



THE DOWNS
MALVERN

Policy	SG01-01	Safeguarding and Child Protection Policy	
Responsible Member of staff	Lesley Hunter		
Responsible Governor	Pennie Francis		
Approved	Sept 2022	Next Review Date	Sept 2023
Last Technical Review	Sept 2022		

This policy is relevant to all sections of the school, EYFS, Pre-Prep and The Prep School, all members of staff and the School Governors.

Statement of Intent

The safety and well-being of all our pupils at The Downs Malvern is our highest priority. Our business is to know everyone as an individual and to provide a secure and caring environment, so that every pupil can learn in safety. We expect respect, good manners and fair play to be shown by everyone so that every pupil can develop their full potential and feel positive about themselves as an individual. All pupils should care for and support each other.

“A child that is secure emotionally, mentally and physically is likely to find his or her years at school both rewarding and challenging”

“Every child has the right to be protected”

“It is everyone’s responsibility to protect children”

The Downs Malvern, as a school and registered charity, has a duty to report to Children’s Social Care any serious concerns regarding children in its care.

This policy is available to all parents and prospective parents on request and is available to read on the school website www.thedownsmalvern.org

Valuing Diversity

At The Downs Malvern we value diversity. Diversity is a strength, and we promote inclusive behaviours and respect for all people and groups. Discrimination can be a safeguarding issue and we will take appropriate action if pupils’ behaviour or comments are discriminatory, including, but not limited to racist, and we will work with other agencies, if necessary. If staff or volunteers behave in a way that discriminates against particular groups, or is racist, we will act immediately to rectify the issue in line with The Downs Malvern Code of Conduct.

Further Information

In addition to this Safeguarding Policy, the following documents are available in the staff handbook and copies can be obtained from the Designated Safeguarding Lead:

- ‘Working Together to Safe guard Children’ 2018
- Keeping Children Safe in Education, (Department of Education) September 2022 (note it is a statutory requirement for all staff to read and understand Part 1 of this document. It is also recommended that staff are familiar and have an understanding of Part 5)
- Guidance for Safer Working Practice for Adults who work with Children and Young People in Education Settings (May 2019)
- The Downs Malvern Code of Conduct

Who's Who in Safeguarding: Key Personnel



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Independent Listener

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Safeguarding Contacts:

Internal

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Headteacher:	Andy Nuttall	01684 544100 07787817984
Safeguarding Governor:	Pennie Francis	07768441150
Designated Safeguarding Lead:	Lesley Hunter	01684 544114 07526 178170
Early Years Designated Safeguarding Lead:	Alexandra Sigley	01684 544116
Mental Health Lead:	Alexandra Sigley	01684 544116
Deputy Designated Safeguarding Lead:	Alexandra Sigley	01684 544116
Deputy Designated Safeguarding Lead:	Adam Dixon	01684 544100
Deputy Designated Safeguarding Lead:	Linda Richardson	01684 544100
Designated Teacher for Looked After Children:	Vanessa Whitehead	01684 544106
Prevent Single Point of Control	Andrew Nuttall	01684 544100
Independent Listener for the Boarding House:	Isabelle Davies	07966374355

Local Authority Children's Social Care Team - referrals

Herefordshire MASH Team		01432 269800
Worcestershire Family Front Door		01905 822666
Child resident in Herefordshire or a boarder		01432 260800
Child resident in Worcestershire		01905 822666
Out of Hours Emergency Duty Team (Worcestershire and Herefordshire)		01905 768020
Worcestershire Adviser for Safeguarding Children in Education		01905 844436
Herefordshire Designated Officer (LADO) Terry Pilliner		01432 261739
Worcestershire Designated Officer (LADO) Jon Hancock		01905 846221

Police Child Protection Unit: 24hrs non-emergency	101
Emergency	999

Other External Numbers

NSPCC Helpline	0808 800 5000
Childline	0800 11 11
Parentline	0808 800 2222

Channel/Prevent contacts:

Local Authority	Paul Kinsella	pkinsella@worcestershire.gov.uk
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Contents

Part 1: Management of Safeguarding – Principles & Procedures

	Introduction	8
1	Management of Safeguarding	12
2	Procedures	13
3	Reporting Principles	14
4	Early Help	15
5	Multi-Agency Working	15
6	Roles & Responsibilities	15
	Staff	15
	Headmaster	16
	Governing Body	16
	DSL & Deputy DSL's	17
7	Training	18
	Induction	19
	Staff Training	19
	Governors	20
	Visitors	20
	DSL & Deputy DSL's	20
8	Boarding	21
9	Human Rights Act	21
	Equality Act	21
	Equality & Diversity	21
	Children who Identify as being LGBTQ+	21

Part 2: Procedures for Managing Safeguarding Concern. Information & Record Keeping

10	Managing a Concern	23
	Guidance on How to Respond to a Disclosure	24
	Follow the Seven R's	24
	Listening Guidelines	25
	Open v Closed Questions	25
11	Responding to a Concern – Levels of Need	26
12	Data Protection, Information Sharing & Confidentiality	27
13	Records, Monitoring & Transfer	28
	Record Keeping	28
	Monitoring	29
	Record of Allegation about a Member of Staff	29
	Transfer of Records	29
14	Referrals & Retention of Records	30
15	Communication with Parents	30

Part 3: Specific Safeguarding Issues and Procedures

16	Mental Health	31
17	Child-on-Child Abuse	31
18	Child-on-Child Sexual Violence and Sexual Harassment	32
19	Sharing Nude & Semi-Nude Images	34
20	Upskirting	34
21	Child Criminal Exploitation (CCE) & Child Sexual Exploitation (CSE)	35
	Child Criminal Exploitation	35
	Child Sexual Exploitation	35
	Intra & Extra Familial Harm	36
22	County Lines	36
23	Serious Violent Crime	36

24	Online Safety	37
	Protecting Children Online – Filtering & Monitoring	38
	Personal Mobile Devices	38
	Remote Education	38
25	Anti-Bullying	39
	Racist Incidents	39
26	Special Educational Needs &/with Disabilities (SEND)	39
27	Children with Additional Vulnerabilities	39
28	Domestic Abuse	40
29	Operation Encompass	41
30	Children with Family Member in Prison	41
31	Radicalisation & Extremism – The Prevent Duty	41
	Prevent Duty	42
	Channel	42
	Risk Reduction	42
32	Modern Slavery	43
33	Honour-Based Abuse including Female Genital Mutilation & Forced Marriage	43
	Female Genital Mutilation	44
	Forced Marriage	44
	What should schools do?	44
	The ‘One-Chance’ Rule	45
34	Children Potentially at Greater Risk of Harm	45
35	Statutory Children’s Social Care Assessments & Services	46
36	Children Missing Education (CME)	46
37	Child Abduction & Community Safety Incidents	47
38	Looked After Children & Previously Looked After Children	48
39	Homelessness	48
40	Elective Home Education (EHE)	49
41	Private Fostering Arrangements	49
42	Supporting Pupils (who have been bullied, abused, witnessed violence, or suffered a family bereavement)	50

Part 4: Safeguarding in the Curriculum

43	Opportunities for Teaching Safeguarding	51
44	Safeguarding in the Curriculum	51
45	Relationship Education and Relationship Sex Education	52

Part 5: Staff Safeguarding Matters

46	Supporting & Supervision of Staff	54
47	Safer Recruitment & Selection of Staff	54
48	Abuse of Trust	55
49	Complaints or Concerns Expressed by a Pupil, Parent, Staff, or Volunteer	55
50	Safeguarding Concern & Allegation made about a Member of Staff – inc. Supply Teacher, Volunteer & Contractor	55
	Initial response to an Allegation	56
	Supply Teachers	57
	Governors	58
	Suspension	58
51	Concerns and/or Allegations that do not meet the Harm Threshold	
	Low-Level Concerns	59
	Should Staff Share Concerns about Themselves (self reporting)?	60
	What is a Low-Level Concern?	60
52	Unfounded Malicious Allegation	60
53	Whistleblowing	61
54	Managing Professional Disagreements	61
55	Use of ‘Reasonable Force’ in School	61

56	Staff/Pupil Online Communication	62
57	Photography and Use of Images	62

Part 6: Monitoring and Escalation

58	Challenge & Escalation	63
59	Monitoring & Evaluation	63

Part 7: School Safety

60	Health & Safety	64
61	Safe Environment	64
62	Use of School Premises for Non-School Activities	64
63	The Downs Light Railway Trust	65

64	Other Relevant Policies	65
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Appendices:

1	Indicators of Abuse	66
2	The Role of the Designated Safeguarding Lead	67
3	Child-on-Child Abuse	70
4	Child-on-Child Sexual Violence & Sexual Harassment	78
5	Child Criminal Exploitation (CCE) & Child Sexual Exploitation (CSE) County Lines & Gang Affiliation	85
6	Sharing Nudes, Semi-Nudes & Indecent Imagery (Sexting)	88
7	Domestic Abuse	92
8	Radicalisation & Extremism. Prevent Duty	95
9	Forced Marriage – A Form of Honour-Based Abuse and Serious Crime	98
10	Female Genital Mutilation (FGM) – A Form of Honour-Based Abuse and Serious Crime	101
11	Safeguarding Concerns Form	104

Introduction

The Downs Malvern recognises the contribution it can make to protect and support pupils in our school. We understand Safeguarding and promoting the welfare of children is **everyone's** responsibility. **Everyone** who comes into contact with children, and their families, has a role to play. In order to fulfil this responsibility effectively, we will ensure that our approach is always child-centred. This means that at all times we will consider what is in the **best interest** of the child.

The aim of this policy is to safeguard and promote our pupils' welfare, safety, health, and well-being by creating an honest, open, caring and supportive environment. The pupils' welfare is of paramount importance.

This document covers the different forms of abuse and maltreatment and outlines the steps that should be taken whenever there is a concern about a pupil in our care.

This policy has been developed in accordance with the following legislation, government guidelines and the established safeguarding principles within:

<p>The Children Act 1989 & 2004 https://www.legislation.gov.uk/ukpga/2004/31/contents</p>	<p><i>This provides a framework for the care and protection of children.</i></p>
<p>Section 175 of the Education Act 2002 The Education Act 2002</p>	<p><i>This places a duty on schools and local authorities to safeguard and promote the welfare of pupils.</i></p>
<p>The School Staffing (England) Regulations 2009 https://www.legislation.gov.uk/uksi/2009/2680/contents/made</p>	<p><i>This sets out what must be recorded on the single central record and the requirement for at least one person on a school interview/appointment panel to be trained in safer recruitment techniques</i></p>
<p>Teachers' Standards – updated 2021 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1040274/Teachers_Standards_Dec_2021.pdf</p>	<p><i>A guidance for school leaders, staff and governors.</i></p>
<p>Education (Independent School Standards) Regulations 2014, Part 3</p>	<p><i>This places a duty on academies and independent schools to safeguard and promote the welfare of pupils at the school.</i></p>
<p>Disqualification under the Childcare Act 2006 https://www.gov.uk/government/publications/disqualification-under-the-childcare-act-2006/disqualification-under-the-childcare-act-2006</p>	
<p>Serious Crime Act 2015 https://www.legislation.gov.uk/ukpga/2015/9/contents/enacted</p>	
<p>Section 5B(11) of the Female Genital Mutilation Act 2003 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/573782/FGM_Mandatory_Reporting_-_procedural_information_nov16_FINAL.pdf</p>	<p><i>This introduces a mandatory reporting duty which requires regulated health and social care professionals and teachers in England and Wales to report 'known' cases of FGM in under 18s which they identify in the course of their professional work to the police.</i></p>

The Rehabilitation of Offenders Act 1974 https://www.legislation.gov.uk/ukpga/1974/53	<i>This outlines when people with criminal convictions can work with children.</i>
Schedule 4 of the Safeguarding Vulnerable Groups Act 2006 https://www.legislation.gov.uk/ukpga/2006/47/schedule/4	<i>This defines what ‘regulated activity’ is in relation to children.</i>
Statutory Guidance on the Prevent Duty <i>Protecting Children from Radicalisation: The Prevent Duty, 2015</i> Updated 2021 https://www.gov.uk/government/publications/prevent-duty-guidance/prevent-duty-guidance-for-further-education-institutions-in-england-and-wales	<i>This explains schools’ duties under the Counterterrorism and Security Act 2015 with respect to protecting people from the risk of radicalisation and extremism.</i>
The Use of social media for online radicalisation 2015 https://www.gov.uk/government/publications/the-use-of-social-media-for-online-radicalisation	<i>Guide for schools on how terrorist groups such as ISIL use social media to encourage travel to Syria and Iraq.</i>
Charity Commission Guidance Charity Commission Guidance	<i>The guidance is there for schools which have charitable status, and outlines the charity and trustee duties to safeguard children.</i>
The Education & Training (welfare of children) Act 2021 https://www.legislation.gov.uk/en/ukpga/2021/16/enacted	<i>An Act to impose duties on certain education and training providers in relation to safeguarding and promoting the welfare of children.</i>
Relationship Education, Relationship & Sex Education (RSE) & Health Education. 2020 <i>Relationships education, relationships and sex education (RSE) and health education (from September 2020)</i>	<i>Statutory guidance on relationships education, relationships and sex education (RSE) and health education.</i>
Sexual Violence and Sexual Harassment between Children in Schools and Colleges, 2021 https://www.gov.uk/government/publications/sexual-violence-and-sexual-harassment-between-children-in-schools-and-colleges	<i>Advice for schools and colleges on how to prevent and respond to reports of sexual violence and harassment between children. September 2022 – incorporated into KCSiE 2022</i>
Mental Health & Behaviour in Schools https://www.gov.uk/government/publications/mental-health-and-behaviour-in-schools--2	<i>How schools can support pupils whose mental health problems manifest themselves in behaviour.</i>
“What to do if you’re worried a child is being abused” (March 2015) https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/419604/What_to_do_if_you_re_worried_a_child_is_being_abused.pdf	<i>This advice is non-statutory, and has been produced to help practitioners identify child abuse and neglect and take appropriate action in response.</i>

