, parents/carers and staff feel safe, valued and that their voice will be heard if they share a safeguarding concern;
- Making sure that appropriate action is taken in a timely manner to safeguard and promote children's welfare;
- Identifying and making provision for any pupil that has been subject to abuse;
- Ensuring that members of the Trust Board, Local Governing Committee (LGC), the Principal/ Headteacher and staff members understand their statutory responsibilities under safeguarding legislation and statutory guidance, are alert to the signs of child abuse and know to refer concerns to the Designated Safeguarding Lead (DSL);
- Ensuring that all staff remain compliant with safeguarding training requirements;
- Teaching pupils how to keep safe and recognise behaviour that is unacceptable;
- Creating a culture of safer recruitment by adopting procedures that help deter, reject or identify people who might pose a risk to children;
- Ensuring all staff and volunteers are only appointed when all the appropriate checks have been satisfactorily completed.

Key Safeguarding Staff at Hope Learning Trust:

Role	Name	Contact Details
Central Team Safeguarding Leads	Wendy Munro (COO) and Helen Winn (CEO)	Hope Learning Trust 01904 560053
Trustee Safeguarding Lead	Tony Myers (Chair)	Hope Learning Trust 01904 560053

1. Legal Framework

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

Legislation

- Education Act 2002;
- Children Act 1989;
- Children Act 2004;
- Safeguarding Vulnerable Groups Act 2006, as amended by the Protection of Freedoms Act 2012;
- The Education (School Teachers' Appraisal) (England) Regulations 2012 (as amended);
- Counter-Terrorism and Security Act 2015;
- Childcare Act 2006: Childcare (Disqualification) Regulation 2009;
- Children and Families Act 2014;
- Children and Social Work Act 2017;
- Sexual Offences Act 2003;
- General Data Protection Regulation (GDPR) 2018;
- Data Protection Act 2018;
- Voyeurism (Offences) Act 2019;
- Serious Crime Act 2015;
- School Staffing (England) Regulations 2009;
- Education (Independent School Standards) regulations 2014.

Statutory Guidance

- HM Government (2013) 'Multi-agency practice guidelines: Handling cases of Forced Marriage';
- DfE (2019) 'Working Together to Safeguard Children';
- DfE (2019) 'The Prevent Duty';
- DfE (2020) 'Keeping Children Safe in Education';
- DfE (2018) 'Disqualification under the Childcare Act 2006'.
- DfE (2020) 'Relationships Education, RSE and Health Education'.
- Statutory guidance on FGM.
- The Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018.

Non-statutory Guidance

- DfE (2015) 'What to do if you're worried a child is being abused';
- DfE (2018) 'Information sharing';
- DfE (2017) 'Child sexual exploitation';
- DfE (2018) 'Sexual violence and sexual harassment between children in schools and colleges'.
- DfE (2019) 'Guidance for safer working practice for adults working with children and young people in Education settings'.
- DfE (2020) 'Covid-19: safeguarding in schools, colleges and other providers'.

This Policy should be viewed alongside other policies which have relevance to Safeguarding and the welfare of children.

1.2 Covid-19

This Policy should be viewed alongside Covid-19 Addendums including, the 'Covid-19 Behaviour Policy Code of Conduct Addendum and Online Live Learning Support for Pupils Addendum'; the latter is an addendum to the Trust's and school's Safeguarding and Child Protection Policy, Data Protection Policy (GDPR), Social Media Policy, Code of Conduct Policy, E-Mail Policy, E-Safety and Acceptance Policy, Bring Your Own Device Policy, Photography and Videos Policy, Online Safety and Acceptable Use Policy.

2. Definitions

- 2.1 The terms "children" and "child" refer to anyone under the age of 18.
- **2.2** For the purposes of this policy, "safeguarding and protecting the welfare of children" is defined as:
 - Protecting children from maltreatment;
 - Preventing the 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;
 - Taking action to enable all children up to the age of 18 to have the best outcomes.
- **2.3** The term **"teaching role"** is defined as planning and preparing lessons and courses for pupils; delivering lessons to pupils; assessing the development, progress and attainment of pupils; and reporting on the development, progress and attainment of pupils. These activities are not teaching work if the person carrying out the activity does so (other than for the purposes of induction) subject to the direction and supervision of a qualified teacher or other person nominated by the Principal/Headteacher to provide such direction and supervision.

3. Equality Statement

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

We give special consideration to children who:

- Have special educational needs (SEN) or disabilities;
- Are Young Carers;
- May experience discrimination due to their race, ethnicity, religion, gender identification or sexuality;
- Have English as an additional language;
- Are known to be living in difficult situations, for example, temporary accommodation or where there are issues such as substance abuse or domestic violence;
- Are at risk of FGM, sexual exploitation, forced marriage or radicalisation;
- Are asylum seekers;
- Are at risk due to either their own or a family member's mental health needs;
- Are looked after or have previously been a Children Looked After (CLA).

4. Indicators of Abuse and Neglect

Abuse:

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

Physical Abuse:

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

Emotional Abuse:

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

Sexual Abuse:

A form of abuse which involves forcing or enticing a child to take part in sexual activities, not necessarily involving a high level of violence, and whether or not the child is aware of what is happening. This may involve physical assault, such as penetrative assault and touching, or non-penetrative actions, such as looking at sexual images or encouraging children to behave in inappropriate ways. Sexual abuse includes child sexual exploitation, sexual violence and peer on peer abuse (more information can be found it Appendix A).

Neglect:

A form of abuse which involves the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in serious impairment of a child's health or development. This may involve providing inadequate food, clothing or shelter, or the inability to protect a child from physical or emotional harm or ensure access to appropriate medical treatment.

- **4.1** All members of staff will be aware that abuse, neglect and safeguarding issues are rarely standalone events that can be given a specific label and multiple issues often overlap one another.
- **4.2** All staff members will be aware of the indicators of abuse and the appropriate action to take following a pupil being identified as at potential risk of abuse or neglect (more information relating to the definitions and indicators of abuse can be found in Appendix A).
- **4.3** All members of staff will be aware of the indicators of peer-on-peer abuse, such as those in relation to bullying, gender-based violence, sexual assaults and sexting (Youth Produced Sexual Imagery). More information can be found in Appendix A.
- **4.4** All staff will be aware of the necessary procedures to follow to prevent peer-on-peer abuse, as outlined in the school's Anti-Bullying SOP (more information and guidance can be found in Appendix A).
- **4.5** All staff will be aware of the behaviours linked to drug taking, alcohol abuse, truancy and sexting (Youth Produced Sexual Imagery), and will understand that these put pupils in danger.
- **4.6** Staff members will be aware of the effects of a pupil witnessing an incident of abuse, such as witnessing domestic violence at home, through liaison between school and the police https://www.operationencompass.org/

5. Contextual Safeguarding

- 5.1 Safeguarding incidents can occur outside of school and can be associated with outside factors. School staff, particularly the DSL and their deputy(s), will always consider the context of incidents - this is known as contextual safeguarding.
- **5.2** Assessment of pupils' behaviour will consider whether there are wider environmental factors that are a threat to their safety and/or welfare.
- **5.3** The School will provide as much contextual information as possible when making referrals to Children's Social Care Services (CSCS).
- **5.4** Contextual Safeguarding provides a framework for school staff to consider the risks to young people within the social environment which may create vulnerability to child exploitation (see Appendix A for more information on Child Sexual Exploitation and County Lines Criminal Exploitation).

6. Signs and Indicators of Abuse

- **6.1** Further information regarding the signs and indicators of abuse can be found in Appendix A.
- **6.2** Included within Appendix A is information regarding the definitions and indicators of Female Genital Mutilation, Forced Marriage, Child Sexual Exploitation, Homelessness, County Lines Criminal Activity, Serious Violence, Pupils with Family Members in Prison, Pupils Requested to give Evidence in Court, Preventing Radicalisation, Children Missing from Education, Allegations of Abuse Against Other Pupils (Peer on Peer abuse) and Upskirting.

7. Roles and responsibilities

7.1 The Trust Board and LGC have a duty to:

- Ensure that the School complies with its duties under the child protection and safeguarding legislation (See Legal Framework section 1).
- Guarantee that the policies, procedures and training opportunities in the School are effective and comply with the law.
- Guarantee that the School contributes to inter-agency working in line with the statutory guidance 'Working Together to Safeguard Children' (2019).
- Confirm that the School's safeguarding arrangements consider the procedures and practices of the Local Authority (LA) as part of the inter-agency safeguarding procedures.
- Understand the local criteria for action and the local protocol for assessment and ensure these are reflected in the school's policies and procedures.
- Comply with its obligations under section 14B of the Children Act 2004 to supply the local safeguarding arrangements with information to fulfil its functions.
- Refer all cases of suspected abuse to Children's Social Care Services (CSCS), the Local Authorities Designated Officer (LADO) for child protection concerns, the DBS, and the Police in cases where a crime has been committed.