This policy also reflects both the statutory and local guidance of:

Working Together to Safeguard Children (2018) <i>Working Together to Safeguard Children</i>	<i>The statutory guidance on inter-agency working to safeguard and promote welfare of children.</i>
Keeping Children Safe in Education September 2022 <i>Keeping Children Safe in Education</i>	<i>Statutory guidance for schools and colleges on safeguarding children, from EYFS to age 19, and safer recruitment.</i>

Child Protection Procedures for West Midlands	
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In addition, The Downs Malvern also fulfils its local and national responsibilities, as laid out in the following documents and legislation:

<p>Children Missing Education: Statutory Guidance for Local Authorities 2016 <u>Children missing education</u></p>	<p><i>This statutory guidance sets out key principles to enable local authorities in England to implement their legal duty under section 436A of the Education Act 1996 to make arrangements to identify, as far as it is possible to do so, children missing education (CME).</i></p>
<p>Sharing Nudes and Semi-Nudes: advice for education settings working with children and young people, UKCIS 2020 https://www.gov.uk/government/organisations/uk-council-for-internet-safety</p>	<p><i>A framework and tool for organisations, policymakers, schools and companies to use to embed digital resilience thinking into products, education and services.</i></p>
<p>Voyeurism Act 2019 <u>Voyeurism offences act 2019</u></p>	<p><i>Section 1 of the Voyeurism (Offences) Act 2019 inserted two new offences into the Sexual Offences Act 2003, at section 67A, criminalising certain acts of voyeurism. These changes will criminalise someone who operates equipment or records an image under another person’s clothing (without that person’s consent or a reasonable belief in their consent).</i></p>
<p>Guide to the General Data Protection Regulation (GDPR)</p>	

The Downs Malvern will also fulfil its national and local responsibilities as laid out in the following documents:

West Midlands Procedures: <https://westmidlands.procedures.org.uk>

Herefordshire Right Time Right Help ‘Levels of Need’ Guidance: <https://herefordshiresafeguardingboards.org.uk/herefordshire-safeguarding-children-partnership/professionals/right-help-right-time-levels-of-need/>

Worcestershire Children’s First ‘Levels of Need’ Guidance: [https://www.worcestershire.gov.uk/downloads/file/7962/levels of need guidance formerly threshold guidance](https://www.worcestershire.gov.uk/downloads/file/7962/levels-of-need-guidance-formerly-threshold-guidance)

The school also recognises its moral and statutory responsibilities for safeguarding and promoting the welfare of children, including the importance of understanding, and working with multi-agency safeguarding arrangements.

The school works with local partners from Herefordshire and Worcestershire Safeguarding Children Partnerships (H/WSCP) to identify and respond to children’s needs and supplies information as requested by the safeguarding partners. The school also works with Children’s Social Care, the Police, Health, and other services, supports Early Help referrals when additional needs of pupils are identified and contributes to inter-agency plans for pupils subject to child protection plans. We allow access, as appropriate, for Children’s Social Care to conduct or consider whether to conduct a Section 17 or Section 47 assessment.

The Governors take their responsibility seriously under section 175 of the Education Act 2002 to safeguard and promote the welfare of children; and to work together with other agencies to ensure there are robust arrangements within our school to identify, assess, and support those children who are suffering harm or at risk of suffering harm.

Terminology Guidance

All staff at The Downs Malvern will have due regard for, and will follow the guidance in Keeping Children Safe in Education 2022 (P4) when using the terminology '**victim**', '**perpetrator(s)**' and '**alleged perpetrator(s)**.....

*For the purposes of this guidance, we, in places, use the term '**victim**'. It is a widely recognised and understood term. It is important that schools and colleges recognise that not everyone who has been subjected to abuse considers themselves a victim or would want to be described in this way. Ultimately, schools and colleges should be conscious of this when managing any incident and be prepared to use any term with which the individual child is most comfortable.*

*For the purpose of this advice, we, in places, use the term '**alleged perpetrator(s)**' and where appropriate '**perpetrator(s)**'. These are widely used and recognised terms and the most appropriate to aid effective drafting of guidance. However, schools and colleges should think very carefully about terminology, especially when speaking in front of children, not least because in some cases the abusive behaviour will have been harmful to the perpetrator as well. As above, the use of appropriate terminology will be for schools and colleges to determine, as appropriate, on a case-by-case basis.*

We recognise that because of the day-to-day contact we have with our pupils, The Downs Malvern staff are well placed to identify concerns early and to observe the outward signs of abuse.

Every pupil should feel safe and protected from maltreatment or any form of abuse which could impair their mental and/or physical development.

We will therefore:

- Establish and maintain an environment where pupils feel safe, secure, valued and respected and are encouraged to talk, believing they will be listened to and their points of view valued;
- Ensure pupils know that there are adults in the school who they can approach if they are worried;
- Have an understanding and awareness that some children may not feel ready or know how to tell someone they are being abused, exploited or neglected or they may not even recognise that their experience is harmful. In these circumstances we will determine how best we can build their trust to facilitate communication. Our 'Safe Space' Room – an area where children can go to talk to a member of staff they trust, or just to have some quiet reflective time is there to help & assist this.

The Downs Malvern has regard to the DfE statutory guidance "Relationship Education (RE), Relationship and Sex Education (RSE) and Health Education" (June 2019, updates 2020) by including opportunities in the curriculum, including through PSHCEe (Personal, Social, Health, Citizenship, Economic education) and ICT (Information and Communication Technology), for pupils to develop the skills they need to recognise and stay safe from abuse and to know who they should turn to for help.

PHE's Rise Above resources are helpful

<https://www.gov.uk/government/news/phe-launches-rise-above-for-schools-programme>

We will seek to ensure that the pupil's wishes and feelings are taken into account when determining what action to take and what services to provide to protect them from harm. **The pupils 'voice' will always be listened to.**

To facilitate this, we will:

- Ensure there are systems in place for pupils to express their views and give feedback, eg through school council, boarding house meeting, tutor group meetings, PSHCEe, assemblies
- Ensure that the pupil's thoughts/wishes, and feelings are sought and recorded in all referrals
- Provide a 'safe space' where pupils can go to speak out, share their concerns, talk or reflect, with a member of staff, they trust, or just have some 'quiet time'

A Whole School Approach to Safeguarding

Part One

Management of Safeguarding

Principles and Procedures

1. The Management of Safeguarding

This policy applies to all full-time and part-time teaching staff, governors, volunteers, visitors and contractors working at The Downs Malvern. The policy also applies whenever pupils are taken off site by staff to, for example, an activity centre or educational visit.

Child Protection is the responsibility of all. At The Downs Malvern staff will maintain an attitude of **'it could happen here'** (KCSiE 2022) where safeguarding is concerned. When concerned about the welfare of a pupil, staff will always act in the best interests of the pupil and if any member of our school has a safeguarding concern about any child or adult, they will act immediately. The Downs Malvern recognises that everyone who comes into contact with pupils has 'a role to play in identifying concerns, sharing information and taking prompt action'.

In our school our Governing body will ensure we facilitate a whole school approach to safeguarding. Ultimately, all our systems, processes and policies will operate with the best interests of the child/children at their heart. Where there is a safeguarding concern, our governing bodies and the school leadership team will ensure the child's wishes and feelings are sought and taken into account when determining what action to take and what services to provide. Systems are in place for pupils to express their views and give feedback.

At The Downs Malvern We Will Ensure That:

- We comply with our duties under relevant legislation and ensure that this policy and our procedures are effective and comply with the law at all times – this includes staff training and induction.
- We practice safer recruitment procedures and make sure that all appropriate checks are carried out on new staff and volunteers who will work with children, including identity, right to work, enhanced DBS criminal record and barred list (and overseas where needed), references, and prohibition from teaching or managing in schools "s128".
Criminal history and suitability to work with children information will only be requested from applicants who have been shortlisted. As part of the shortlisting process, we may consider conducting an online search as part of our due diligence on the shortlisted candidates.
- As Education Safeguarding Practitioners we will liaise with the three safeguarding partners (Local Authority, Police and Clinical Commissioning Group), in line with Working Together 2018.
- Every effort is made to establish effective working relationships with parents/carers and colleagues from other agencies.
- All our parents and working partners are aware of this policy by mentioning it in our school prospectus, displaying appropriate information in our reception and on the school website and by raising awareness at meetings with our parents/carers.
- Our governing body support and facilitate a whole school approach to safeguarding.
- Our systems, processes and policies will operate with the best interests of the pupil(s) at their heart.
- We raise awareness of child protection issues and equip our pupils with the skills needed to keep them safe.
- Where there is a safeguarding concern, our DSL, Governing Body, and Senior Management Team will seek to ensure that the pupil's wishes, and feelings, are considered when determining what safeguarding action to take and what services to provide.
- We support pupils who have been identified as in need of early help or are at risk of harm in accordance with their agreed Child Protection, Child in Need or Early Help Plan.
- We include in the curriculum activities and opportunities (specifically through PHSE/ ICT/RSE/TPR, which equip our pupils with the skills they need to stay safe from abuse (including online) and to know where to get help.

- Our pupils are respected and encouraged to talk freely and openly; to express their views and give feedback e.g. during Tutor Time, School Council.....
- There are a wide range of adults to whom our pupils can turn to for help, as identified in our **The Circle of Care** – these include: Tutors, Teaching Staff, Boarding Staff, Matrons, DSL and Deputy DSL's and our Independent Listener.

We respond robustly when concerns are raised or complaints made (from children or adults including parent/carers) as we recognise that this promotes a safer environment, and we seek to learn from complaints and comments. The school will take action and seek to resolve the concerns in a timely way, keeping people informed as to progress wherever possible. The school's complaints procedures are available via the school website.

All our staff are aware of their duty to raise concerns about the attitude or actions of colleagues using the school's confidential reporting (whistleblowing) policy.

Whistleblowing concerns about the Headteacher should be raised with the Chair of Governors (Mr Carey Leonard) or Safeguarding Governor (Mrs Pennie Francis). Concerns should also be reported to the Local Authority Designated Officer (LADO).

Further information and guidance can be found on: [NSPCC's whistleblowing advice line](#). This is a dedicated helpline which is available as an alternative route for staff who do not feel able to raise concerns regarding child protection failures internally or who have concerns about the way a concern is being handled by The Downs Malvern.

Staff can call 0800 028 0285 – this line is available from 8:00 am to 8:00 pm, Monday to Friday and email: help@nspcc.org.uk

NSPCC - When to call the police

2. Procedures

We will follow the **West Midlands Safeguarding Procedures**, work closely with both Herefordshire Safeguarding Children Partnership (HSCP), Worcestershire Safeguarding Children Partnership (WSCP), Herefordshire MASH Team and Worcestershire Children First and take account of guidance issued by the Department for Education (DfE).

The school will:

- Ensure it has a senior leader nominated as Designated Safeguarding Lead (DSL) who has received appropriate training and support for this role;
- Ensure it has at least one member of staff who will act in the absence of the DSL (deputy DSL);
- Ensure it has a nominated governor or governors who will take leadership responsibility for the school's safeguarding arrangements
- Ensure every member of staff (including temporary and supply staff, volunteers and contractors) and the College Council knows the name of the DSL and any deputies and understand their role;
- Ensure that the DSL and/or a Deputy DSL is always available to speak to during school hours and has made adequate and appropriate cover arrangements for any out of hours/out of term time activities
- Ensure all staff and volunteers who come into contact with pupils are alert to the potential need for Early Help and aware of those children whose vulnerabilities may indicate a greater need and are aware of the role they may play in supporting other agencies and professionals in an Early Help Assessment;
- Ensure all staff and volunteers understand their responsibilities in being alert to the signs of abuse and neglect, including the specific issues of Child-on-Child abuse, Female Genital Mutilation (FGM), Child Sexual Exploitation (CSE), Child Criminal Exploitation (CCE), Children Missing Education (CME), Radicalisation and Extremism (Prevent), Serious Youth Violence, and Sexual Violence and Sexual Harassment, and maintain an attitude of 'it could happen here';

- Ensure all staff and volunteers understand their responsibility for referring any concerns to the DSL, deputy DSL or Headmaster in a timely manner and are aware that they may raise concerns directly with Children's Social Care Services if they believe their concerns have not been listened to or acted upon;
- Ensure that parents have an understanding of the responsibility placed on the school and staff for child protection by setting out its obligation and publishing its policy on the school website;
- Operate a vetting policy which ensures the suitability of adults working with children on school sites at any time;
- Ensure that community users organising activities for children are aware of, and understand the need for compliance with the school's child protection guidelines and procedures;
- Ensure that the duty of care towards its pupils and staff is promoted by raising awareness of illegal, unsafe and unwise behaviour and assist staff to monitor their own standards and practice;
- Be aware of and follow procedures set out by the DfE and the H/WSCP where an allegation of abuse is made against a member of staff or volunteer, including making a referral to the Local Authority Designated Officer (LADO);
- Ensure that a referral is made to the DBS and/or the Teaching Regulation Agency (TRA) if a person in regulated activity has been dismissed or suspended or removed from regulated activity where the harm criteria is met, or would have been had they not resigned;
- Operate safer recruitment practice, ensuring that at least one member on every recruitment panel has completed safer recruitment training.