- Ensure that staff members have due regard to relevant data protection principles which allow them to share personal information.
- Ensure that a member of the LGC is nominated to liaise with the LA and/or partner agencies on issues of child protection and in the event of allegations of abuse made against the Principal/Headteacher or another Governor.
- Guarantee that there are effective child protection policies and procedures in place together with a staff code of conduct.
- Ensure that there is a Trustee and a Governor in each school responsible for safeguarding arrangements.
- Appoint a member of staff from the Senior Leadership Team (SLT) to the role of DSL as an explicit part of the role-holder's job description.
- Appoint one or more deputy DSL(s) to provide support to the DSL and ensure that they are trained to the same standard as the DSL and that the role is explicit in their job description(s).
- Ensure all relevant persons are aware of the School's local safeguarding arrangements, including the LGC itself, the SLT and DSL.
- Make sure that pupils are taught about safeguarding, including protection against dangers online, through teaching and learning opportunities, as part of providing a broad and balanced curriculum.
- Adhere to statutory responsibilities by conducting pre-employment checks on staff who work with children, taking proportionate decisions on whether to ask for any checks beyond what is required.
- Ensure that staff members are appropriately trained to support pupils to be themselves at the School, e.g. if they are LGBTQ+.
- Guarantee that volunteers are appropriately supervised.
- Make sure that at least one person on any appointment panel has undertaken Safer Recruitment training.
- Ensure that all staff members receive safeguarding and child protection training updates, such as emails and staff meetings, as required, but at least annually.
- Certify that there are procedures in place to handle allegations against members of teaching staff, other staff, supply staff or volunteers, including transferable risk.
- Confirm that there are procedures in place to make a referral to the Disclosure and Barring Service (DBS) and the Teaching Regulation Agency (TRA), where appropriate, if a person in regulated activity has been dismissed or removed due to safeguarding concerns or would have been had they not resigned.
- Guarantee that there are procedures in place to handle pupils' allegations against other pupils.
- Ensure that appropriate disciplinary procedures are in place, as well as policies pertaining to the behaviour of pupils and staff.
- Ensure that procedures are in place to eliminate unlawful discrimination, harassment and victimisation, including those in relation to peer-on-peer abuse.
- Make sure that pupils' wishes and feelings are taken into account when determining what action to take and what services to provide to protect individual pupils.
- Guarantee that there are systems in place for pupils to express their views and give feedback.

- Establish an early help procedure and ensure all staff understand the procedure and their role in it.
- Appoint a designated teacher to promote the educational achievement of 'Looked After Children' (LAC) and ensure that this person has undergone appropriate training.
- Ensure that the designated teacher works with the virtual school head to discuss how the pupil premium funding can best be used to support LAC.
- Introduce mechanisms to assist staff in understanding and discharging their roles and responsibilities.
- Make sure that staff members have the skills, knowledge and understanding necessary to keep LAC safe, particularly with regards to the pupil's legal status, contact details and care arrangements.
- Put in place appropriate safeguarding responses for pupils who go missing from school, particularly on repeat occasions, to help identify any risk of abuse and neglect, including sexual abuse or exploitation, and prevent the risk of their disappearance in future.
- Ensure that all members of the LGC have been subject to an enhanced DBS check.
- Create a culture where staff are confident to challenge senior leaders over any safeguarding concerns.

7.2 The Principal/Headteacher has a duty to:

- Safeguard pupils' wellbeing and maintain public trust in the teaching profession.
- Ensure that the policies and procedures adopted by the governing body, particularly concerning referrals of cases of suspected abuse and neglect, are followed by staff members.
- Refer all cases of suspected abuse to Children's Social Care Services (CSCS), the Local Authorities Designated Officer (LADO) for child protection concerns, the DBS, and the Police in cases where a crime has been committed.
- Ensure that all staff (including temporary staff) and volunteers are informed of our systems as part of their induction. Upon induction: the Safeguarding and Child Protection Policy, Staff Code of Conduct, part one and Annex A of the 'Keeping Children Safe in Education' (KCSIE) guidance, Behaviour Policy, the Children Missing from Education Standard Operating Procedure (SOP), online safety training, the identity of the DSL and any deputies, the procedure for raising concern about an adult who works with children and the Whistleblowing guidance.
- Ensure that the DSL has appropriate time, funding, training and resources, and that there is always adequate cover if the DSL is absent.
- Acting as a 'Case Manager' in the event of an allegation of abuse made against another member of staff or volunteer, where appropriate.
- For Early Years providers and primary schools: ensure the relevant staffing ratios are met, where applicable.
- For Early Years providers: Make sure each child in the Early Years Foundation Stage is assigned a key person.

7.3 The DSL has a duty to:

• Understand, and keep up-to-date with, local safeguarding arrangements.

- Act as the main point of contact with the three safeguarding partners.
- Refer cases of radicalisation to the Channel programme.
- Liaise with the Principal/Headteacher to inform them of safeguarding issues, -especially ongoing enquiries under Section 47 of the Children Act 1989 and Police investigations.
- Liaise with the Designated Safeguarding Person (DSP) to ensure effective safeguarding outcomes.
- Act as a source of support, advice and expertise to staff members on matters of safeguarding by liaising with relevant agencies.
- Understand the assessment process for providing early help and intervention.
- Support staff members in liaising with other agencies and setting up inter-agency assessment where early help is deemed appropriate.
- Keep cases of early help under constant review and refer them to the CSCS if the situation does not appear to be improving.
- Have a working knowledge of how the local authority conduct a child protection case conference and a child protection review conference and be able to attend and contribute to these effectively when required to do so.
- Ensure each member of staff has access to and understands the school's Safeguarding and Child Protection Policy and procedures – this will be discussed during the staff induction process.
- Be alert to the specific requirements of children in need, including those with Special Educational Needs and Disabilities (SEND) and young carers.
- Keep detailed, accurate and secure records of concerns and referrals.
- Secure access to resources and attend any relevant training courses.
- Encourage a culture of listening to children and taking account of their wishes and feelings.
- Work with the governing body to ensure the school's Safeguarding and Child Protection Policy is reviewed annually and the procedures are updated regularly.
- Ensure the School's Safeguarding and Child Protection Policy is available publicly, and parents are aware that the school may make referrals for suspected cases of abuse or neglect, as well as the role the School plays in these referrals.
- Link with the local authority to make sure that staff members are aware of the training opportunities available and the latest local policies on safeguarding.
- Ensure that a pupil's child protection file is copied when transferring to a new school. The original file will transfer with the pupil to the new school. If a copy is retained by the school this will be archived until the pupil reaches the age of twenty five. Once the pupils place has been confirmed at the receiving school, information may be shared ahead of the student starting the school to ensure that the new school can make appropriate arrangements to support the student. The file will not be transferred until the pupil is taken on roll at the receiving school.
- Be available at all times during School hours to discuss any safeguarding concerns. NB: The school will determine what "available" means, e.g. it may be appropriate to be accessible by electronic means such as phone or Skype.
- Hold the details of the LA personal advisor and liaise with them as necessary.

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

7.5 All staff members have a responsibility to:

- Safeguard pupils' wellbeing and maintain public trust in the teaching profession as part of their professional duties.
- Provide a safe environment in which pupils can learn.
- Act in accordance with School procedures with the aim of eliminating unlawful discrimination, harassment and victimisation, including those in relation to peer-on-peer abuse.
- Maintain an attitude of 'it could happen here' where safeguarding is concerned.
- Be aware of the signs of abuse and neglect.
- Be aware of the early help process and understand their role in it.
- Act as the lead professional in undertaking an early help assessment, where necessary.
- Be aware of, and understand, the process for making referrals to CSCS, as well as for making statutory assessments under the Children Act 1989 and their role in these assessments.
- Be confident of the processing conditions under relevant data protection legislation, including information which is sensitive and personal, and information that should be treated as special category data.
- Make a referral to CSCS and/or the Police immediately, if at any point there is a risk of immediate serious harm to a child <u>https://www.npcc.police.uk/documents/Children%20and%20Young%20people/When%</u> 20to%20call%20the%20police%20guidance%20for%20schools%20and%20colleges.pdf
- Be aware of and understand the procedure to follow in the event that a child confides they are being abused or neglected.
- Support social workers in making decisions about individual children, in collaboration with the DSL.
- Maintain appropriate levels of confidentiality when dealing with individual cases, and always act in the best interest of the child.
- Follow the School's procedure for, and approach to, preventing radicalisation as outlined in the Extremism and Anti-Radicalisation SOP.
- Challenge Senior Leaders over any safeguarding concerns, where necessary.

8. Responding to Safeguarding Concerns

Responding to a concern about a Pupil

- **8.1** If a member of staff has a concern about the welfare of a child, they will act immediately by alerting the DSL in school or a deputy through the school's online safeguarding management system.
- 8.2 All staff members are aware of the procedure for reporting concerns and understand their

responsibilities in relation to confidentiality and information sharing, as outlined in section 12 of this policy.

- **8.3** Where the DSL is not available the information will be shared with the deputy Designated Safeguarding Lead (DDSL).
- 8.4 If both the DSL and the DDSL are unavailable the member of staff should notify the Headteacher/Principal or Deputy/Vice Principal. If all these members of staff are unavailable, a member of staff can make a referral to CSCS directly. This must then be reported to the DSL or DDSL as soon as possible.
- **8.5** The LA will make notify the DSL or DDSL of the action taken as a result of the referral. This will be within one working day.
- **8.6** If no response has been received within one working day the DSL or DDSL will contact the LA to obtain information relating to the outcome of the referral.
- **8.7** If the school does not agree with the action taken by the Local Authority, the LA escalation procedures will be followed.
- **8.8** If the LA suggest Early Help, the DSL and DDSL will monitor the progress of the case and will rerefer to CSC if necessary.
- **8.9** Referrals, communication and actions relating to the referral will be recorded on the school's online safeguarding management system.
- **8.10** If a pupil is in immediate danger, a telephone referral will be made to CSCS and/or the Police immediately. This will be followed up immediately, where necessary, by a written referral using the online portal as appropriate.
- **8.11** If a pupil has committed a crime, such as sexual violence, the Police will be notified without delay.
- **8.12** Where there are safeguarding concerns, the school will ensure that the pupil's wishes are always considered, and that there are systems available for pupils to provide feedback and express their views.
- **8.13** When responding to safeguarding concerns, staff members will act calmly and supportively, ensuring that the pupil feels like they are being listened to and believed.
- **8.14** If CSCS consider that the threshold has been met for a Section 17 or Section 47 Inquiry then an assessment will be undertaken by a social worker. This will establish the needs of the family and ensure that relevant agencies work together to provide appropriate and proportionate support.
- **8.15** If any teacher discovers that FGM has taken place or a pupil (under the age of 18) is at risk of FGM, the member of staff must immediately report this to the police, personally. This is a statutory duty, and teachers will face disciplinary actions for failing to meet it. Unless they have been specifically told not to disclose, the member of staff should also discuss the case with the DSL and involve CSC as appropriate.
- **8.16** Any member of staff who suspects a pupil is at risk of FGM or suspects that FGM has been carried out, must speak to the DSL and follow the safeguarding procedures.

9. Managing Referrals

9.1 The reporting and referral process outlined in Appendix B will be followed accordingly.

- **9.2** All staff members, in particular the DSL, will be aware of the LA's arrangements in place for managing referrals. The DSL will provide staff members with clarity and support where needed.
- **9.3.** When making a referral to CSCS or other external agencies, information will be shared in line with confidentiality requirements and will only be shared where necessary to do so.
- **9.4** The DSL will work alongside external agencies and maintain regular and relevant communication to ensure the wellbeing of pupils.
- **9.5** If a criminal investigation is instigated as a result of the referral, the DSL will work closely with the Police to ensure the school does not jeopardise any criminal proceedings. The DSL will support the police and the young person throughout the process.
- 9.6 Where a pupil has been harmed or is in immediate danger or at risk of harm, the referrer will be notified of the action that will be taken within one working day of a referral being made.
 Where this information is not forthcoming, the referrer will contact the assigned social worker for more information.
- **9.7** The School will not wait for the start or outcome of an investigation before protecting the victim and other pupils: this applies to criminal investigations as well as those made by CSCS.
- **9.8** Where CSCS decide that a statutory investigation is not appropriate, and the school do not agree with the decision made, the school will consider following the Local Authority Escalation Procedures.
- **9.9** Where CSCS decide that a statutory investigation is not appropriate and the school agrees with this decision, the school will consider the use of other support mechanisms, such as early help and pastoral support.
- **9.10** At all stages of the reporting and referral process, the pupil will be informed of the decisions made, actions taken and reasons for doing so.
- **9.11** Parents will be informed that a referral will be made to the appropriate agency unless doing so would put the pupil or others at risk of harm, for example, in the case of fabricated illness.
- **9.12** The School will work closely with pupils and parents to help them to understand the arrangements that have been put in place, such as in-school interventions, and will inform both pupils and parents where to access additional support.

10. Early Help

- **10.1** Early help means providing support as soon as a problem emerges, at any point in a child's life.
- **10.2** Any pupil may benefit from early help, but in particular staff will be alert to the potential need for early help for pupils who:
 - Have SEND (whether or not they have a statutory Education, Health and Care Plan (EHCP).
 - Are young carers.
 - Show signs of being drawn into anti-social or criminal behaviour, including gang involvement and association with organised crime groups.
 - Are frequently missing/going missing from care or from home.
 - Misuse drugs or alcohol.
 - Are at risk of modern slavery, trafficking or exploitation.

- Are in a family circumstance presenting challenges such as substance abuse, adult mental health problems or domestic abuse. Through Operation Encompass, the school and the police will work together to make sure that staff are made aware of an incident early enough to support pupils https://www.operationencompass.org/
- Are returned home to their family from care.
- Show early signs of abuse and/or neglect.
- Are at risk of being radicalised or exploited.
- Are privately fostered.
- **10.3** Early help will also be used to address non-violent harmful sexual behaviour to prevent escalation.
- **10.4** All staff will be made aware of the local early help process and understand their role in it.
- **10.5** The DSL will take the lead where early help is appropriate.

11. Inter-Agency Working

- **11.1** The School contributes to inter-agency working as part of its statutory duty.
- **11.2** The School is aware of and will follow the local safeguarding arrangements.
- **11.3** The School will work with CSCS, the Police, health services and other services to protect the welfare of its pupils, through the early help process and by contributing to inter-agency plans to provide additional support.
- 11.4 Where a need for early help is identified, the School will allow access for CSCS from the LA and, where appropriate, a placing LA, for that LA to conduct (or consider whether to conduct) a Section 17 or 47 assessment.
- **11.5** The School recognises the importance of proactive information sharing between professionals and local agencies to effectively meet pupils' needs and identify any need for early help.
- **11.6** Staff members are aware that whilst the GDPR and the Data Protection Act 2018 place a duty on schools and academies to process personal information fairly and lawfully, they also allow for information to be stored and shared for safeguarding purposes data protection regulations do not act as a barrier to sharing information where failure to do so would result in the pupil being placed at risk of harm.
- **11.7** Staff members will ensure that fear of sharing information does not stand in the way of their responsibility to promote the welfare and safety of pupils.
- **11.8** If staff members are in doubt about sharing information, they will speak to the DSL or deputy DSL.
- **11.9** The school also recognises the importance of inter-agency working in identifying and preventing child exploitation.

12. Private Fostering

- **12.1** Where the School becomes aware of a pupil being privately fostered, they will notify the LA as soon as possible to allow the LA to conduct any necessary checks.
- **12.2** The school will obtain parental contact details annually. Where possible the school will hold more than one contact for each pupil.

12.3 Information relating to Private Fostering will be displayed in school so that pupils and parents are aware of the requirement to inform school of private fostering arrangements.

13. Communication and Confidentiality

- **13.1** All child protection and safeguarding concerns will be treated in the strictest of confidence in accordance with school data protection policies.
- **13.2** Where there is an allegation or incident of sexual abuse or violence, the victim is entitled to anonymity by law; therefore, the School will consult its policy and agree what information will be disclosed to staff and others, in particular the alleged perpetrator and their parents.
- **13.3** Where a report of sexual violence or sexual harassment is progressing through the criminal justice system, the School will do all it can to protect the anonymity of the pupils involved in the case.
- **13.4** Concerns will only be reported to those necessary for its progression and reports will only be shared amongst staff members and with external agencies on a need-to-know basis.
- **13.5** During disclosure of a concern by a pupil, staff members will not promise the pupil confidentiality and will ensure that they are aware of what information will be shared, with whom and why.
- **13.6** Where it is in the public interest, and protects pupils from harm, information can be lawfully shared without the victim's consent, e.g. if doing so would assist the prevention, detection or prosecution of a serious crime.
- **13.7** Before doing so, the DSL will weigh the victim's wishes against their duty to protect the victim and others.
- **13.8** Where a referral is made against the victim's wishes, it is done so carefully with the reasons for the referral explained to the victim and specialist support offered.
- **13.9** The DSL will inform parents that a referral will be made unless doing so would put a pupil at risk of harm or jeopardise a potential Police investigation.
- **13.10** Discussion with the victim's parents will relate to the arrangements being put in place to safeguard the victim, with the aim of understanding their wishes in terms of support arrangements and the progression of the report.
- **13.11** In situations where the alleged perpetrator of abuse attends the same school as the victim, discussion with the alleged perpetrator's parents will take place regarding the arrangements that will impact their child, for example changing classes. The rationale for the decision will be explained to the parent along with providing information on the support that is available for the pupil.
- **13.12** External agencies will be invited to these discussions where necessary.
- **13.13** Where confidentiality or anonymity has been breached, the School will implement the appropriate disciplinary procedures as necessary and will analyse how damage can be minimised and future breaches be prevented.
- **13.14** Where a pupil is leaving the School, the DSL will consider whether it is appropriate to share any information with the pupil's new provider, in addition to the child protection file, that will allow the new provider to support the pupil and arrange appropriate support for their arrival.

13.15 Further details on information sharing can be found:

- In chapter one of Working Together to Safeguard Children, which includes a mythbusting guide to information sharing;
- At Information Sharing: Advice for Practitioners Providing Safeguarding Services to Children, Young People, Parents and Carers. The seven golden rules for sharing information will be especially useful and;
- At the Information Commissioner's Office (ICO), which includes ICO GDPR FAQs and guidance from the department.
- Timely information sharing is essential to effective safeguarding.
- Fears about sharing information must not be allowed to stand in the way of the need to promote the welfare, and protect the safety of children.
- The Data Protection Act (DPA) 2018 and GDPR do not prevent, or limit, the sharing of information for the purposes of keeping children safe.
- If staff need to share 'special category personal data', the DPA 2018 contains
 'safeguarding of children and individual's at risk' as a processing condition that allows
 practitioners to share information without consent if it is not possible to gain consent, it
 cannot be reasonably expected that a practitioner gains consent, or if to gain consent
 would place a child at risk.
- Staff should never promise a child that they will not tell anyone about a disclosure, as this may not be in the child's best interests if they are at risk or another person is at risk of harm.
- If a member of staff is ever in any doubt about sharing information, they should speak to the Designated Safeguarding Lead (or Deputy).

14. Pupils with SEND

- **14.1** The School recognises that pupils with SEND and disabilities can face additional safeguarding challenges and understands that further barriers may exist when determining abuse and neglect in this group of pupils.
- **14.2** Staff will be aware of the following:
 - Certain indicators of abuse, such as behaviour, mood and injury, may relate to the pupil's disability without further exploration; however, it should never be assumed that a child's indicators relate only to their disability.
 - Pupils with SEND can be disproportionally impacted by things like bullying, without outwardly showing any signs.
 - Communication barriers may exist, as well as difficulties in overcoming these barriers.
- **14.3** When reporting concerns or making referrals for pupils with SEND, the above factors will always be taken into consideration.
- **14.4** When managing a safeguarding issue relating to a pupil with SEND, the DSL will liaise with the school's SENCO, as well as the pupil's family where appropriate, to ensure that the pupil's needs are effectively met.

15. Concerns about Adults who work with children and Safeguarding Practice (including teachers and other staff, including supply teachers and volunteers)

- 15.1 If a staff member has concerns about another adult who may have behaved in a way that has harmed a child, or may have harmed a child; possibly committed a criminal offence against or related to a child; behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children; or behaved or may have behaved in a way that indicates they may not be suitable to work with children, it will be raised with the Principal/Headteacher. Where necessary the Headteacher will refer the concern to the Local Authority LADO for further investigation. This is regardless as to whether the alleged abuse did or did not take place directly in a trust school. Allegations against adults who are no longer linked to the school and historical allegations of abuse should also be referred to the police.
- **15.2** If the concern is with regards to the Principal/Headteacher, it will be referred to the Chair of Governors. Where necessary the Chair of Governors will refer the concern to the Local Authority LADO for further investigation.
- **15.3** Any concerns regarding the safeguarding practices at the School will be raised with the SLT, and the necessary whistleblowing procedures will be followed.
- 15.4 If a staff member feels unable to raise an issue with the SLT, they should access other whistleblowing channels such as the National Society for the Prevention of Cruelty to Children (NSPCC) whistleblowing helpline (0800 028 0285) or by email to <u>help@nspcc.org.uk</u>
- **15.5** Any allegations of abuse made against teachers and other staff, including supply teachers and volunteers will be dealt with in accordance with the school's Allegations of Abuse Against Adults Policy (including teachers and other staff, including supply teachers and volunteers) and may result in a referral to the Local Authority LADO.