Our procedures will be regularly reviewed and updated at least annually unless an incident or new legislation or guidance requires the need for an interim review. We recognise the expertise our staff builds by undertaking safeguarding training and managing safeguarding concerns on a daily basis. We therefore invite relevant staff to contribute to and shape this policy and associated safeguarding arrangements.

3. Reporting Principles

If staff have any concerns about a child's welfare, they must act on them immediately. It may only take a sentence or a brief comment from a child to give reasonable cause to raise a concern and a need to act. This concern may also apply if clear information has come from another child or adult.

If staff have a concern, this policy will be followed and the member of staff, or volunteer, must report the matter to the DSL or deputy, as appropriate, and as soon as possible.

Options will then include:

- managing any support for the child internally via the school's own pastoral support processes.
- undertaking an early help assessment; or
- making a referral to statutory services - for example, as the child might be in need, is in need or suffering, or is likely to suffer harm.

However, if the allegation is against a member of staff or volunteer, the procedures set out in this document should be followed. *Further information is available in Part 5 of this document.*

To record and manage safeguarding concerns the school uses Wellbeing Manager on iSAMS. In addition to this there is a Safeguarding Reporting Form that can be found in Appendix 11 of this policy and can also be accessed from Teams, in the Safeguarding folder.

The reporting adult/member of staff may refer a matter to Children's Social Care or the Police in exceptional circumstances or in an emergency. If a child is in immediate danger or at risk of harm, the DSL must be informed, and a referral made (preferably by the DSL) to Children's Social Care and/or the police as soon as possible and at least within 24hours.

4. Early Help

Any child may benefit from 'Early Help', The Downs Malvern staff are experienced and appropriately trained to identify the potential need for early help for a child who:

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

If Early Help is needed, The Downs Malvern will support the pupil(s) by completing an Early Help Assessment where required. This will normally be done through the DSL. Referrals will be made to either Herefordshire Early Help or Worcestershire Children First Early Help or to Children's Social Care of the pupil's home postcode.

5. Multi-Agency Working

We, at The Downs Malvern, understand that we have a pivotal role to play in multi-agency safeguarding arrangements. Our Governing body ensure that we contribute to multi-agency working in line with statutory guidance Working Together to Safeguard Children (2018).

Our SMT & Governing Body understand our local safeguarding arrangements and work with partners from Herefordshire and/or Worcestershire Children's Safeguarding Partnership H/WSCP to safeguard and promote the welfare of local children, including identifying and responding to their needs.

We work with Local Authority Children's Social Care, the Police, Health services and other services to promote the welfare of children and protect them from harm. This includes providing a coordinated offer of early help when additional needs of children are identified and contributing to inter-agency plans to provide additional support to children subject to child protection plans.

We allow access for Children's Social Care from the host local authority (according to where the child lives/postcode) and, where appropriate, for that authority to conduct, or to consider whether to conduct, a section 17 or a section 47 assessment.

6. Roles and Responsibilities

At all times every member of staff should consider what is in the best interests of the child.

Staff

At The Downs Malvern, staff will:

- Establish and maintain an ethos where children feel secure and are encouraged to talk and are listened to.

- Ensure that children know that there are adults in the school to whom they can approach if they are worried or are in difficulty – the Circle of Care.
- Provide a safe environment in which children can learn and develop holistically.
- Ensure all staff are 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.
- Ensure staff attend regular training in order to be aware of and alert to the signs of abuse.
- Ensure all staff are trained in how to manage a report of child-on-child sexual violence and sexual harassment.
- Know how to respond to a pupil who discloses harm or abuse.
- Treat information with confidentiality but never promising to 'keep a secret'.
- Have an understanding of early help and be prepared to identify and support children who may benefit from early help.
- Include activities and opportunities in the curriculum, specifically through PSHE, RSHE and ICT which equips children with the skills they need to stay safe from abuse (including online) and to know where to get help.
- Ensure every effort is made to establish effective working relationships with parents/carers and colleagues from other agencies.
- Know who the DSL and Deputy DSLs are and know how to contact them.
- Have an awareness of the role of the DSL, the School's Safeguarding Policy, Behaviour Policy, the Staff Code of Conduct, Online Safety & Acceptable Use Policy, plus KCSIE 2022 Part 1 & Part 5.
- Notify the DSL or their Deputy of any pupil on a Child Protection Plan or Child in Need plan who has unexplained absence.

Headmaster

The Headmaster will ensure that:

- The Safeguarding policies and procedures adopted by the Governing Body are effectively implemented and followed by all staff.
- Sufficient resources and time are allocated to enable the Designated Safeguarding Lead and other staff to discharge their responsibilities, including taking part in strategy discussions and other inter-agency meetings, and contributing to the assessment of children.
- All staff and volunteers feel able to raise concerns about poor or unsafe practice and that these are handled sensitively and in accordance with the whistleblowing procedures.
The NSPCC whistle blowing helpline number is also available (0800 028 0285)
- All allegations of abuse involving a member of staff or adult working at the school, are reported to the Local Authority Designated Officer (LADO) in a timely manner.
- All staff are made aware that they have an individual responsibility to pass on safeguarding concerns and that if all else fails, they must report these concerns directly to Children's Social Care or the Police.

The Governing Body

The Downs Malvern Governing Body will ensure that:

- The Safeguarding and Child Protection Policy, procedures and training are in place which are always effective and comply with the law. The policy is also available publicly.
- The Safeguarding policy will be reviewed at least annually or more often, for example in the event of new guidance or significant incident.
- All governors have an enhanced criminal records certificate from the DBS.
- We operate safer recruitment practices, including appropriate use of references and checks on new staff and volunteers. Furthermore, specific staff involved in the recruitment process have undertaken Safer Recruitment Training;
- Procedures are in place for dealing with allegations of abuse against members of staff and volunteers/people in a position of trust.
- There is a senior member of The Downs Malvern leadership team who is designated to take lead responsibility for dealing with child protection (the "Designated Safeguarding Lead") and there is always cover for this role (at least one deputy) with appropriate arrangements for before and after school and out of term activities.

- The Designated Safeguarding Lead undertakes effective Local authority training (in addition to basic child protection training) and this is refreshed every two years. In addition to this formal training, their knowledge and skills are updated at regular intervals (at least annually)
- The Head Teacher, and all other staff and volunteers who work with children (including early years practitioners within settings on the school site), undertake appropriate training which is regularly updated (at least every year); and that new staff and volunteers who work with children are made aware of the school's arrangements for child protection and their responsibilities (including this policy and Part 1 of Keeping Children Safe in Education 2022). Training should include FGM/Prevent/Child Exploitation/Child-on-Child Abuse.
- Any deficiencies or weaknesses in these arrangements brought to the attention of the Governing Body and will be rectified without delay.
- The Chair of Governors (Mr Carey Leonard) (or, in his absence, the Safeguarding Governor) deals with any allegations of abuse made against the Headmaster, with advice and guidance from the Local Authority Designated Officer (LADO);
- Effective policies and procedures are in place and updated annually including a behaviour Code of Conduct for staff and volunteers. We also refer to:-
[Professional and Personnel Relationships \(safeguardingchildren.co.uk\)](https://www.safeguardingchildren.co.uk)
- Information is provided to the LA (on behalf of the HSCP) when requested, for example through the Annual Safeguarding Return (e.g. section 175 audit);
- Children are taught about safeguarding, including online safety. This as part of providing a broad and balanced curriculum;
- There is an individual member of the Governing Body (Mrs Pennie Francis) who will champion issues to do with safeguarding children and child protection within the school, liaise with the DSL, and provide information and reports to the Governing Body;
- The Downs Malvern contributes to inter-agency working in line with statutory guidance 'Working Together to Safeguard Children' (2018) including providing a co-ordinated offer of Early Help for children who require this. Early Help may be offered directly through our school early help provision or via referral to an external support agency. Safeguarding arrangements take into account the procedures and practice of the local authority and the Local Safeguarding Children Partnership (LSCP)
- They are aware that among other obligations, the [Data Protection Act 2018](#) and the GDPR place duties on organisations and individuals to process personal information fairly and lawfully and to keep the information we hold safe and secure in: [Data protection: toolkit for schools - GOV.UK \(www.gov.uk\)](https://www.gov.uk)
- The Downs Malvern complies with all legislative safeguarding duties, including the duty to report suspected or known cases of FGM and the duty to prevent young people from being drawn into terrorism. In conjunction with the Head and DSL they should assess the level of risk within the school and put actions in place to reduce that risk.

DSL & Deputy DSL's

The Downs Malvern will ensure that an appropriate senior member of staff takes on the role of DSL.

Our DSL, Mrs Lesley Hunter, has lead responsibility for Safeguarding and Child Protection (including online safety).

We also have suitably trained Deputy DSLs, Mrs Alexandra Sigley, (who is also Senior Deputy), Mr Adam Dixon & Mrs Linda Richardson. Whilst the activities of the DSL can be delegated to the Deputy DSLs, the ultimate lead responsibility for safeguarding and child protection remains with our DSL. This responsibility will not be delegated.

During term time, the DSL (or deputy) will be available during school hours for staff in the school to discuss any safeguarding concerns. Adequate and appropriate contact or cover arrangements will be made for out of term time.

For further information on the roles and responsibilities of the DSL please refer to Annex C of KCSiE 2022 [The Role and Responsibilities of the Designated Teacher](#) and Appendix 2 of this document.

The DSL Is Responsible For:

- Organising Safeguarding and Child Protection induction training for all newly appointed staff and termly whole staff training. This will involve supplying termly or yearly refreshers or specific targeted training as appropriate;
- Providing training to ensure that all staff understand and are able to discharge their roles and responsibilities as set out in Part One of Keeping Children Safe in Education.
- Undertaking, in conjunction with the Headmaster and Safeguarding Governor, an annual audit of safeguarding procedures.
- Produce and deliver a termly report for the Governors Safeguarding and Welfare Committee
- Acting as a source of support, advice, and expertise for all staff
- Making use of the Levels of Need guidance when making a decision about whether the threshold for Early Help or Social Care intervention is met;
- Ensure all staff are aware and understand the Levels of Need Guidance and how these levels transfer to every pupil in the school;
- Keeping secure records of concerns about children, including the use of body maps, even where there is no need to refer the matter immediately;
- Monitor and maintain all records on iSAMS Wellbeing Manager
- Monitor attendance on iSAMS, particularly where concerns have been raised about a pupil, or there is a Child Protection Plan or Child in Need Plan open.
- Ensuring that all Child Protection files are transferred in a safe and timely manner when a child moves settings, both between and across phases, within and out of county;
- Developing effective links with relevant agencies and other professionals, and co-operating, as required, with their enquiries regarding safeguarding matters including co-operation with serious case reviews, attendance at strategy meetings, initial and review child protection conferences, core group and "child in need" review meetings;
- Notifying the key worker if there is an unexplained absence of more than two days of a pupil who is subject to a Child Protection Plan or Child in Need Plan;
- Liaising with the Headmaster to ensure he is informed of all child protection issues, especially ongoing enquiries under section 47 of the Children Act 1989 and police investigations;
- Ensure that staff are aware of the PACE Code C. This should include being aware of the requirement for children to have an Appropriate Adult present when they are being questioned. This person will be able to support, advise and assist the young person. Further information can be found in the Statutory guidance - PACE Code C 2019.
- Liaising with other staff, for example - House Parents, Form Tutors, Medical Centre Staff, counsellors, the SENCO, the Head of ICT, on matters of safety and safeguarding, especially when deciding whether to make a referral;
- Liaising with the Head of PSHCEe and RE/RSE (Mrs Jane Lloyd), the Headmaster and deputies to co-ordinate a programme of safety, health, and well-being through the curriculum, including issues of protective behaviours, healthy relationships and staying safe online and promotion of Fundamental British Values.
- Helping to promote educational outcomes by sharing with staff, where appropriate, information about the welfare, safeguarding and child protection issues that pupils are experiencing or have experienced. This is to ensure an understanding of factors affecting pupils' academic progress and attainment;

Please note:

- Any steps taken to support a pupil who is categorised as vulnerable must be reported to the DSL.
- Staff will only be informed of relevant details relating to a safeguarding or child protection incident IF and WHEN the DSL feels that their knowledge of a situation will improve their ability to support an individual pupil or family.