16. Dealing with Allegations of Abuse Against Adults (including teaching staff, other staff, supply teachers and volunteers)

- **16.1** All allegations will be dealt with in line with the school's Allegations of Abuse Against Adults Policy which takes account of the guidance provided in the Local Authority LADO procedures.
- **16.2** Where the LADO process finds the allegation to be substantiated, and the individual is dismissed or resigns, the school will refer the case to the DBS. They will also consider referring the matter to the TRA for consideration for a prohibition order.
- **16.3** If a case manager is concerned about the welfare of other children in the community following a staff member's suspension, they may report this concern to CSCS.
- **16.4** The School and trust will preserve records which contain information about allegations of sexual abuse for the Independent Inquiry into Child Sexual Abuse (IICSA), for the term of the inquiry in question.

17. E-Safety and use of Cameras and Mobile Phones

Online Safety

Please refer to Trust's 'Online Learning Support' Addendum

- **17.1** As part of a broad and balanced curriculum, all pupils will be made aware of online risks and taught how to stay safe online. The E-Safety Policy provides detailed guidance on how the school supports pupils and staff in keeping safe online.
- **17.2** Through training, all staff members will be made aware of the following:
 - Pupil attitudes and behaviours which may indicate they are at risk of potential harm online
 - The procedure to follow when they have a concern regarding a pupil's online activity
- **17.3** The School will ensure that suitable filtering systems are in place to prevent children accessing terrorist and extremist material.
- **17.4** The use of mobile phones by staff and pupils is closely monitored by the School. Where staff and volunteers are using their own device, they must complete the school 'Bring Your Own Device Policy'.
- **17.5** The school will ensure that the use of filtering and monitoring systems does not cause "over blocking" which may lead to unreasonable restrictions as to what pupils can be taught regarding online teaching.

Mobile Phone and Camera Safety

- **17.6** Staff members will not use personal mobile phones or cameras when pupils are present.
- **17.7** Staff may use mobile phones on school premises outside of working hours when no pupils are present.
- **17.8** Staff may use mobile phones in the staffroom during breaks and non-contact time.
- **17.9** Mobile phones will be safely stored and in silent mode whilst pupils are present.
- **17.10** Staff will use their professional judgement in emergency situations.
- **17.11** Staff may take personal mobile phones on trips, but they must only be used in emergencies and should not be used when pupils are present. School Mobile phones will be used to make contact with school, members of staff or parents where necessary. This will be in line with the guidance provided.
- **17.12** Mobile devices will not be used to take images or videos of pupils or staff in any circumstances.
- **17.13** The sending of inappropriate messages or images from mobile devices is strictly prohibited.
- **17.14** Staff who do not adhere to this policy will face disciplinary action.
- **17.15** ICT technicians and the e-safety officer will review and authorise any downloadable apps no apps or programmes will be downloaded without express permission from an ICT technician or the e-safety officer.
- **17.16** The School will adhere to the terms of the E-Safety SOP at all times.
- **17.17** Photographs and videos of pupils will be carefully planned before any activity with particular regard to consent.

- **17.18** The school/academy's Data Protection Nominated Representative will oversee the planning of any events where photographs and videos will be taken.
- **17.19** Where photographs and videos will involve LAC pupils, adopted pupils, or pupils for whom there are security concerns, the Principal/Headteacher will liaise with the DSL to determine the steps involved.
- **17.20** The DSL will, in known cases of a pupil who is a LAC or who has been adopted, liaise with the pupil's social worker, carers or adoptive parents to assess the needs and risks associated with the pupil.
- **17.21** Staff will report any concerns about another staff member's use of mobile phones to the DSL, following the procedures outlined in the Safeguarding and Child Protection Policy and the Allegations of Abuse Against Adults Policy (including teaching staff, other staff, supply teachers and volunteers).

Upskirting

- **17.22** Under the Voyeurism (Offences) Act 2019, it is an offence to operate equipment and to record an image beneath a person's clothing without consent and with the intention of observing, or enabling another person to observe, the victim's genitals or buttocks (whether exposed or covered with underwear), in circumstances where their genitals, buttocks or underwear would not otherwise be visible, for a specified purpose.
- **17.23** A "specified purpose" is namely:
 - Obtaining sexual gratification (either for themselves or for the person they are enabling to view the victim's genitals, buttocks or underwear).
 - To humiliate, distress or alarm the victim.
- **17.24** "Operating equipment" includes enabling, or securing, activation by another person without that person's knowledge, e.g. a motion activated camera.
- **17.25** Upskirting will not be tolerated by the School.
- **17.26** Any incidents of upskirting will be reported to the DSL and the police will be notified as this is a criminal offence.

18. Safe Recruitment and Retention

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

- **18.1** An enhanced DBS check with barred list information will be undertaken for all staff members engaged in regulated activity. A person will be considered to be in 'regulated activity' if, as a result of their work, they:
 - Will be responsible, on a regular basis in a school, for teaching, training, instructing, caring for or supervising children; or
 - Will carry out paid, or unsupervised unpaid, work regularly in the school where that work provides an opportunity for contact with children; or

- Engage in intimate or personal care or overnight activity, even if this happens only once.
- **18.2** The DfE's <u>LA Workforce Guides</u> will be consulted when determining whether a position fits the child workforce criteria.

Pre-employment checks

- **18.3** The Local Governing Committee will assess the suitability of prospective employees by:
 - Verifying the candidate's identity in line with the Disclosure and Barring Service requirements.
 - Obtaining a certificate for an enhanced DBS check with barred list information where the person will be engaged in regulated activity. An online update check may be undertaken through the DBS update service if an applicant has subscribed to it and gives their permission. In all circumstances, the original certificate must be seen.
 - Obtaining a separate barred list check if an individual will start work in regulated activity before the DBS certificate is available. In such circumstances, a written risk assessment must be completed and authorised by the Headteacher. In addition, all other preemployment checks must have been completed and appropriate supervision arrangements in place.
 - Checking that a candidate to be employed in teaching activity is not subject to a prohibition order issued by the Secretary of State, using the <u>TRA Teacher Services'</u> <u>System</u>.
 - Verifying the candidate's mental and physical fitness to undertake their working responsibilities, including asking relevant questions about disability and health to establish whether they have the physical and mental capacity for the specific role.
 - Checking the person's right to work in the UK. If there is uncertainty about whether an individual needs permission to work in the UK, the advice set out on the <u>Gov.UK</u> website will be followed.
 - If the person has lived or worked outside the UK, making any further checks that the school considers appropriate; this may include overseas criminal checks, obtaining a certificate of good conduct, overseas references and checking for any teacher sanctions or restrictions that an European Economic Area (EEA) professional regulating authority has imposed.
 - Checking professional experience, Qualified Teacher Status (QTS) and qualifications as appropriate using Teacher Services.
 - Confirming that an individual taking up a management position is not subject to a prohibition from management, section 128 direction, made by the Secretary of State.

European Economic Area (EEA) regulating authority teacher sanctions or restrictions

18.4 From 01/01/2021 the Teaching Regulation Agency (TRA) Teacher Services system will no longer maintain a list of those teachers who have been sanctioned in EEA member states. Individuals' who have lived and worked outside the UK must undergo the same checks as all

other staff in schools and colleges. This includes obtaining (via the applicant) an enhanced DBS certificate (including barred list information, for those who will be engaging in regulated activity) even if the individual has never been to the UK. In addition, schools and colleges must make any further checks they think are appropriate so that any relevant events that occurred outside of the UK can be considered. These checks could include, where available:

- <u>Criminal records checks for overseas applicants</u> Home Office Guidance can be found on <u>GOV.UK</u> and for teaching positions.
- Obtaining a letter of professional standing from the professional regulating authority in the country in which the applicant has worked. Advice about which regulatory or professional body applicants should contact is available from the National Recognition Information Centre for the United Kingdom, <u>UK NARIC</u>.
- 18.5 Where available, such evidence can be considered together with information obtained through other pre-appointment checks to help assess their suitability. Where this information is not available schools and colleges should seek alternative methods of checking suitability and/or undertake a risk assessment that supports informed decision making on whether to proceed with the appointment. Although sanctions and restrictions imposed by another regulating authority do not prevent a person from talking up teaching positions in England, schools do not to consider the circumstances that led to the restriction or sanction being imposed when considering a candidates suitability for employment.
- **18.6** Some overseas qualified teachers can apply to the Teaching Regulation Agency (TRA) for the award of qualified teacher status (QTS) in England.

References

- **18.7** References will be obtained directly from referees and scrutinised, with all concerns satisfactorily resolved prior to confirmation of employment.
- **18.8** References will only be accepted from a senior person and not from a colleague.
- **18.9** References will be sought on all short-listed candidates, including internal ones, before an interview and checked on receipt to ensure that all specific questions were answered satisfactorily.
- **18.10** References will be obtained prior to interviews taking place and discussed during interviews.
- **18.11** Open testimonials will not be considered.
- **18.12** Information about past disciplinary actions or allegations will be considered carefully when assessing an applicant's suitability for a post.
- **18.13** Information sourced directly from a candidate or online source will be carefully vetted to ensure they originate from a credible source.