7. Training

All staff must be aware of the systems within our school which support Safeguarding. This is achieved through Induction and regular update training.

Induction Training

All new staff will receive appropriate Safeguarding and Child Protection training (including on-line safety) at Induction. This will be given by the DSL, and staff will also be made aware of the systems within our school which support safeguarding.

During the Induction training staff will be given the following Policies and Procedures:

- The Safeguarding and Child Protection Policy
- Behaviour Policy (which should include measures to prevent bullying, including cyberbullying),
- Code of Conduct for Staff
- Safeguarding response to children who go missing from education
- The role of the DSL and deputy DSL's and their names & identity
- Copy of Part 1 of KCSiE 2022

In addition, the Induction programme will include:

- Basic Child Protection information relating to pupils' welfare, including their physical and mental health
- Recognising signs and symptoms of abuse
- How to sensitively manage a disclosure from a child
- When and how to record a concern about the welfare of a child onto iSAMS Wellbeing Manager
- Be made aware of the early help process
- Online safety
- Safe working practices

Staff Training

All staff at The Downs Malvern will receive regular training (at least yearly) in Child Protection and Safeguarding to provide them with the relevant and necessary skills and knowledge to safeguard children effectively.

Through regular training and updates staff at The Downs Malvern will:

- Be able to recognise the signs and symptoms of abuse and neglect, as well as specific safeguarding issues, such as, but not exhaustive:
 - Sexual and Criminal Exploitation,
 - FGM,
 - Prevent,
 - Serious Crime,
 - Online safety
 - Child-on-Child abuse (including sexual violence and sexual harassment & Sexting).
 - Intra and Extra Familial Harm & the impact this could have on siblings
 - County Lines,
 - Honour-based abuse,
- Be aware of the local Early Help process and understand their role in it.
- Be vigilant in recognising and responding to needs arising from health conditions, young people's mental health needs, looking after a sick parent or persistently missing education.
- Understand how to record and report abuse both within school, using iSAMS Wellbeing Manager and to Children's Social Care.
- Understand what to do if a child tells them they are being abused, exploited, or neglected. And be able to manage the requirement to maintain an appropriate level of confidentiality.
- Appreciate that this means only involving those who need to be involved, such as the Designated Safeguarding Lead (or a deputy) and Children's Social Care.
- Never promise a child that they will not tell anyone about a report of any form of abuse, as this may ultimately not be in the best interests of the child.
- Always manage a disclosure sensitively and be mindful that some children may not feel ready or know how to tell someone that they are being abused, exploited, or neglected, and/or they may not recognise their experiences as harmful.

For example, children may feel embarrassed, humiliated, or are being threatened. This could be due to their vulnerability, disability and/or sexual orientation or language barriers. This will not prevent staff from having a professional curiosity and speaking to the DSL if they have concerns

about a child. We recognise that it is important that staff determine how best to build trusted relationships with children and young people which facilitate communication.

- Always reassure our pupils that they are being taken seriously and that they will be supported and kept safe.

In addition, throughout the school year, staff will receive Safeguarding and Child Protection updates from the DSL, through staff meetings, pupil meetings and targeted training updates, as required (normally during every INSET). Furthermore, to support the ongoing training of all staff, the DSL will utilise the recognised e-learning training resources available through EduCare. Staff are also supported to attend Mental Health First Aid training.

Staff with leadership responsibilities will undertake further relevant training in safeguarding related issues such as CSE, FGM, Radicalisation, Sexual Violence and Sexual Harassment, and the Management of Allegations of Abuse, as appropriate, and cascade the learning from this training to relevant staff.

Governors

All governors will receive appropriate safeguarding and child protection (including online) training at induction. This training will equip them with the knowledge to provide strategic challenge to test and assure themselves that the safeguarding policies and procedures that are in place at The Downs Malvern are effective and support the delivery of a robust whole school approach to safeguarding.

The Governing Body will receive additional training to cover Safeguarding updates and refresher courses. This is generally done through AGBIS and/or the DSL.

Visitors

Visitors will be given a site induction by office staff, or teaching staff as necessary, and be given the The Downs Malvern Safeguarding Leaflet which contains safeguarding information and contact details.

DSL and Deputy DSL Training

The DSL and Deputy DSLs have undertaken initial Child Protection training in inter-agency working (to understand the processes, procedures and responsibilities of other agencies) and attended update/refresher training at least every two years.

This is in order to:

- understand the assessment process for providing early help and intervention, for example through locally agreed common and shared assessment processes such as early help assessments;
- have a working knowledge of how local authorities conduct a child protection case conference and a child protection review conference. In addition to being able to attend and contribute effectively, if required;
- ensure each member of staff has access to and understands the school's safeguarding and child protection policy and procedures, especially new and part-time staff and volunteers;
- be alert to the specific needs of children in need, those with special educational needs and young carers;
- maintaining detailed, accurate, secure written records of concerns and referrals, using ISAMS Wellbeing manager, as appropriate;
- obtain access to resources and attend any relevant training courses as necessary;
- encourage a culture of listening to children, taking account of their wishes and feelings – listening to the voice of the child.
- Assist staff to be vigilant and mindful that not every child will be able to voice their feelings and/or concerns straight away.
- Have in place measures the school may use to protect pupils. As well as meeting the requirements and procedures of the Local Safeguarding Children Partnerships.

The DSL has undertaken Prevent Awareness training and will continually support the school regarding the Prevent Duty requirements, and update their training as appropriate. The DSL will provide advice and support to staff on protecting children from risk of radicalisation.

8. Boarding

As a boarding school, we have additional requirements in regard to safeguarding. These relate to National Minimum Standards (NMS) and regulations for the relevant setting and all schools and colleges with residential provision for children must comply with their obligations relating to them. Moreover, all school policies cover the boarding setting and as such all procedures must be adhered to. To support the positive communication between the boarding setting and the rest of the school, the Head of Boarding meets with the Headmaster and the DSL regularly, and a member of the boarding staff is also a deputy DSL.

9. Human Rights Act

The Human Rights Act 1998 (HRA) sets out the fundamental rights and freedoms that **everyone** in the UK is entitled to and contains the Articles and protocols of the European Convention on Human Rights (ECHR) (the Convention) that are deemed to apply in the UK. It compels public organisations to respect and protect an individual's human rights when they make individual decisions about them.

Being subjected to harassment, violence and or abuse, including that of a sexual nature, may breach any or all of these rights, depending on the nature of the conduct and the circumstances. Further information (including on absolute and qualified rights) can be found at Human Rights | Equality and Human Rights Commission (equalityhumanrights.com).

Equality Act

Guidance to help schools understand how the Equality Act affects them and how to fulfil their duties under the act can be found at Equality Act 2010: advice for schools - GOV.UK (www.gov.uk), it may also be useful for colleges. For further information Equality Act guidance | Equality and Human Rights Commission (equalityhumanrights.com).

Equality and Diversity

At The Downs Malvern we value diversity. Diversity is a strength, and we promote inclusive behaviours and respect for all people and groups. All our staff acknowledges the need to treat everyone equally, as outlined in the Human Rights Act 1998 & the Equality Act 2010. Any discriminatory behaviours are challenged, and children are supported to understand how to treat others with respect.

This means we do not unlawfully discriminate against pupils because of their sex, race, disability, religion or belief, gender reassignment, pregnancy and maternity, or sexual orientation (protected characteristics).

Additional information can be found at:

- The Human Rights Act 1998
<https://www.legislation.gov.uk/ukpga/1998/42/contents>
- Equality Act 2010
<https://www.gov.uk/government/publications/equality-act-2010-advice-for-schools>

Children Who Identify as Being LGBTQ+

The fact that a child or a young person may be LGBTQ+ is not in itself an inherent risk factor for harm. However, children who are LGBTQ+ can be targeted by other children. In some cases, a child who is perceived by other children to be LGBTQ+ (whether they are or not) can be just as vulnerable as children who identify as LGBTQ+.

Risks can be compounded where children who are LGBTQ+ lack a trusted adult with whom they can be open. It is therefore vital that at The Downs Malvern we endeavour to reduce the additional barriers faced and provide a safe space for them to speak out or share their concerns with members of staff.

LGBTQ+ inclusion is part of the statutory Relationships Education, Relationship and Sex Education and Health Education curriculum and there is a range of support available to help schools counter homophobic, biphobic and transphobic bullying and abuse.

Part Two

Procedures for Managing a Concern, Information Sharing & Record Keeping

10. Managing & Responding to a Concern/Disclosure

Our school adheres to Child Protection procedures that have been agreed through the LSCP. Where we identify children and families in need of support, we will carry out our responsibility in accordance with the West Mercia Consortium inter-agency procedures and the Herefordshire and Worcestershire Levels of Need Guidance:

Herefordshire: <https://herefordshiresafeguardingboards.org.uk/herefordshire-safeguarding-children-partnership/for-professionals/right-help-right-time-levels-of-need/>

Worcestershire: https://www.worcestershire.gov.uk/downloads/file/7962/levels_of_need_guidance_for_merly_threshold_guidance

Every member of staff, including volunteers working with children at our school, are advised to maintain an attitude of **'it could happen here'** where safeguarding is concerned. When concerned about the welfare of a child, staff members should always act in the interests of the child and have a responsibility to take action as outlined in this policy. They should not assume a colleague or another professional will take action and share information that might be critical in keeping children safe.

All staff are encouraged to report any concerns that they have and not see these as insignificant. On occasions, a referral is justified by a single incident such as an injury or disclosure of abuse. More often however, concerns accumulate over a period of time and are evidenced by building up a picture of harm over time; this is particularly true in cases of emotional abuse and neglect. In these circumstances, it is crucial that staff record and pass on concerns to the DSL, in accordance with this policy, to allow the DSL to build up a picture and access support for the child at the earliest opportunity. A reliance on memory without accurate and contemporaneous records of concern could lead to a failure to protect.

It should always be remembered that it is not the responsibility of school staff to investigate welfare concerns or determine the truth of any disclosure or allegation. All staff, however, have a duty to recognise concerns and pass the information on in accordance with the procedures outlined in this policy.

The Designated Safeguarding Lead (DSL) is first point of contact for concerns and queries regarding any safeguarding concern in our school. Any member of staff or visitor to the school who receives a disclosure of abuse or suspects that a child is at risk of harm must report it immediately to the DSL or, if unavailable, to the deputy designated lead. In the absence of either of the above, the matter should be brought to the attention of the most senior member of staff.

All concerns about a child should be reported, without delay, and recorded in writing using iSAMS Wellbeing Manager and/or the Safeguarding Concerns Form (available from DSL and on Teams or found in Appendix 11 of this document), as appropriate.

The DSL will then consider what action to take and seek advice from Children's Social Care as necessary. When responding to a concern and deciding what action to take we will use the guidance taken from Herefordshire's Right Help Right Time – Level of Need to inform our decision making process. All information and actions taken, including the reasons for any decisions made, will be fully documented.

If, at any point, there is a risk of immediate serious harm to a pupil, a referral should be made to Children's Social care immediately and/or call 999. Anybody can make a referral. If the pupil's situation does not appear to be improving, or the concern is not addressed, the staff member with concerns should press for re-consideration by raising the matter again with the DSL and/or the

Headmaster or directly with Children's Social Care. Concerns should always lead to help for the pupil at some point.

Where unmet needs have been identified for a pupil, but there is no evidence of significant risk, the DSL will oversee the delivery of an appropriate Early Help response. This may include a multi-agency response and/or ongoing school-led support.

Staff should always follow the reporting procedures outlined in this policy in the first instance. However, they may also share information directly with Children's Social Care, or the police if:

- the situation is an emergency and the DSL, their deputies and the Headmaster are all unavailable;
- they are convinced that a direct report is the only way to ensure the pupil's safety.

Any member of staff who does not feel that concerns about a child have been responded to appropriately and in accordance with the procedures outlined in this policy, should raise their concerns with the Headmaster or the Chair of Governors. If any member of staff does not feel the situation has been addressed appropriately at this point, they should contact Children's Social Care directly with their concerns.

How to Respond to a Disclosure

Remember the 'One-Chance Rule'

It is essential that we take concerns/disclosures from a child seriously – we may only get 'one-chance'. At The Downs Malvern we will never underestimate how hard a child might find it to speak out.

Follow The Seven R's

1. Receive

- Stay calm and be patient
- Find a quiet place where your conversation will not be interrupted. Remember the school guidelines about being alone with a child
- Be welcoming, even if the time isn't convenient for you. It may have taken a great deal of courage for the child to approach you, and they may not do so again
- Listen carefully and take it seriously

2. Reassure

- Try to make the child feel safe & secure. Reassure them that they have done nothing wrong by telling you

3. Respond

- Ask open questions for clarity only
- Explain what you will do with the information & what will happen next

4. Report

- Follow our SG policy & report to DSL
- If the child is in immediate danger, call 999

5. Record

- Write down what you have been told as soon as possible. This should be either via iSAMS Wellbeing Manager or our Safeguarding Concern Form
- Date, time and sign your name to the record
- Try to write using the child's own words
- Write what you see, hear or know – be as specific as possible

6. Remember

- Support the child by reassuring and listening to them
- Do Not:
 - Promise confidentiality
 - Ask leading questions
 - Look panicked, shocked or angry
 - Make the child repeat their story
 - Interrupt
 - Give an opinion

- Inform parents until you have spoken with the DSL
- Make comments about the abuser or try to guess who they are.