Internal Candidates

18.14 References from internal candidates will always be scrutinised before appointment.

Initial Teacher Training (ITT) Candidates

- **18.15** York St John University the Trust ITT provider, ensures all required checks are carried out including an enhanced DBS checks with barred list information. Written confirmation will be obtained to ensure that all required checks are carried out including an enhanced DBS certificate and barred list check for all fee-funded trainees.
- **18.16** ITT students liaise directly with individual schools regarding their DBS number for the school central record.

Trust Governance

18.17 The Trust requires enhanced DBS checks on all members of the School Trust. This includes individual Members/charity trustees/Governors, including the chair of the board of trustees and the chair of the Governors. Before an individual becomes a trustee or Governor, the School will carry out an enhanced DBS check and confirm their identity and right to work in the UK. Where a trustee or Governor also engages in regulated activity, a barred list check will also be requested. An additional check is required for those in management positions, to ensure that they are not prohibited under section 128 provisions. Where a barred list check has been performed, the section 128 direction will also be shown and will not require a separate check. If the individual lives or has lived outside of the UK, consideration will be given as to further checks that may be necessary.

Volunteers

- **18.18** Safer recruitment principles will apply to all volunteers, therefore, no volunteer will be left unsupervised with a pupil or allowed to work in regulated activity until all necessary checks have been obtained.
- **18.19** An enhanced DBS certificate with barred list check will be obtained for all new volunteers in regulated activity that will regularly teach or look after children on an unsupervised basis or provide personal care on a one-off basis.
- **18.20** Personal care includes helping a child with eating and drinking for reasons of illness, or care in connection with toileting, washing, bathing and dressing for reasons of age, illness or disability.
- **18.21** A supervised volunteer who regularly teaches or looks after children is not in regulated activity.
- **18.22** The School will obtain an enhanced DBS certificate with barred list check for existing volunteers that provide pastoral care.
- **18.23** Unless there is cause for concern, the School will not request any new DBS certificates with barred list check for existing volunteers that have already been checked.
- **18.24** A risk assessment will be undertaken for volunteers not engaged in regulated activity when deciding whether to seek an enhanced DBS check.

Associate Members

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

Contractors

- **18.26** The School will ensure that any contractor or employee of the contractor working on the premises has been subject to the appropriate level of DBS check.
- **18.27** Checks will be conducted to ensure that the contractor presenting themselves for work is the same person on whom the checks have been made.
- **18.28** Contractors without a DBS check will be supervised if they will have contact with children. The identity of the contractor will be checked upon their arrival at the School.

Data retention

- **18.29** A copy of the DBS certificate will only be made in exceptional circumstances and will be securely destroyed as soon as practicable, but not retained for longer than six months from receipt.
- **18.30** A copy of the other documents used to evidence safer recruitment processes including to verify the successful candidate's identity, right to work and required qualifications will be kept for the personnel file. The personnel file will be held for the duration of the employee's employment plus six years.

Referral to the DBS

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

Ongoing Suitability

18.32 Following appointment, consideration will be given to staff and volunteers' ongoing suitability - to prevent the opportunity for harm to children or placing children at risk. Where appropriate, probation periods will apply. Should concerns arise about the suitability, new checks will be undertaken in line with guidance set out in DfE Keeping Children Safe in Education 2020.

19. Single Central Record (SCR)

- **19.1** The School and Trust keep an SCR which records all staff, including supply staff and teacher trainees on salaried routes, who work at the School and the date each check was completed.
- **19.2** All members of the proprietor body are also recorded on the SCR.
- **19.3** The following information is recorded on the SCR:
 - An identity check.
 - A barred list check.
 - An enhanced DBS check.
 - A prohibition from teaching check.
 - A section 128 check.

- A check of professional qualifications and status.
- A check to determine the individual's right to work in the UK.
- Additional checks for those who have lived or worked outside of the UK.
- **19.4** For agency and third-party supply staff, the school will also record whether written confirmation from the employment business supplying the member of staff has been received which indicates that all of the necessary checks have been conducted and the date that confirmation was received.
- **19.5** If any checks have been conducted for volunteers, this will also be recorded on the SCR.
- **19.6** If risk assessments are conducted to assess whether a volunteer should be subject to an enhanced DBS check, the risk assessment will be recorded.

20. Alternative Provision

- **20.1** The School will remain responsible for a pupil's welfare during their time at an alternative provider.
- **20.2** When placing a pupil with an alternative provider, the school will obtain written confirmation that the provider has conducted all relevant safeguarding checks on staff.

21. Work Experience

- **21.1** When a pupil is sent on work experience, the school will ensure that the provider has appropriate safeguarding policies and procedures in place.
- **21.2** Where the School has pupils conduct work experience at the School, an enhanced DBS check will be obtained if the pupil is over the age of 16.

22. Homestay Exchange Visits

School-Arranged Homestays in UK

- **22.1** Where the School is arranging for a visiting child to be provided with care and accommodation in the UK in the home of a family to which the child is not related, the responsible adults are considered to be in regulated activity for the period of the stay.
- **22.2** In such cases, the School is the regulated activity provider; therefore, the School will obtain all the necessary information required, including a DBS enhanced certificate with barred list information, to inform its assessment of the suitability of the responsible adults.
- **22.3** Where criminal record information is disclosed, the School will consider, alongside all other information, whether the adult is a suitable host.
- **22.4** In addition to the responsible adults, the School will consider whether a DBS enhanced certificate should be obtained for anyone else aged over 16 in the household.

School-Arranged Homestays Abroad

22.5 The School will liaise with partner schools to discuss and agree the arrangements in place for the visit.

- **22.6** The School will consider, on a case-by-case basis, whether to contact the relevant foreign embassy or High Commission of the country in question to ascertain what checks may be possible in respect of those providing homestay outside of the UK.
- **22.7** The School will use its professional judgement to assess whether the arrangements are appropriate and sufficient to safeguard every child involved in the exchange.
- **22.8** Pupils will be provided with emergency contact details to use where an emergency occurs or a situation arises that makes them feel uncomfortable.

Privately Arranged Homestays

22.9 Where a parent or pupil arranges their own homestay, this is a private arrangement and the School is not the regulated activity provider.

23. Sports Clubs and Extracurricular Activities

- **23.1** Clubs and extracurricular activities hosted by external bodies, e.g. charities or companies, will work in collaboration with the school to effectively safeguard pupils and adhere to local safeguarding arrangements.
- **23.2** Paid and volunteer staff running sports clubs and extracurricular activities are aware of their safeguarding responsibilities and promote the welfare of pupils.
- 23.3 Paid and volunteer staff understand how they should respond to child protection concerns and how to make a referral to CSCS or the Police, if necessary (please refer to <u>https://www.npcc.police.uk/documents/Children%20and%20Young%20people/When%20to</u> %20call%20the%20police%20guidance%20for%20schools%20and%20colleges.pdf
- **23.4** All national governing bodies of sport that receive funding from either Sport England or UK Sport, must aim to meet the Standards for Safeguarding and Protecting Children in Sport.

24. Training

- **24.1** Staff members will undergo safeguarding and child protection training at induction, which will be regularly updated on a termly basis or whenever there is a change in legislation.
- **24.2** The induction training will cover:
 - The Safeguarding and Child Protection Policy.
 - The Behaviour Policy.
 - The Staff Code of Conduct.
 - The identity of the DSL and any deputies.
 - The role of the DSL and deputy DSLs.
 - All staff members will also receive regular safeguarding and child protection updates as required, but at least annually.
- **24.3** Training will cover, at a minimum:
 - The issues surrounding sexual violence and sexual harassment.
 - Contextual safeguarding.
 - Child criminal exploitation and the need to refer cases to the National Referral Mechanism.

- **24.4** Staff will receive opportunities to contribute towards and inform the safeguarding arrangements in the School.
- **24.5** The DSL and deputy DSL will undergo updated child protection training specific to their role every two years. They will also attend additional training to refresh their skills and knowledge at regular intervals (at least annually) to allow them to keep up-to-date with any developments relevant to their role.
- **24.6** The DSL and deputy DSL will also undergo biennial Prevent awareness training which will enable them to understand and support the school with regards to the Prevent duty and equip them with the knowledge needed to advise staff.
- **24.7** The DSL and their deputy(s) will undergo online safety training to help them recognise the additional risks that pupils with SEND face online, for example, from online bullying, grooming and radicalisation, to ensure they have the capability to support pupils with SEND to stay safe online.
- **24.8** All staff will receive face to face Basic Safeguarding Awareness Training at least every three years.
- **24.9** All staff will receive training in relation to the Prevent Duty.
- 24.10 All staff will receive E-Safety training.
- **24.11** The Designated Governor will receive training specific to the role of the Designated Governor every two years.
- **24.12** The Headteacher and Chair of Governors will be trained in Safer Recruitment and will be present on each interview panel.

25. Monitoring and Review

This policy is reviewed annually by the Trust Board.

Any changes made to this policy by the Trust's Standards Committee will be communicated to all members of staff.

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

The next scheduled review date for this policy is listed on the cover page of the policy.

APPENDIX A

Signs and Indicators of Abuse

i. Female Genital Mutilation (FGM)

For the purpose of this policy, FGM is defined as the partial or total removal of the external female genitalia, or any other injury to the female genital organs.

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

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

Teaching staff are **legally required** to report to the Police any discovery, whether through disclosure by the victim or visual evidence, of FGM on a girl under the age of 18. Teachers failing to report such cases will face disciplinary action.

There are a range of potential indicators that a pupil may be at risk of FGM. While individually they may not indicate risk, if two or more indicators are present, this could signal a risk to the pupil.

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

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

- The socio-economic position of the family and their level of integration into UK society;
- Any girl with a mother or sister who has been subjected to FGM;
- Any girl withdrawn from Personal, Social, Health and Economic (PSHE).

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

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

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

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

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

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

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

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

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

ii. Forced Marriage

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

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

- Becoming anxious, depressed and emotionally withdrawn with low self-esteem;
- Showing signs of mental health disorders and behaviours such as self-harm or anorexia;
- Displaying a sudden decline in their educational performance, aspirations or motivation;
- Regularly being absent from school;
- Displaying a decline in punctuality;
- An obvious family history of older siblings leaving education early and marrying early.