7. Review

- How do you feel - are you OK? Discuss with DSL, if needed
- How well did you deal with the disclosure?
- Did you feel confident in how you handled this disclosure – do you feel you need further help/training?

The Importance of Listening

Being able to listen will help you understand a child's perspective and offer appropriate support.

Listening Guidelines

- Create a safe space
- Listen patiently
- Be comfortable with silence
- Do not interrupt
- Be empathetic
- Always remain calm
- Facial expressions and open body language, such as nodding or sitting forward, will show that you are listening
- Respond calmly with open questions or reflections to check you have understood
- Avoid judgement

Open v Closed Questions

Sometimes it may not be clear that a child is making a disclosure, it may then be necessary for you to seek clarity by asking questions. Using open questions with words: what, when, who, how, and where should inform you about the appropriate next action. Closed questions can typically be answered with a 'yes' or 'no', which is less fruitful.

Examples of Open Questions

That is a nasty bruise, when did you do that?

What happened?

Where were you when you did it? Who were you with? What did the person do?

What did the person say?

You seem to be upset and that's not like you. Is there anything worrying you? How are you feeling?

Examples of Closed Questions

Did they hit you?

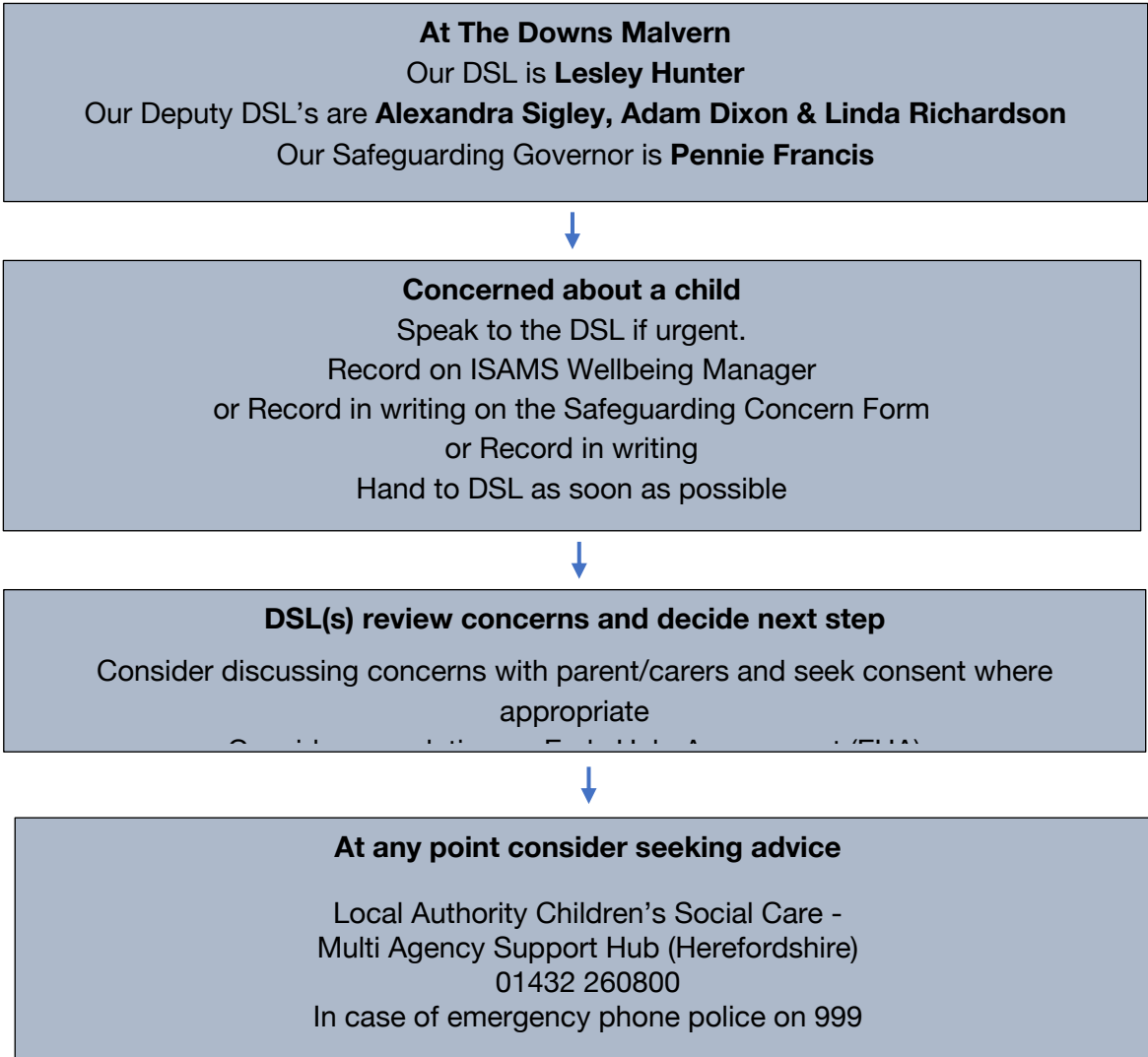
Did they touch your private parts?

Did it happen in your bedroom?

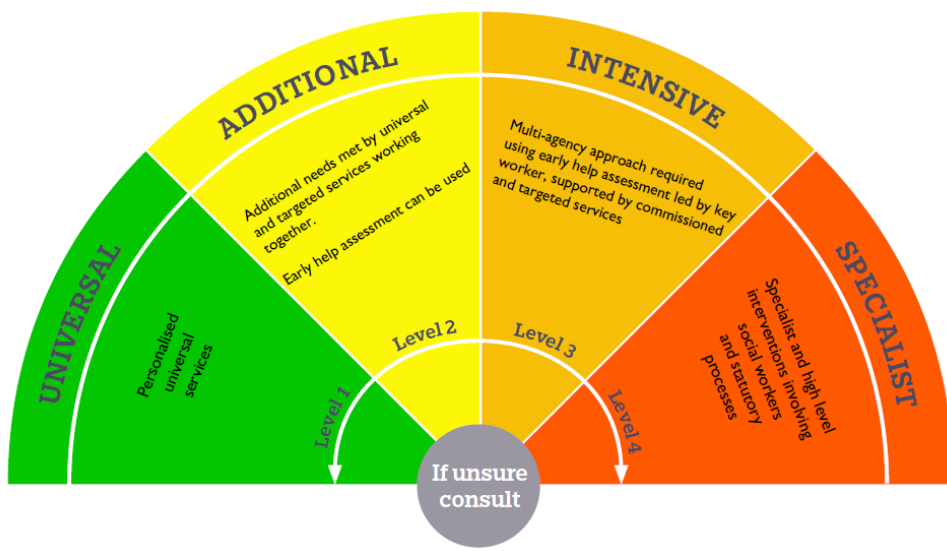
Were you made to do anything?

Remember, questions should not be used to investigate, only to clarify information. Some questions may invalidate evidence if used in court proceedings at a later date.

11. Guidance for Responding to a concern – Right Help Right Time (Herefordshire Levels of Need)



The diagram below sets out the 4 levels of need that Herefordshire services and professionals will use to ensure the **right help** is provided at the **right time** to the right children and families.



Levels of Need explained.....

Level 1. Universal

Children and young people making good overall progress in all areas of their development and receiving appropriate universal services such as health and education.

Level 2. Additional

Children, young people and their families are experiencing emerging problems, or have additional needs that require some targeted support. They are likely to require early help for a time limited period, to help them move back to Universal (level 1) and reduce the likelihood of needing level 3 more intensive support.

Level 3. Intensive

Children, young people and families with identified vulnerabilities who are experiencing multiple and complex needs and are likely to need intensive multi-agency co-ordinated approach. They are likely to require longer term help.

Level 4. Specialist

Children, young people and their families who are experiencing very serious or complex needs that are having a major impact on their expected outcomes or there is serious concern for their safety.

This may be as children in need - CIN (Section 17 of the Children Act 1989) or as children in need of protection- CP (under section 47 of the Children Act 1989). Children, young people and families receiving intervention at level 4 need are supported, where possible, to reduce the seriousness and complexity of need and are then enabled to step down to Early Help support or Universal services as appropriate.

Appendix 1 of the document Right Help Right Time provides further guidance to support professionals to work collaboratively to identify the needs of children and their families. At any time when a family is being offered support and help from any agency, it is important that practitioners feel they can ask for help and advice and draw on the expertise of others. All practitioners, services and settings who work with families should feel able to consult with one another at any time before deciding on a course of action or way forward.

As with all guidance and criteria relating to access for help and support for vulnerable people, the most important and complex task is the making of a professional judgement about next steps. This will always be informed by any known evidence, discussions with other professionals, the views of children and their families and the impact that any risk and uncertainty is likely to have on their safety and wellbeing.

The criteria at Appendix 1 of the document Right Help Right Time are neither exhaustive nor weighted. They should be used to guide professional discussions and not to support fixed and inflexible positions. Their core purpose is to help practitioners and managers make a next steps decision about how a family and its associated network are able.

12. Data Protection, Information Sharing and Confidentiality

At The Downs Malvern we recognise that all matters of child protection are confidential, but information sharing is vital in identifying and tackling all forms of abuse. Therefore, we recognise the importance of information sharing between practitioners and local agencies. We have ensured arrangements are in place that set out clearly the processes and principles for sharing information within our school and with either Herefordshire or Worcestershire Children's Social Care, the safeguarding partners, other organisations, agencies, and practitioners as required.

Our staff are proactive in sharing information as early as possible to help identify, assess, and respond to risks or concerns about the safety and welfare of children, whether this is when problems are first emerging, or where a child is already known to the local authority Children's Social Care. All staff are very aware that they cannot promise a pupil to keep secrets which might compromise the child's safety or well-being

However, in line with the information sharing principles, we will only share information that is necessary, proportionate, relevant, accurate, timely and secure. We will keep accurate records of our decisions. The DSL and/or Headmaster will disclose information about a pupil to other members of staff on a need-to-know basis only.

The school and the Governing Body are aware that among other obligations, the Data Protection Act 2018, and the UK General Data Protection Regulation (UK GDPR) place duties on organisations and individuals to process personal information fairly and lawfully and to keep the information they hold safe and secure.

This includes:

- We are confident of the processing conditions which allow us to store and share information for safeguarding purposes, including information, which is sensitive and personal, and is treated as 'special category personal data'.
- An understanding that 'safeguarding of children and individuals at risk' is a processing condition that allows practitioners to share special category personal data. This includes allowing practitioners to share information without consent where there is good reason to do so, and that the sharing of information will enhance the safeguarding of a child in a timely manner, but it is not possible to gain consent, it cannot be reasonably expected that a practitioner gains consent, or if to gain consent would place a child at risk.

The Data Protection Act 2018 and UK GDPR does not prevent the sharing of information for the purposes of keeping children safe. Fears about sharing information must not be allowed to stand in the way of the need to safeguard and promote the welfare and protect the safety of children.

When children transfer from our school the safeguarding records are also transferred via hard copy. Safeguarding records will be transferred separately from other records and best practice is to pass these directly to a Designated Safeguarding Lead in the receiving education setting, with any necessary discussion or explanation and to obtain a signed and dated record of the transfer. In the event of a child moving out of area and a physical handover not being possible then the most secure method should be found to send the confidential records to a named Designated Safeguarding Lead. Files requested by other agencies e.g. Police, will be copied.

13. Records, Monitoring and Transfer

Record Keeping

All staff are clear about the need to record and report concerns about a child or children within the school. All staff will follow the Seven R's when dealing with a disclosure. They are:

1. **Receive** – stay calm, find a quiet place to have the conversation, be welcoming, listen carefully & take seriously.”
2. **Reassure** – try to make the child feel safe & secure. Reassure them that they have done nothing wrong by telling you.
3. **Respond** – ask open questions (what, where, when, etc) for clarification only. Explain what you will do with the information and what will happen next.
4. **Report** – follow the school's policy and procedures for child protection.
5. **Record** – write down what you have been told as soon as possible – date, time and sign. Pass to DSL without delay.
6. **Remember** – support the child – reassure and listen to them. **Do Not** – promise confidentiality, ask leading questions, look panicked, shocked or angry, make the child repeat the story, give an opinion, inform parents until you have discussed with DSL, make any comments about the abuser, or try to guess who they are.
7. **Review** – how do you feel – seek support from DSL.

Any member of staff receiving a disclosure from a child or noticing signs or symptoms of possible abuse will make notes as soon as possible and write down exactly what was said, using the child's own words as far as possible. All notes should be timed, dated and signed and recorded on iSAMS Wellbeing Manager or the Safeguarding Concerns Form (see Appendix 11 of this document)

All records of a child protection nature will be passed to the DSL including case conference minutes and written records of any concerns. Child Protection records are kept securely and/or are password protected, with only appropriate persons having access to them.

Child Protection records should include:

- A summary of the concern
- Details of how the concern was managed and resolved
- A note of actions taken, decisions reached and the outcome

Child protection records are stored securely, with access confined to specific staff, e.g. DSL, deputy DSL, and the Head Teacher. Other pupil records on iSAMS sometimes have markers to show that there is sensitive material stored elsewhere. Where this is the case, the relevant contact is listed (for example, the DSL). This is to avoid the 'oversharing' of sensitive and confidential information. All child protection records are stored securely, with automatic access confined to the DSL team (which does include the Headmaster). Other members of staff can be given access to certain records as and when deemed necessary by the DSL/Deputy DSLs.

Monitoring

Child protection records are reviewed regularly by the DSL & Safeguarding Team to check whether any action or updating is needed. This includes monitoring patterns of complaints or concerns about any individuals (for example, a child who repeatedly goes missing) and ensuring these are acted upon. Safeguarding records for each pupil have a chronology of significant events and/or actions.

The Designated Safeguarding Lead is responsible for such records and for deciding at what point these records and the information they contain should be referred and passed over to other agencies.

Record of Allegation About a Member Of Staff

A record of any allegations made against staff is kept by the Headmaster, who liaises closely with the Human Resources Department to ensure any such records are stored securely on the relevant personnel files.

Records should include:

- a clear and comprehensive summary of the concern;
- details of how the concern was followed up and resolved;
- a note of any action taken, decisions reached and the outcome.
- If in doubt about recording requirements, staff should discuss with the designated safeguarding lead (or deputy).

Transfer of Records

When a child leaves our school, the DSL will ensure their child protection file is transferred to the new school as soon as possible. This will be **within 5 days** for an in-year transfer or within the **first 5 days** of the start of a new term to allow the new school or college to have support in place for when the child arrives. The DSL will ensure secure transit, and confirmation of receipt should be obtained, this will be transferred separately from the main pupil file.

The receiving school should ensure key staff, such as the DSL, SENCO, are aware as required.

14. Referrals & Retention of Records

Any referrals made to other agencies, including referrals to Children's Social Care, will be copied prior to sending and stored in the child's safeguarding record.

The DSL may copy child protection records generated by the school prior to transfer and retain for as long as is necessary (normally DOB +25 years), where there is justification for believing that the records may be required as evidence of the school's involvement with the child for statutory purposes (e.g. court cases or serious case reviews). When the records are no longer required, they will be securely disposed of. When a child leaves the school, their safeguarding records on iSAMS Wellbeing Manager are archived and files would be accessible at a later stage if ever needed.

15. Communication with Parents

We recognise that good communication with parents is crucial in order to safeguard and promote the welfare of children effectively. We will always undertake appropriate discussion with parents prior to involvement with another agency unless to do so would place the child or an adult at further risk of harm or would impede a criminal investigation. We will ensure that parents have an understanding of the responsibilities placed on the school and staff to safeguard children and their duty to co-operate with other agencies in this respect.

However, we will not disclose to a parent/guardian any information held on a pupil, if this could put the pupil at risk of significant harm.

Part Three

Specific Safeguarding Issues and Procedures

16. Mental Health

Staff at The Downs Malvern are 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. KCSiE emphasises the impact of abuse, neglect or other potential adverse childhood experiences on mental health, behaviour and education in children and young people.

Trained staff in Mental Health First Aid 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 might be at risk of developing one. However, it is understood that only appropriately trained professionals should attempt to make a diagnosis of a mental health problem.

Staff are supported in their understanding of mental health through INSET, regular meetings and targeted training (for example, modules on EduCare).

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.

The Downs Malvern has access to a range of advice to help identify children in need of extra mental health support, this includes working with external agencies. If the school has a mental health concern about a child, then immediate action will be taken, we will treat this as a safeguarding concern and we will refer to the Level of Need document as with any other form of safeguarding concern.

The Downs Malvern will seek advice and guidance from Mental Health and Behaviour in Schools (2018).

Currently The Downs Malvern has four staff trained in Mental Health First Aid. They are: Lesley Hunter (DSL), Alexandra Sigley (Deputy Head & Deputy DSL), Linda Richardson (Deputy DSL) and John Warlow (Head of Boarding).

The Mental Health Lead at The Downs Malvern is: Alexandra Sigley

17. Child-on-Child Abuse

See Appendix 3 of this document for further information.

All our staff are aware that children can abuse other children, and that it can happen both inside and outside of school and online. It is important that all staff recognise the indicators and signs of Child-on-Child abuse and know how to identify it and respond to reports.

These indicators may include, but are not limited to:

- increased absence from school;
- a change in friendships or relationships with older individuals or groups, a significant decline in performance;
- signs of self-harm;
- a significant change in wellbeing;
- signs of assault or unexplained injuries; and
- unexplained gifts or new possessions could also indicate that children have been approached by, or are involved with, individuals associated with criminal networks or gangs and may be at risk of criminal exploitation

All our staff are clear as to the school's policy and procedures with regards to Child-on-Child abuse and the important role they have to play in preventing it and responding where they believe a child may be at risk from it.

Staff will be given the skills to identify and manage harmful sexual behaviour using resources such as the 'Brook Traffic Light Tool'. <https://www.brook.org.uk/training/wider-professional-training/sexual-behaviours-traffic-light-tool/>

All our staff understand, that even if there are no reports in this school it does not mean it is not happening, it may be the case that it is just not being reported. As such it is important if staff have **any** concerns regarding Child-on-Child abuse, they should speak to the DSL (or deputy) as soon as possible.

We, at The Downs Malvern, understand the importance of challenging inappropriate behaviours between peers, many of which are listed below. Downplaying certain behaviours, for example dismissing sexual harassment as "just banter", "just having a laugh", "part of growing up" or "boys being boys" can lead to a culture of unacceptable behaviours, an unsafe environment for children and in worst case scenarios a culture that normalises abuse leading to children accepting it as normal and not coming forward to report it.

Child-on-Child abuse is most likely to include, but may not be limited to:

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

18. Child-on-Child Sexual Violence and Sexual Harassment

In conjunction with this staff should read and be familiar with KCSiE 2022 Part 5 & Appendix 4 of this document

The Downs Malvern has a **zero-tolerance** of sexual violence and/or sexual harassment. Staff should be aware of the importance of making clear that sexual violence and sexual harassment is not acceptable.

Sexual violence and sexual harassment can occur between two children of **any age and sex**. It can also occur through a group of children sexually assaulting or sexually harassing a single child or group of children. Sexual violence and sexual harassment exist on a continuum and may overlap; they can occur online and/or face to face (both physically and verbally) and are never acceptable.

We emphasise to staff that downplaying abuse, or the scale of abuse, leads to a dangerous culture in which harmful behaviours can thrive. Staff are expected to observe an **“it could happen here”** approach.

Sexually harmful behaviour from young people is not always contrived or with the intent to harm others. There may be many reasons why a young person engages in sexually harmful behaviour, and it may be just as distressing to the young person who instigates it as to the young person it is intended towards.

Sexually harmful behaviour may include:

- inappropriate sexual language;
- inappropriate role play;
- sexual touching; and
- sexual assault/abuse.

The Downs Malvern will respond to reports of Child-on-Child sexual violence and sexual harassment. Concerns and/or allegations must always be referred immediately to the DSL.

The DSL will follow the DfE Guidance: With consideration of:

- Managing internally;
- Early Help;
- MASH referral; and
- Reporting to the police.

The Downs Malvern will carefully consider any report of sexual violence and/or sexual harassment. The DSL (or Deputy) is likely to have a complete safeguarding picture and be the most appropriate person to advise on the school’s initial response.

Important considerations will include:

- the wishes of the victim in terms of how they want to proceed. This is especially important in the context of sexual violence and sexual harassment. We will support victims to be given as much control as is reasonably possible over decisions regarding how any investigation will be progressed and any support that they will be offered. This will, however, need to be balanced against the school’s duty and responsibilities to protect other children.

At The Downs Malvern we recognise the term ‘victim’ to refer to those who have been subjected to abuse. But we recognise that not every victim will view themselves as such, also we use the term ‘alleged perpetrator(s)’ and where appropriate ‘perpetrator(s).’ Though we caution the use of this term as in some cases the abusive behaviour will have been harmful to the perpetrator as well.

- the nature of the alleged incident(s), including whether a crime may have been committed and consideration of harmful sexual behaviour;
- the ages of the young people involved;
- the developmental stages of the young people involved;
- any power imbalance between those involved. For example, is the alleged perpetrator(s) significantly older, more mature or more confident? Does the victim have a disability or learning difficulty?
- if the alleged incident is a one-off or a sustained pattern of abuse (sexual abuse can be accompanied by other forms of abuse and a sustained pattern may not just be of a sexual nature).

All victims of sexual violence and/or harassment will be reassured that they are being taken seriously, will be supported and kept safe, and all staff are aware of the importance of this. A victim will never be made to feel that they are creating a problem by reporting abuse or be made to feel ashamed. We also recognise that reports may sometimes be indirect and may stem from overheard conversations or observed changes in behaviour that arouse concern.

We are aware that sexual assault can result in a range of health needs and will ensure that pupils experiencing sexual abuse or assault can access specialist NHS support (CAHMS) or support from an appropriate sexual abuse referral centre.

Further considerations will include how to manage pupils sharing a classroom or boarding environment, and other ongoing risks to the victim, other pupils or staff. Proportionality of response is important, and action taken, including support and sanctions, will be considered on a case-by-case basis and will reflect the guidance in KCSiE 2022 Part 5.

Appropriate professional support will also be provided to the alleged perpetrator (eg signposting to sources of support, information about harmful sexual behaviours etc).

If a report of sexual violence or sexual harassment is found to be unfounded/unsubstantiated, false or malicious, the DSL, and the SMT will consider whether the person making the allegation needs support (eg if this is a cry for help) and/or whether disciplinary processes would be appropriate.

19. Sharing Nude and Semi-Nude Images

This involves the sending or posting of nude or semi-nude images, videos and live streams by young people under the age of 18 online. This could be via social media, gaming platforms, chat apps or forums. It could also involve sharing between devices via services like apple's Airdrop, which works offline. (NB The sharing of nudes/semi-nudes of under 18s by adults is child sexual abuse and will be referred immediately to the police.)

20. Upskirting

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

It is a criminal offence. Anyone of any gender, can be a victim.

Any incident involving the sharing of nudes or semi nudes by pupils must be reported to the DSL/Deputy DSL immediately. The DSL will establish whether the incident is **experimental** (with no adult involvement or attempt to harm) or **aggravated** (involving additional or abusive elements), and will respond to the incident in line with DfE and UKCIS Guidance (<https://www.gov.uk/government/publications/sharing-nudes-and-semi-nudes-advice-for-education-settings-working-with-children-and-young-people/>) and the schools Online Safety and Acceptable Use Policy.

The following practice should always be followed:

- **Do not** view, copy, share, print, store or save the imagery or ask the pupil to do so (if you have viewed the image(s) accidentally, report this to the DSL and seek support).
- **Do not** delete imagery, ask the pupil to delete it or ask the pupil to disclose information about it. This is the DSL's responsibility.
- **Do not** share the information with other staff, parents or young people/pupils.
- **Do not** apportion blame/shame to the pupil involved.
- Explain that the incident needs to be reported to the DSL and that support will be available.

It is essential that all victims are reassured that they are being taken seriously and that they will be supported and kept safe. A victim should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report.

21. Child Criminal Exploitation (CCE) and Child Sexual Exploitation (CSE)

For further information please refer to Appendix 5 of this document.

At The Downs Malvern we know that different forms of harm often overlap, and that perpetrators may subject children and young people to multiple forms of abuse, such as criminal exploitation (including county lines) and sexual exploitation.

We recognise that both CSE and CCE are forms of abuse that occur where an individual or group takes advantage of an imbalance in power to coerce, manipulate or deceive a child into taking part in sexual or criminal activity. This can be done in exchange for something the victim needs or wants, and/or for the financial benefit or other advantages, such as: increased status of the perpetrator or facilitator and/or through violence or the threat of violence.

Children can be exploited by adult males or females, as individuals or in groups. They may also be exploited by other children, who themselves may be experiencing exploitation – where this is the case, it is important that the child perpetrator is also recognised as a victim.

It is important to note that the experience of girls who are criminally exploited can be very different to that of boys. The indicators may not be the same, however professionals should be aware that girls are at risk of criminal exploitation too. It is also important to note that both boys and girls being criminally exploited may be at higher risk of sexual exploitation.

Child Criminal Exploitation (CCE)

Some specific forms of CCE can include children being forced or manipulated into transporting drugs or money through county lines, working in cannabis factories, shoplifting, or pickpocketing. They can also be forced or manipulated into committing vehicle crime or threatening/committing serious violence to others.