If staff members have any concerns regarding a child who may have undergone, is currently undergoing, or is at risk of, forced marriage, they will speak to the DSL and local safeguarding procedures will be followed – this could include referral to CSCS, the Police or the Forced Marriage Unit.

iii. Child Sexual Exploitation (CSE)

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

- In exchange for something the victim needs or wants.
- For the financial advantage or increased status of the perpetrator or facilitator.

CSE does not always involve physical contact, as it can also occur online. It is also important to note that a child can be sexually exploited even if the sexual activity appears consensual.

The Trust has adopted the following procedure for handling cases of CSE, as outlined by the DfE:

Identifying Cases

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

- Going missing for periods of time or regularly going home late
- Regularly missing lessons
- Appearing with unexplained gifts and new possessions
- Associating with other young people involved in exploitation
- Having older boyfriends or girlfriends
- Undergoing mood swings or drastic changes in emotional wellbeing
- Displaying inappropriate sexualised behaviour
- Suffering from sexually transmitted infections or becoming pregnant
- Displaying changes in emotional wellbeing
- Misusing drugs or alcohol

Referring Cases

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

Support

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

iv. Homelessness

The DSL and DSP(s) will be aware of the contact details and referral routes in to the local area housing authority so that concerns over homelessness can be raised as early as possible.

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

- Household debt.
- Rent arrears.
- Domestic abuse.
- Anti-social behaviour.
- Any mention of a family moving home because "they have to".

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

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

v. County Lines Criminal Activity

For the purpose of this policy, **"County lines criminal activity"** refers to drug networks or gangs grooming and exploiting children to carry drugs and money from urban areas to suburban areas, rural areas and market and seaside towns.

Staff will be made aware of pupils with missing episodes who may have been trafficked for the purpose of transporting drugs.

Staff members who suspect a pupil may be vulnerable to, or involved in, this activity will immediately report all concerns to the DSL.

The DSL will consider referral to the National Referral Mechanism on a case-by-case basis.

Indicators that a pupil may be involved in county lines active include the following:

- Persistently going missing or being found out of their usual area.
- Unexplained acquisition of money, clothes or mobile phones.
- Excessive receipt of texts or phone calls.
- Relationships with controlling or older individuals or groups.
- Leaving home without explanation.
- Evidence of physical injury or assault that cannot be explained.
- Carrying weapons.
- Sudden decline in School results.
- Becoming isolated from peers or social networks.
- Self-harm or significant changes in mental state.
- Parental reports of concern.

vi. Serious Violence

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

- Increased absence from school.
- A change in friendships.
- New relationships with older individuals or groups.
- A significant decline in academic performance.
- Signs of self-harm.
- A significant change in wellbeing.
- Signs of assault.
- Unexplained injuries.
- Unexplained gifts or new possessions.

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

- A history of committing offences.
- Substance abuse.
- Anti-social behaviour.
- Truancy.
- Peers involved in crime and/or anti-social behaviour.

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

vii. Pupils with Family Members in Prison

Pupils with a family member in prison will be offered pastoral support as necessary.

They will receive a copy of '<u>Are you a young person with a family member in prison</u>' from Action for Prisoners'. Families where appropriate and allowed the opportunity to discuss questions and concerns.

viii. Pupils Required to Give Evidence in Court

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

Pupils will also be provided with the booklet '<u>Going to Court and being a witness</u>' from HM Courts & Tribunals Service (HMCTS) where appropriate and allowed the opportunity to discuss questions and concerns.

ix. Preventing Radicalisation

For the purpose of this policy, **"radicalisation"** refers to the process by which a person comes to support terrorism and extremist ideologies.

Protecting children from the risk of radicalisation is part of the school's wider safeguarding duties.

The School will actively assess the risk of pupils being drawn into terrorism.

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

Staff will use their professional judgement to identify pupils who may be at risk of radicalisation and act appropriately, which may include making a referral to the Channel programme. The School will work with local authority safeguarding arrangements as appropriate.

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

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

Training

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

Risk Indicators of Vulnerable Pupils

Indicators of an identity crisis include the following:

- Distancing themselves from their cultural/religious heritage.
- Uncomfortable with their place in society.

Indicators of a personal crisis include the following:

• Family tensions.

- A sense of isolation.
- Low self-esteem.
- Disassociation from existing friendship groups.
- Searching for answers to questions about identity, faith and belonging.

Indicators of vulnerability through personal circumstances includes the following:

- Migration.
- Local community tensions.
- Events affecting their country or region of origin.
- Alienation from UK values.
- A sense of grievance triggered by personal experience of racism or discrimination.

Indicators of vulnerability through unmet aspirations include the following:

- Perceptions of injustice.
- Feelings of failure.
- Rejection of civic life.

Making a Judgement

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

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

- Is the pupil the victim of social isolation?
- Does the pupil demonstrate a simplistic or flawed understanding of religion or politics?
- Is the pupil a foreign national or refugee, or awaiting a decision on their/their family's immigration status?
- Does the pupil have insecure, conflicted or absent family relationships?
- Has the pupil experienced any trauma in their lives, particularly trauma associated with war or sectarian conflict?
- Is there evidence that a significant adult or other person in the pupil's life has extremist views or sympathies?

Critical indicators include where the pupil is:

- In contact with extremist recruiters.
- Articulating support for extremist causes or leaders.
- Accessing extremist websites.
- Possessing extremist literature.
- Using extremist narratives and a global ideology to explain personal disadvantage.
- Justifying the use of violence to solve societal issues.
- Joining extremist organisations.
- Making significant changes to their appearance and/or behaviour.

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

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

Channel Programme

Safeguarding children is a key role for both the school and the LA, which is implemented using the Channel programme. This service shall be used where a vulnerable pupil is at risk of being involved in terrorist activities.

In cases where the School believes a pupil is potentially at serious risk of being radicalised, the DSL will contact the Channel programme.

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

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

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

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

Building Children's Resilience

The school will:

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

Resources

The School will utilise the following resources when preventing radicalisation:

- Local safeguarding arrangements.
- Local Police (contacted via 101 for non-emergencies).
- The DfE's dedicated helpline (020 7340 7264).
- The Channel awareness programme.
- The <u>Educate Against Hate</u> website.

x. A Child Missing from Education

A child going missing from School, can be a warning sign of a range of safeguarding issues. This might include abuse or neglect, such as sexual abuse or exploitation or child criminal exploitation, or issues such as mental health problems, substance abuse, radicalisation, FGM or forced marriage.

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

- Are at risk of harm or neglect
- Are at risk of forced marriage or FGM
- Come from Gypsy, Roma or traveller families
- Come from families of service personnel
- Go missing or run away from home or care
- Are supervised by the youth justice system
- Cease to attend a school
- Come from new migrant families.

Staff will monitor pupils that go missing from the School, particularly on repeat occasions, and report them to the DSL following normal safeguarding procedures, in accordance with the Children Missing Education SOP.

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

Admissions Register

Pupils are placed on the admissions register at the beginning of the first day that is agreed by the School, or when the school has been notified that the pupil will first be attending.

The School will notify the LA within five days of when a pupil's name is added to the admissions register.

The School will ensure that the admissions register is kept up-to-date and accurate and will inform parents when any changes occur.

Two emergency contact details will be held for each pupil where possible.

Staff will monitor pupils who do not attend the school on the agreed date and will notify the LA at the earliest opportunity.

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

- The full name of the parent with whom the pupil will live.
- The new address.
- The date from when the pupil will live at that address.

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

- The name of the new school.
- The date on which the pupil first attended, or is due to attend, that school.

Where a pupil moves to a new school, the School will use a secure internet system to securely transfer pupils' data.

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

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

School will also remove a pupil from the admissions register where the School and LA have been unable to establish the pupil's whereabouts after making reasonable enquiries into their attendance.

If a pupil is to be removed from the admissions register, the School will provide the LA with the following information:

- The full name of the pupil.
- The full name and address of any parent with whom the pupil lives.
- At least one telephone number of the parent with whom the pupil lives.

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

The School will work with the LA to establish methods of making returns for pupils back into the School.

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

The School will also highlight any other necessary contextual information including safeguarding concerns.

xi. Allegations of Abuse Against Other Pupils (Peer-On-Peer Abuse)

Sexual Harassment

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

- Using sexually explicit words and phrases;
- Inappropriate touching;
- Sexual violence or threats;
- Full penetrative sex with other children or adults.

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

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

Sexual harassment refers to unwanted conduct of a sexual nature that occurs online or offline. Sexual harassment violates a pupil's dignity and makes them feel intimidated, degraded or humiliated, and can create a hostile, sexualised or offensive environment. If left unchallenged, sexual harassment can create an atmosphere that normalises inappropriate behaviour and may lead to sexual violence.

Sexual harassment includes:

- Sexual comments.
- Sexual "jokes" and taunting.
- Physical behaviour, such as deliberately brushing against another pupil.
- Online sexual harassment, including non-consensual sharing of images and videos and sharing of sexual images and videos (often known as sexting), inappropriate comments on social media, exploitation, coercion and threats – online sexual harassment may be isolated or part of a wider pattern.
- Bullying, including Cyber-bullying
- Upskirting
- Abuse within intimate partner relationships

Sexual Violence

Sexual violence refers to the three following offences:

- **Rape:** A person (A) commits an offence of rape if he intentionally penetrates the vagina, anus or mouth of another person (B) with his penis, B does not consent to the penetration and A does not reasonably believe that B consents.
- Assault by Penetration: A person (A) commits an offence if s/he intentionally penetrates the vagina or anus of another person (B) with a part of her/his body or anything else, the penetration is sexual, B does not consent to the penetration and A does not reasonably believe that B consents.
- Sexual Assault: A person (A) commits an offence of sexual assault if s/he intentionally touches another person (B), the touching is sexual, B does not consent to the touching and A does not reasonably believe that B consents.