Children can become trapped by this type of exploitation as perpetrators can threaten victims (and their families) with violence or entrap and coerce them into debt. They may be coerced into carrying weapons such as knives or begin to carry a knife for a sense of protection from harm from others. As children involved in criminal exploitation often commit crimes themselves, their vulnerability as victims is not always recognised by adults and professionals, (particularly older children), and they are not treated as victims despite the harm they have experienced. They may still have been criminally exploited even if the activity appears to be something they have agreed or consented to

Child Sexual Exploitation (CSE)

CSE is a form of child sexual abuse. Sexual abuse may involve physical contact, including assault by penetration (for example, rape or oral sex) or nonpenetrative acts. It may include non-contact activities, such as involving children in the production of sexual images, forcing children to look at sexual images or watch sexual activities, encouraging children to behave in sexually inappropriate ways or grooming a child in preparation for abuse including via the internet.

CSE can occur over time or be a one-off occurrence and may happen without the child's immediate knowledge e.g. through others sharing videos or images of them on social media.

CSE can affect any child, who has been coerced into engaging in sexual activities. Some children may not realise they are being exploited, eg. they believe they are in a genuine romantic relationship.

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

All staff and Governors are made aware if the indicators of sexual exploitation, the fact that the victim may have been sexually exploited even if the sexual activity appears consensual and it does not always involve physical contact but can occur through the use of technology.

Intra and Extra Familial Harm

Intra-familial harm refers to child sexual abuse that occurs within a family environment. Sexual abuse involving child siblings is thought to be the most common form of intra-familial child sexual abuse. Sibling abuse has the potential to be every bit as harmful as sexual abuse by a parent and can have both short and long-term consequences for a child's physical and mental health. However, perpetrators may or may not be related to the child. The key consideration is whether the abuser feels like family from the child's point of view.

Extra-familial harm is defined as risks to the welfare of a child that arises within the community or peer group, and this could include CSE and CCE.

All concerns of CSE or CCE must be reported immediately to the DSL.

22. County Lines

County lines is a term used to describe gangs and organised criminal networks involved in exporting illegal drugs into one or more importing areas within the UK, using dedicated mobile phone lines or other form of "deal line".

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

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

If we identify that a child may be at risk of exploitation the DSL will work with and support the child and consider completion of a GET SAFE risk assessment which will be referred to Herefordshire MASH Team or Worcestershire Children First Get Safe Team, for further assessment and support. The DSL will also consider referral to LCSP as part of our schools and local safeguarding procedures. More information can be found at:

[Get Safe - keeping children and young people safe from criminal exploitation](#)

[County lines: criminal exploitation of children and vulnerable adults - GOV.UK \(www.gov.uk\)](#)

23. Serious Violent Crime

All our staff will be aware of the indicators, which may signal children are at risk from, or are involved with serious violent crime. These may include, but not limited to:

- increased absence from school,

- a change in friendships or relationships with older individuals or groups,
- a significant decline in performance,
- signs of self-harm or a significant change in wellbeing,
- signs of assault or unexplained injuries.
- Unexplained gifts or new possessions could also indicate that children have been approached by, or are involved with, individuals associated with criminal networks or gangs and may be at risk of criminal exploitation.

All our staff are aware of the range of risk factors which increase the likelihood of involvement in serious violence, such as, but not limited to:

- being male,
- having been frequently absent or permanently excluded from school,
- having experienced child maltreatment
- having been involved in offending, such as theft or robbery.

Advice for schools and colleges is provided in the Home Office's Preventing youth violence and gang involvement and its Criminal exploitation of children and vulnerable adults: county lines guidance (2013).

24. Online Safety

The Downs Malvern recognises that it is essential that children are safeguarded from potentially harmful and inappropriate online material. We have an effective whole school approach to online safety which empowers our school to protect and educate pupils, and staff in their use of technology and establishes mechanisms to identify, intervene in, and escalate any concerns where appropriate. All staff are aware that abuse can take place solely online.

For further information, please see our stand-alone Online Safety and Acceptable Use Policy

The breadth of issues classified within online safety is considerable and ever evolving, but can be categorised into four areas of risk:

- **Content** - being exposed to illegal, inappropriate, or harmful content, for example: pornography, fake news, racism, misogyny, self-harm, suicide, anti-Semitism, radicalisation, and extremism.
- **Contact** - being subjected to harmful online interaction with other users; for example: child on child pressure, commercial advertising and adults posing as children or young adults with the intention to groom or exploit them for sexual, criminal, financial or other purposes.
- **Conduct** - online behaviour that increases the likelihood of, or causes, harm; for example, making, sending and receiving explicit images (e.g. consensual and non-consensual sharing of nudes and semi-nudes and/or pornography, sharing other explicit images and online bullying, and
- **commerce**: - risks such as online gambling, inappropriate advertising, phishing and/or financial scams. If any member of staff felt that a pupil or colleague was at risk, they should report it to the Anti-Phishing Working Group
[APWG | Unifying The Global Response To Cybercrime](#)

The Downs Malvern and the Governing Body ensures online safety is a running and interrelated theme, whilst devising and implementing their whole school approach to safeguarding and related policies and procedures. This will include considering how online safety is reflected, as required, in all relevant policies. We will also consider online safety whilst planning the curriculum; any teacher training; the role and responsibilities of the DSL and Deputies; and any parental engagement, to ensure we continue to raise awareness in order to support our pupils.

All members of staff are trained in and receive regular updates in e-safety and recognising and reporting concerns. Targeted training for teaching staff through EduCare further supports the level of understanding of our staff.

We recognise the additional risks that children with SEND face online, for example, from online bullying, grooming and radicalisation and we provide additional support where needed to ensure SEND pupils stay safe online.

Protecting Children Online – Filtering and Monitoring

At The Downs Malvern we will do all we reasonably can to limit pupil's exposure to the above risks from the school's IT system. We will safeguard and promote the welfare of our pupils and provide them with a safe environment in which to learn. We will ensure that we have an effective and an appropriate filter and monitoring system (Fortinet and Impero) is in place to prevent access to unsuitable sites.

This system also enables staff to monitor the use of the school network and internet to ensure that any pupil or staff member attempting to access inappropriate, abusive or harmful material is appropriately advised and/or supported. In the event of a pupil trying to access inappropriate or harmful material, an alert is immediately raised and key members of staff, including the Safeguarding Team, SMT, Head of ICT and Head of Boarding, are informed automatically and immediately, via email. Staff will then respond accordingly.

This system is regularly reviewed and assessed with regard to its effectiveness. Also, to ensure that the filters and monitoring systems are appropriate and informed, in part, by risk assessments carried out in relation to the Prevent Duty. The UK Safer Internet Centre has published guidance as to what appropriate filtering and monitoring might look like:

<https://saferinternet.org.uk/guide-and-resource/teachers-and-school-staff/appropriate-filtering-and-monitoring>

Guidance on e-security is available from the [National Education Network](#).

Our pupils regularly receive instruction and advice on 'how to stay safe online' delivered during specific lessons in ICT and PSHCEe and through talks from visiting speakers, such as the Police, Youth Engagement Team.

At The Downs Malvern all pupils read and sign an 'Acceptable Use of ICT Equipment in School Agreement', (see *Online Safety and Acceptable Use Policy*).

Personal Mobile Devices

The Downs Malvern's approach to online safety includes a clear policy on the use of mobile technology in school – *please see our Online Safety and Acceptable Use Policy*. We understand that pupils could potentially have unlimited and unrestricted access to the internet via 3G, 4G and 5G on their mobile/portable devices and their access to this and how it is managed/supervised within the school and on school trips is reviewed regularly. It is our policy that pupils are not allowed to have personal mobile devices in school, and this is clearly stated in our *Online Safety and Acceptable Use Policy*.

Remote Education

To support our school in helping to keep pupils and staff safe whilst learning remotely, we will:

- Keep in regular contact with the parents/carers.
- Communicate and reinforce the importance of keeping their child(ren) safe online, by helping parents to understand what systems the school is using to filter and monitor use.
- Ensure that parents are aware of what their child(ren) are being asked to do online, including the sites they will be asked to access
- Inform the parents which member(s) of staff their child(ren) will be interacting with online.

To support this further the NSPCC provide helpful advice through: [Undertaking remote teaching safely | NSPCC Learning](#)

25. Anti-Bullying

for further details please refer to the school's Anti-Bullying Policy

Our policy on anti-bullying is set out in a separate document but we acknowledge that to allow or condone bullying may lead to consideration under child protection procedures. All incidences of bullying, including cyber-bullying, sexting, racist, homophobic and gender-related bullying, will be dealt with in accordance with our anti-bullying policy. We recognise that children with special needs /disabilities are more susceptible to being bullied.

The Safeguarding Team maintains individual notes of bullying incidents in school. In addition an account of these incidents is recorded on to the iSAMS Wellbeing Manager and the Deputy Head Pastoral holds records of all Serious Incidents, which includes bullying.

The log of both Bullying and Racist themes are reviewed regularly with the Safeguarding Team and Headmaster, as appropriate. Immediate intervention and support will be implemented where necessary, in addition to any external support as required. Incidents and/or individuals may also be discussed in weekly staff Pupil Meetings.

We recognise that there will be occasions when bullying incidents will fall within child protection procedures or may be deemed criminal activity and that it may be necessary to report the concerns to Herefordshire or Worcestershire Children's Social Care and/or to the Police.

Racist Incidents

Our policy on racist incidents is set out within the Anti-Bullying Policy and acknowledges that repeated racist incidents or a single serious incident may lead to consideration under child protection procedures.

We maintain a log of racist incidents in school through the iSAMS Wellbeing Manager recording system.

26. Special Educational Needs and Disabilities (SEND)

The school recognises that children with special educational needs and disabilities (SEND) or certain health conditions, can face additional safeguarding risks and challenges. Specific challenges exist in recognising abuse and neglect in this group of children.

These can include:

- assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability without further exploration;
- being more prone to peer group isolation than other children;
- children with SEND can be disproportionately impacted by behaviours such as bullying, without outwardly showing any signs;
- communication barriers and difficulties in overcoming these barriers.

We will always consider extra pastoral support for children with SEND to address these additional challenges. In addition, the DSL and SENCo work closely together to ensure appropriate support and packages of care are in place for pupils with SEND.

Staff are regularly informed via the weekly staff Pupil Meetings of any concerns and specific support being offered to pupils with SEND.

27. Children with Additional Vulnerabilities

There are many children who have additional needs or whose living arrangements may mean that they are more vulnerable to harm, for example:

- children with special educational needs;
- disabled children; and
- children in public care or privately fostered children.

It is essential that the school knows who shares parental responsibility for children and has effective relationships with partner agencies in relation to these children (for example, Virtual School for Children in Care).

The Downs Malvern will ensure that staff have sufficient knowledge and guidance so that they are aware of the additional challenges faced by these children and the impact of their additional vulnerabilities.

These can include:

- assumptions that indicators of possible abuse such as behaviour, mood and injury relate to a child's disability without further exploration;
- no single point of contact for the school as a child has a number of care-givers and involved professionals;
- assumptions that state approved care-givers are providing safe care for the child;
- communication needs of a child which can lead to over reliance on parental accounts and interpretations.

28. Domestic Abuse

for further information please see Appendix 7

The cross-government definition of domestic violence and abuse is: any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of sex or sexuality. The abuse can encompass but is not limited to:

- psychological;
- physical/violent;
- sexual;
- economic/financial;
- emotional
- Coercive & controlling behaviour

Domestic abuse can encompass a wide range of behaviours and may be a single incident or a pattern of incidents. That abuse can be, but is not limited to, the points listed above. The Domestic Abuse Act 2021 recognises the impact of domestic abuse on children, as victims in their own right. They may see, hear, or experience the effects of abuse at home and/or suffer domestic abuse in their own intimate relationships (teenage relationship abuse). All of which can have a detrimental and long-term impact on their health, well-being, development, and ability to learn.

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

We will ensure that our pupils are educated so as they are able to understand what a healthy relationship looks like, for example, through the PSHCEe curriculum.

Staff can refer to WSCB Healthy Relationships – a whole school approach (2016):

<https://www.safeguardingworcestershire.org.uk/wp-content/uploads/2019/06/Whole-School-Approach-to-Healthy-Relationships-Sept-2016.pdf>

and

Worcestershire County Council Domestic Abuse and Sexual Violence website:

<https://www.worcestershire.gov.uk/domesticabuse> for further information and resources.

If there are concerns that a pupil is experiencing or has witnessed domestic abuse, the school safeguarding procedures will be followed and the victim will be offered support. A referral to Children's Social Care may be appropriate.

29. Operation Encompass

Operation Encompass is in place to highlight to all relevant safeguarding partners that a Domestic Abuse Incident has taken place and the police have been called. It helps police and schools work together to provide emotional and practical help to children.

This system ensures that when police are called to an incident of domestic abuse, where there are children in the household who have experienced the domestic incident, the police will inform either Herefordshire or Worcestershire Children First, who then inform the school (usually the DSL) in school before the child or children arrive at school the following day. This is so we at The Downs Malvern have up to date and relevant information about the child's circumstances, which can enable us to give support to the child according to their needs.

30. Children with Family Members in Prison

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

31. Preventing Radicalisation and Extremism [Prevent Duty]

For further information please refer to Appendix 8

With effect from the 1st July 2015, all schools are subject to a duty to have 'due regard to the need to prevent people being drawn into terrorism' (section 26, Counter Terrorism and Security Act 2015). This is known as **The Prevent Duty**.