Harmful sexual behaviours

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

- Using sexually explicit words and phrases.
- Inappropriate touching.
- Sexual violence or threats.
- Full penetrative sex with other children or adults.
- Sexual interest in adults or children of very different ages to their own.
- Forceful or aggressive sexual behaviour.
- Compulsive habits.
- Sexual behaviour affecting progress and achievement.
- Using sexually explicit words and phrases.
- Inappropriate touching.
- Sexual violence or threats.
- Abuse within intimate partner relationships.

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

A Preventative Approach

To prevent abuse and address the wider societal factors that can influence behaviour, the School will educate pupils about abuse, its forms and the importance of discussing any concerns and respecting others through the curriculum, assemblies and PSHE lessons.

The School will also ensure that pupils are taught about safeguarding, including online safety, as part of a broad and balanced curriculum in PSHE lessons, Relationships and Sex Education (RSE) and group sessions. Such content will be age and stage of development specific, and tackle issues such as the following:

- Healthy relationships.
- Respectful behaviour.
- Gender roles, stereotyping and equality.
- Body confidence and self-esteem.

- Prejudiced behaviour.
- That sexual violence and sexual harassment is always wrong.
- Addressing cultures of sexual harassment.

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

Awareness

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

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

All staff will be made aware of the heightened vulnerability of pupils with SEND, who are three times more likely to be abused than their peers. Staff will not assume that possible indicators of abuse relate to the pupil's SEND and will always explore indicators further.

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

The School's response to boy-on-boy and girl-on-girl sexual violence and sexual harassment will be equally as robust as it is for incidents between children of the opposite sex.

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

Support available if a child has been harmed, is in immediate danger or at risk of harm.

If a child has been harmed, is in immediate danger or is at risk of harm, a referral will be made to CSCS.

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

Support available if early help, section 17 and/or section 47 statutory assessments are appropriate

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

Support available if a crime may have been committed

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

https://www.npcc.police.uk/documents/Children%20and%20Young%20people/When%20to%20call%20 the%20police%20guidance%20for%20schools%20and%20colleges.pdf

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

The School has a close relationship with the local Police force and the DSL will liaise closely with the local Police presence.

Support available if reports include online behaviour

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

If the incident involves sexual images or videos held online, the <u>Internet Watch Foundation</u> will be consulted to have the material removed.

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

In cases of sexting (where sexual images have been shared), the following process should be followed:

- The incident should be referred to the DSL as soon as possible.
- The DSL should hold an initial review meeting with appropriate school staff.
- There should be subsequent interviews with the young people involved (if appropriate).
- Parents should be informed at an early stage and involved in the process unless there is good reason to believe that involving parents would put the young person at risk of harm.
- At any point in the process if there is a concern a young person has been harmed or is at risk of harm, a referral should be made to children's social care and the Police immediately.

https://www.npcc.police.uk/documents/Children%20and%20Young%20people/When% 20to%20call%20the%20police%20guidance%20for%20schools%20and%20colleges.pdf. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachm ent data/file/759007/6 2939 SP NCA Sexting In Schools FINAL Update Jan17.pdf

Managing Disclosures

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

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

Where an alleged incident took place away from the School or online but involved pupils from the School, the School's duty to safeguard pupils remains the same.

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

- Never promising confidentiality at the initial stage.
- Only sharing the report with those necessary for its progression.
- Explaining to the victim what the next steps will be and who the report will be passed to.
- Recognising that the person the child chose to disclose the information to is in a position of trust.
- Being clear about boundaries and how the report will be progressed.
- Not asking leading questions and only prompting the child with open questions.

- Waiting until the end of the disclosure to immediately write a thorough summary. If notes must be taken during the disclosure, it is important to still remain engaged and not appear distracted.
- Only recording the facts as the child presents them not the opinions of the note taker.
- Where the report includes an online element, being aware of searching, screening and confiscation advice and (UK Council for Child Internet Safety) <u>UKCCIS sexting advice</u>.
- Wherever possible, managing disclosures with two staff members present (preferably with the DSL or a deputy as one of the staff members).
- Informing the DSL or deputy as soon as possible after the disclosure if they could not be involved in the disclosure.

The DSL will be informed of any allegations of abuse against pupils with SEND. They will record the incident on the school's online safeguarding management system and, working with the SENCO, decide what course of action is necessary, with the best interests of the pupil in mind.

Confidentiality

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

The DSL will consider the following when making confidentiality decisions:

- Parents will be informed unless it will place the victim at greater risk.
- If a child is at risk of harm, is in immediate danger or has been harmed, a referral will be made to CSCS.
- Rape, assault by penetration and sexual assaults are crimes reports containing any such crimes will be passed to the Police <u>https://www.npcc.police.uk/documents/Children%20and%20Young%20people/When%</u> <u>20to%20call%20the%20police%20guidance%20for%20schools%20and%20colleges.pdf</u>

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

Anonymity

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

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

Risk assessment

The DSL or a deputy will make an immediate risk and needs assessment any time there is a report of sexual violence. For reports of sexual harassment, a risk assessment will be considered on a case-by-case basis. Risk assessments are not intended to replace the detailed assessments of experts, and for incidents of sexual violence it is likely that a professional risk assessment by a social worker or sexual violence specialist will be required.

Risk assessments will consider:

- The victim.
- The alleged perpetrator.
- Other children at the school, especially any actions that are appropriate to protect them.

Risk assessments will be recorded (either on paper or electronically) and kept under review.

Taking action following a disclosure

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

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

Immediate consideration will be given as to how to support the victim, alleged perpetrator and any other children involved.

For reports of rape and assault by penetration, whilst the school establishes the facts, the alleged perpetrator will be removed from any classes shared with the victim. The School will consider how to keep the victim and alleged perpetrator apart on school premises, and on transport where applicable. These actions will not be seen as a judgement of guilt on the alleged perpetrator.

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

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

Managing the report

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

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

- Managing internally.
- Providing early help.
- Referring to CSCS.
- Reporting to the Police.

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

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

- A child under the age of 13 can never consent to sexual activity.
- The age of consent is 16.
- Sexual intercourse without consent is rape.
- Rape, assault by penetration and sexual assault are defined in law.
- Creating and sharing sexual photos and videos of children under 18 is illegal including children making and sending images and videos of themselves.

Managing internally

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

Providing early help

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

Referral to CSCS

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

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

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

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

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

Reporting to the Police

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

https://www.npcc.police.uk/documents/Children%20and%20Young%20people/When%20to%20call%20 the%20police%20guidance%20for%20schools%20and%20colleges.pdf

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

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

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

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

Bail conditions

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

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

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

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

Managing delays in the criminal justice system.

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

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

The End of the Criminal Process

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

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

Where an alleged perpetrator is found not guilty or a case is classed as requiring "no further action", the school will offer support to the victim and alleged perpetrator for as long as is necessary. The victim is likely to be traumatised and the fact that an allegation cannot be substantiated does not necessarily mean that it was unfounded. The School will discuss decisions with the victim and offer support.

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

• Ongoing support for the victim

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

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

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

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

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

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

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

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

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

• Ongoing support for the alleged perpetrator

When considering the support required for an alleged perpetrator, the school will take into account:

- The terminology they use to describe the alleged perpetrator or perpetrator.
- The balance of safeguarding the victim and providing the alleged perpetrator with education and support.
- The reasons why the alleged perpetrator may have abused the victim and the support necessary.
- Their age and developmental stage.
- What a proportionate response looks like.
- Whether the behaviour is a symptom of their own abuse or exposure to abusive practices and/or materials.

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

https://www.npcc.police.uk/documents/Children%20and%20Young%20people/When%20to%20call%20 the%20police%20guidance%20for%20schools%20and%20colleges.pdf

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

The School will work with professionals as required to understand why the abuse took place and provide a high level of support to help the pupil understand and overcome the reasons for their behaviour and reduce the likelihood of them abusing again.

Disciplining the alleged perpetrator

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

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

https://www.npcc.police.uk/documents/Children%20and%20Young%20people/When%20to%20call%20 the%20police%20guidance%20for%20schools%20and%20colleges.pdf

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

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

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

Shared classes

Once the DSL has decided to progress a report, they will again consider whether the victim and alleged perpetrator will be separated in classes, on school premises and on school transport – balancing the school's duty to educate against its duty to safeguard. The best interests of the pupil will always come first.

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

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

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

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

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

Working with Parents and Carers

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

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

Schools will also meet with the parents of the alleged perpetrator to discuss arrangements that will impact their child, such as moving them out of classes with the victim. Reasons behind decisions will be explained and the support being made available will be discussed. The DSL or a deputy will attend such meetings, with agencies invited as necessary.

Clear policies regarding how the school will handle reports of sexual violence and how victims and alleged perpetrators will be supported will be made available to parents.

Safeguarding Other Children

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

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

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

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

xii. Upskirting

For the purposes of this policy, "**upskirting**" refers to the act of taking a picture or video under another person's clothing, without their knowledge or consent, with the intention of viewing that person's genitals or buttocks (with or without clothing). Despite the name, anyone (including both pupils and teachers), and any gender, can be a victim of upskirting. Upskirting has now been criminalised (Voyeurism Act, 12 April 2019), therefore a referral must be made to the police.

xiii. Mental Health

All staff should be aware that mental health problems can, in some cases, be an indicator that a child has suffered or is at risk of suffering abuse, neglect or exploitation. Only 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. Where children have suffered abuse and neglect, or other potentially traumatic adverse childhood experiences, this can have a lasting impact throughout childhood, adolescence and into adulthood. It is key that staff are aware of how these children's experiences, can impact on their mental health, behaviour and education. 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.

xiv. Child Criminal Exploitation (CCE)

Child criminal exploitation (CCE) is a form of abuse where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child into criminal activity, 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 of the threat of violence.

The abuse can be perpetrated by males and females, and children or adults. It can be a one-off occurrence or a series of incidents over time, and range from opportunities to complex organised abuse.

The victim can be exploited even when the activity appears to be consensual. It does not always involve physical contact and can happen online. For example, young people may be forced to work in cannabis factories, coerced into moving drugs or money across the country (county lines), forced to shop lift or pickpocket, or threaten other young people.

Indicators of CCE can include a child:

- Appearing with unexplained gifts or new possessions
- Associating with other young people involved in exploitation
- Suffering from changes in emotional wellbeing
- Misusing drugs and/or alcohol
- Going missing for periods of time or regularly coming home late
- Regularly missing school or education
- Not taking part in education

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

xv. Domestic Abuse

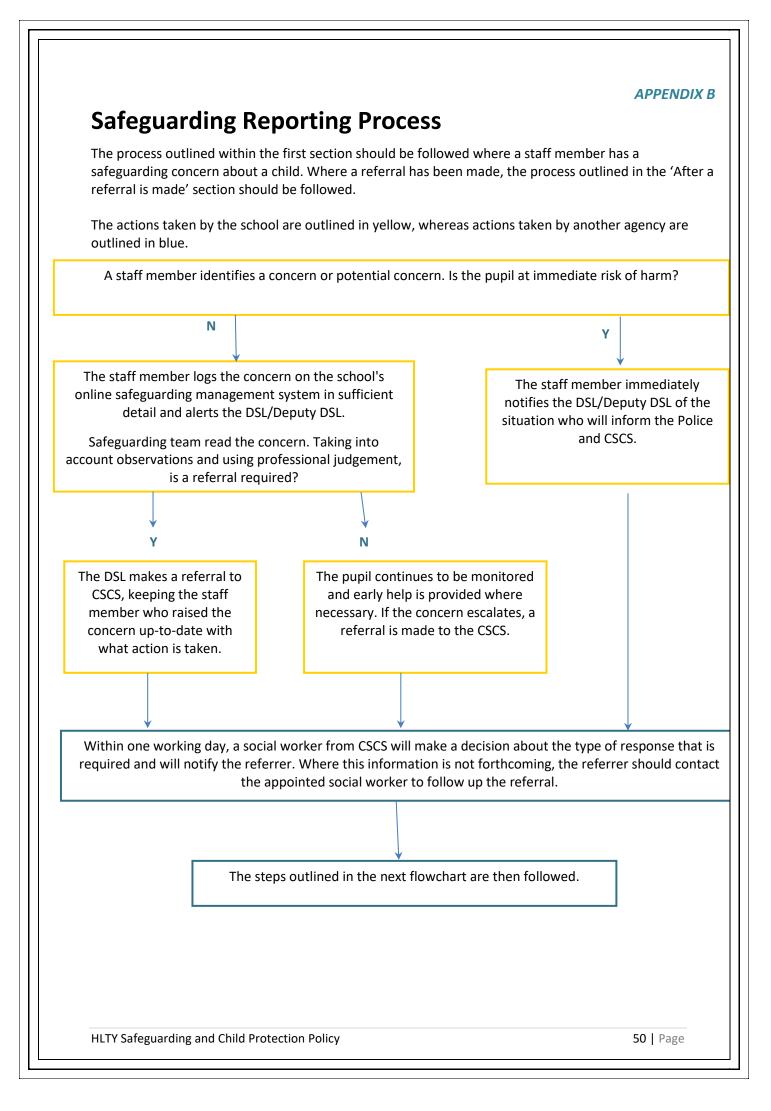
Children can witness and be adversely affected by domestic abuse and/or violence at home where it occurs between family members. In some cases, a child may blame themselves for the abuse of may have had to leave the family home as a result.

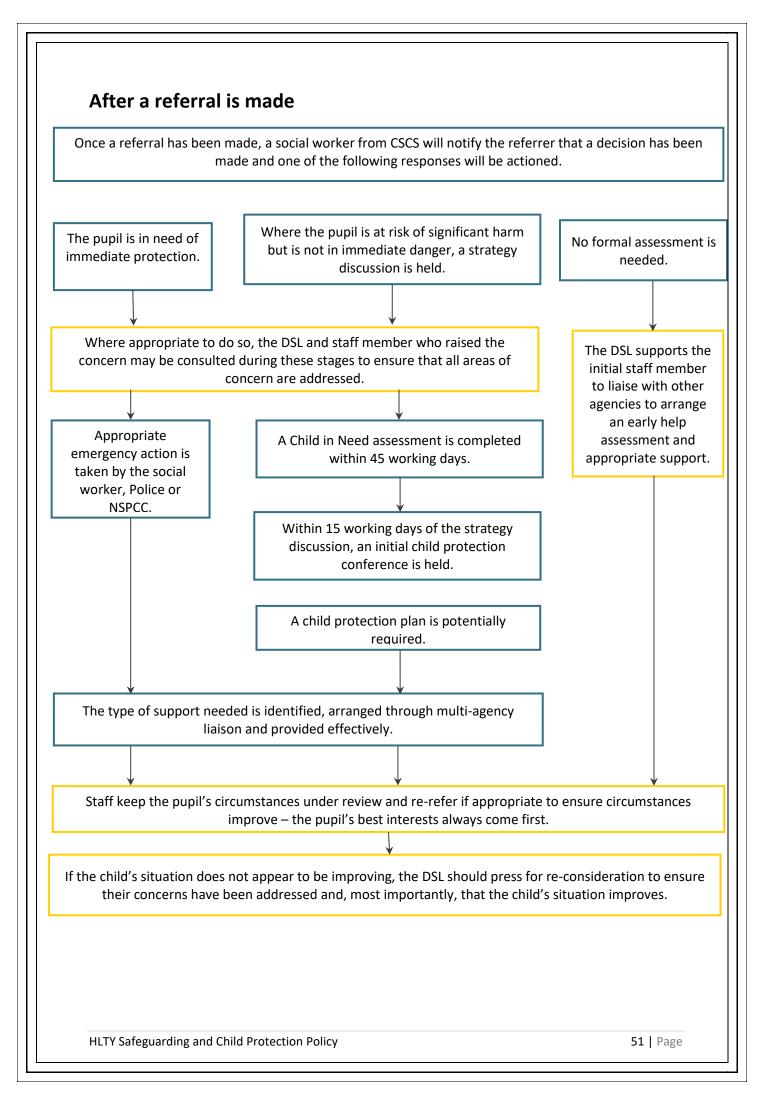
Secondary schools add: Older children may also experience domestic abuse, coercive behaviour and/or violence in their own personal relationships.

Exposure to domestic abuse and/or violence can have serious, long-lasting emotional and psychological impact on children.

If Police are called to an incident of domestic abuse and any children in the household have experienced the incident, the police will inform the key adult in school (usually the Designated Safeguarding Lead) before the child or children arrive at school the following day. This is the procedure where Police forces are part of Operation Encompass.

The DSL will provide support according to the child's needs and update records about their circumstances.





APPENDIX C

Reporting Procedures - North Yorkshire County Council	
North Yorkshire County Council Children & Familie	s Service:
<u>Early Help Locality Telephone Numbers</u> Early Help East Scarborough, Whitby, Ryedale	01609 534852
Early Help West Harrogate, Craven, Knaresborough, Ripon	01609 534842
Early Help Central Hambleton, Richmondshire, Selby	01609 534829
Advice and Referral Customer Resolution Centre	01609 780780
For advice please ask to speak to a social worker in	the MAST Children&families@northyorks.gov.uk
Emergency Duty Team	01609 780780 7
NORTH YORKSHIRE POLICE 101 (Ask for the Serious	Crime Team in your area)
Safeguarding Unit Designated Officers for Managing	g Allegations (LADOs)
Duty LADO (consultations, new referrals and urgent	t matters) 01609 533080
Susan Crawford (LADO Manager)	01609 532152 or 07813 005161
Karen Lewis	01609 534200 or 07715 540711
Julie Kaye	01609 532508 or 07973 825752
Andy Kenyon	01609 534215 or 07973 792398
Safeguarding Unit Manager Heather Pearson	01609 532301
Business Support including CME Coordinator (Child Safeguardingunit@northyorks.gov.uk	ren Missing Education) 01609 532477
NYSCP Business Unit nyscp@northyorks.gov.uk	01609 535123
NYCC HUMAN RESOURCES schoolshradvisory@northyorks.gov.uk	01609 798343

Contact numbers for referral to Children's Social Care in neighbouring Local Authorities: The online tool directs to the relevant local children's social care contact number.

Reporting Procedures - City of York Council

Local Area Teams Information Service

Local Area Teams Information Service (formerly York FIS)

Phone - one number for concerns and enquiries: 01904 551900

Emergency Duty Team (out of hours) 01609 780780

Email - one email address: childrensfrontdoor@york.gov.uk

Post: The Children's Advice and Assessment Service, West Offices, Station Rise, York, YO1 6GA

Expert Organisations

- <u>Barnardo's</u>
- Lucy Faithfull Foundation
- <u>NSPCC</u>
- Rape Crisis
- University of Bedfordshire: Contextual Safeguarding
- <u>UK Safer Internet Centre</u>

Support for Victims

- Anti-Bullying Alliance
- MoJ Victim Support
- Rape Crisis
- <u>The Survivor's Trust</u>
- <u>Victim Support</u>

Toolkits

- Brook
- <u>NSPCC</u>
- <u>Safeguarding Unit, Farrer and Co, and Carlene Firmin, MBE, University of Bedfordshire</u>

Further Information on Confidentiality and Information Sharing

- <u>Gillick Competency Fraser Guidelines</u>
- <u>Government Information Sharing Advice</u>
- Information Commissioner's Office: Education
- <u>NSPCC: Things to Know and Consider</u>

Further Information on Sexting

<u>UK Council for Child Internet Safety: Sexting Advice</u>

• London Grid for Learning – Collection of Advice

Support for Parents

- <u>Parentzone</u>
- Parentsafe London Grid for Learning
- <u>CEOP Thinkuknow Challenging Harmful Sexual Attitudes and their Impact</u>
- <u>CEOP Thinkuknow Supporting Positive Sexual Behaviour</u>