The current threat from terrorism in the United Kingdom may include the exploitation of vulnerable people, to involve them in terrorism or in activity in support of terrorism. The normalisation of extreme views may also make children and young people vulnerable to future manipulation and exploitation.

Staff at The Downs Malvern know children are vulnerable to extremist ideology and radicalisation. As part of our whole safeguarding approach, we include and consider the following;

- **Extremism** is the vocal or active opposition to our fundamental values, including democracy, the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs. This also includes calling for the death of members of the armed forces.
- **Radicalisation** refers to the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups.
- **Terrorism** is an action that endangers or causes serious violence to a person/people; causes serious damage to property; or seriously interferes or disrupts an electronic system. The use or threat must be designed to influence the government or to intimidate the public and is made for the purpose of advancing a political, religious or ideological cause.

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

However, it is possible to protect vulnerable people from extremist ideology and intervene to prevent those at risk of radicalisation being radicalised. As with other safeguarding risks, staff are alert to changes in children's behaviour, which could indicate that they may be in need of help or protection. Staff use their judgement in identifying children who might be at risk of radicalisation and act

proportionately which may include the designated safeguarding lead (or deputy) making a Prevent referral. The school's DSL (and any deputies) are aware of local procedures for making a Prevent referral.

The Downs Malvern values freedom of speech and the expression of beliefs and ideology as fundamental rights underpinning our society's values. Pupils and teachers have the right to speak freely and voice their opinions. However, free speech is not an unqualified privilege; it is subject to laws and policies governing equality, human rights, community safety and community cohesion.

The Prevent Duty

The Prevent duty is part of our schools wider safeguarding obligations. DSL's and other senior leaders are familiar with the revised [Prevent duty guidance: for England and Wales](#),

Channel

The school has a duty to cooperate with the Channel programme in the carrying out of its functions, and with the Police in providing information about an individual who is referred to Channel (section 38, Counter Terrorism and Security Act 2015)

Channel is a voluntary, confidential support programme which focuses on providing support at an early stage to people who are identified as being vulnerable to being drawn into terrorism. Prevent referrals may be passed to a multi-agency Channel panel, which will discuss the individual referred to determine whether they are vulnerable to being drawn into terrorism and consider the appropriate support required. It is led by the West Midlands Police Counter-terrorism Unit, and it aims to:

- Establish an effective multi-agency referral and intervention process to identify vulnerable individuals;
- Safeguard individuals who might be vulnerable to being radicalised, so that they are not at risk of being drawn into terrorist-related activity;
- Provide early intervention to protect and divert people away from the risks they face and reduce vulnerability.

A representative from our school may be asked to attend the Channel panel to help with this assessment. An individual's engagement with the programme is entirely voluntary at all stages

Guidance on Channel is available at: [Channel guidance](#).

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

Risk Reduction:

Through the curriculum, we promote the spiritual, moral, social and cultural (SMSC) development of our pupils. We encourage pupils to respect the fundamental British Values of democracy, the rule of law, individual liberty and mutual respect, and tolerance of those with different faiths and beliefs.

The DSL, Headmaster and Safeguarding Governor will continually assess the level of risk within the school and implement actions to reduce the risk. Risk assessments may include, but are not limited to:

- Consideration of the school's PSHCEe curriculum
- SEND policy
- Use of the school premises by external agencies
- Integration of pupils by gender and SEND
- Anti-bullying policy
- Other issues specific to the school's profile, community and philosophy.

Furthermore, due diligence checks will be undertaken on all external speakers invited to The Downs Malvern.

We are clear that exploitation and radicalisation must be viewed as a safeguarding concern and that protecting pupils from risk of radicalisation from any group (including, supremacist, Domestic Terrorism, Irish Nationalist and Loyalist paramilitary groups, and extremist Animal Rights movements) is part of our safeguarding duty.

All staff are alert to changes in a pupil's behaviour or attitudes which could indicate that they are vulnerable to exploitation or radicalisation and/or need help or protection.

All staff are aware of and vigilant regarding the role of social media in encouraging travel to specific countries and promoting radicalisation.

The school will monitor online activity to ensure that inappropriate sites are not accessed by pupils or staff, and there are systems in place (Fortinet & Impero) for keeping pupils safe from extremist material when accessing the internet in our school, by using effective filtering and usage policies.

Whilst the school has an appropriate filtering and monitoring system, which sends automatic, daily and weekly alerts, the parameters can be temporarily changed when required to ensure that the pupils' education is not restricted.

We are required to identify a Prevent Single Point of Contact (SPOC) who will be the lead within the organisation for safeguarding in relation to protecting individuals from radicalisation and involvement in terrorism – this will normally be the DSL or Headmaster.

The Prevent SPOC at The Downs Malvern is Andrew Nuttall.

We will use relevant information, tools and resources to help our staff and parents recognise and address extremism and radicalisation in young people, for example, <https://educateagainsthate.com/>

32. Modern Slavery

The Modern Slavery Act 2015 places a statutory duty on public authorities, including schools, to notify the National Crime Agency (NCA) on observing signs or receiving intelligence relating to modern slavery. The public authority (including schools) bears this obligation where it has 'reasonable grounds to believe that a person may be a victim of modern slavery or human trafficking'.

Staff are aware of this duty and will inform the DSL should they suspect or receive information that either parents or their children may be victims of modern slavery. The DSL will then contact the NCA.

33. Honour-Based Abuse (including Female Genital Mutilation and Forced Marriage)

For further information please refer to Appendix 9 and 10 of this document

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

All staff are up to date with the latest advice and guidance provided to assist in addressing specific vulnerabilities and forms of exploitation around:

- Forced marriage

- FGM
- Honour Based Abuse
- Trafficking
- Criminal Exploitation & Gang Affiliation

Our staff will be supported to recognise warning signs and symptoms in relation to each specific issue, and include such issues, in an age-appropriate way, in relevant PSHCEe lessons.

Actions

If staff have a concern regarding a child that might be at risk of HBA or who has suffered from HBA, they should speak to the DSL (or deputy). As appropriate, they will activate local safeguarding procedures, using existing national and local protocols for multi-agency liaison with police and Children’s Social Care. Where FGM has taken place, since 31 October 2015, there has been a mandatory reporting duty placed on teachers.

FGM Mandatory Reporting Duty for Teachers

Section 5B of the Female Genital Mutilation Act 2003 (as inserted by section 74 of the Serious Crime Act 2015) places a statutory duty upon teachers along with regulated health and social care professionals in England and Wales, to report to the police where they discover (either through disclosure by the victim or visual evidence) that FGM appears to have been carried out on a girl under 18. **Those failing to report such cases may face disciplinary sanctions.**

It will be rare for teachers to see visual evidence, and they should **not** be examining pupils, but the same definition of what is meant by “to discover that an act of FGM appears to have been carried out” is used for all professionals to whom this mandatory reporting duty applies. Information on when and how to make a report can be found at: [Mandatory reporting of female genital mutilation procedural information](#)

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

Forced Marriage

For further information please refer to Appendix 9 of this document

Forcing a person into a marriage is a crime in England and Wales. A forced marriage is one entered into without the full and free consent of one or both parties and where violence, threats or any other form of coercion is used to cause a person to enter into a marriage. Threats can be physical or emotional and psychological.

A lack of full and free consent can be where a person does not consent or where they cannot consent (if they have learning disabilities, for example). Nevertheless, some perpetrators use perceived cultural practices as a way to coerce a person into marriage.

Staff at The Downs Malvern understand we could potentially play an important role in safeguarding children from forced marriage. The Forced Marriage Unit has published [statutory guidance](#) and [Multi-agency guidelines](#), pages 35-36 of which focus on the role of schools and colleges. All staff can contact

the Forced Marriage Unit if they need advice or information: Contact: 020 7008 0151 or email fmfu@fco.gov.uk.

What Should Schools Do?

The Downs Malvern will contact the Local Authority Children's Social Care if we have a concern about a child, and where the concerns are based on more concrete indicators – i.e., the young person says this is going to happen to them, or makes a disclosure that it has happened to them or to an older sister – schools should make a child protection referral and inform the Police as required by the mandatory reporting duty. **School should not:**

- Contact the parents before seeking advice from children's social care.
- Make any attempt to mediate between the child/young person and parents.

It is important to keep in mind that the parents may not see FGM or Breast Ironing as a form of abuse; however, they may be under a great deal of pressure from their community and or family to subject their daughters to it.

The 'One Chance' Rule

In the same way that we talk about the 'one chance rule' in respect of young people coming forward with fears that they may be forced into marriage, young people disclosing fears that they are going to be sent abroad for FGM are taking the 'one chance', of seeking help.

It is essential that we take such concerns seriously and act without delay. Staff should never underestimate the determination of parents who have decided that it is right for their daughter to undergo FGM. Attempts to mediate may place the child/young person at greater risk, and the family may feel so threatened at the news of their child's disclosure that they bring forward their plans or take action to silence her.

34. Children Potentially at Greater Risk of Harm

Children Who Need a Social Worker (Child in Need And Child Protection Plans)

Sometimes children may need a social worker due to safeguarding or welfare needs. Children may need this help due to abuse, neglect and complex family circumstances. A child's experiences of adversity and trauma can leave them vulnerable to further harm, as well as educationally disadvantaged in facing barriers to attendance, learning, behaviour, and mental health.

Local authorities should share the fact a child has a social worker, and the DSL may hold and use this information so that decisions can be made in the best interests of the child's safety, welfare and educational outcomes. This will be considered as a matter of routine. There are clear powers to share this information under existing duties on both local authorities and schools to safeguard and promote the welfare of children.

Where children need a social worker, this should inform decisions about safeguarding (for example, responding to unauthorised absence or missing education where there are known safeguarding risks) and about promoting welfare (for example, considering the provision of pastoral and/or academic support, alongside action by statutory services).

Findings from the Children in Need review, '[Improving the educational outcomes of Children in Need of help and protection](#)' contains further information; the conclusion of the review, '[Help, protection, education](#)' sets out action Government is taking to support this.

What School Staff Should Look Out For

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

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

35. Statutory Children’s Social Care Assessments and Services

Concerns about a child’s welfare should be referred to the Local Authority Children’s Social Care. Where a child is suffering, or is likely to suffer from harm, The Downs Malvern will make a referral to Children’s Social Care and, if appropriate, the police, is made immediately. Referrals will follow the local referral process. Children’s Social Care assessments should consider where children are being harmed in contexts outside the home, The Downs Malvern will provide as much information as possible as part of the referral process. This will allow any assessment to consider all the available evidence and enable a contextual approach to address such harm. Additional information is available here: [Contextualised Safeguarding](#)

36. Children Missing Education (CME)

Children missing from education, particularly persistently, can act as a vital warning sign to a range of safeguarding issues including neglect, sexual abuse, and child sexual and criminal exploitation. It is important the school’s response to children missing from education supports identifying such abuse and also helps prevent the risk of them going missing in the future. This includes when problems are first emerging but also where children are already known to local authority children’s social care and need a social worker (such as on a child in need or child protection plan, or as a looked after child), where going missing from education may increase known safeguarding risks within the family or in the community.

Children at risk of missing in education are :

- Children of compulsory school age who are:
 - not on a school roll
 - not being educated other than at school
 - identified as having been out of any educational provision for a substantial period of time (4 weeks)
- Children go missing from education for a number of reasons including:
 - they don't start school at the appropriate time and so they do not enter the educational system
 - they are removed by their parents
 - behaviour and/or attendance difficulties
 - they cease to attend, due to exclusion, illness or bullying
 - they fail to find a suitable school place after moving to a new area
 - the family move home regularly
 - problems at home

The law requires all children between the ages of 5 and 16 to be in full time education.

Our duties regarding children missing education, including information schools **must** provide to the local authority when removing a child from the school roll at standard and non-standard transition points can be found in the department's statutory guidance:

- Herefordshire Children Missing Education (CME)
<https://www.herefordshire.gov.uk/support-schools-settings/children-missing-education-herefordshire>
- Worcestershire Children Missing Education (CME)
[Children Missing Education \(CME\) - Worcestershire Children First Education Services Statutory guidance children missing in education](#)
- West Midlands Safeguarding Children procedures:
<https://westmidlands.procedures.org.uk/pkpls/regional-safeguarding-guidance/children-missing-from-care-home-and-education>
- General information and advice for schools and colleges can be found in the [Government's Missing Children and Adults Strategy](#)

All staff are made aware of these procedures. The school will make every attempt to ensure that we hold two or more emergency contact numbers for each pupil and our DSL and Headmaster monitor attendance on an individual basis to ensure the safety of each pupil. We make reasonable enquiries to ascertain the whereabouts of pupils considered "missing" and we work closely, where appropriate, with the CME Team, School Admissions Service and the Elective Education Team.

Work around attendance and pupils missing education will be coordinated with safeguarding interventions. The school will notify the Local Authority of any pupil who fails to attend school regularly, after making reasonable enquires or has been absent without the school's permission for a continuous period of **5 days or more**.

The school (regardless of designation) must also notify the Local Authority of any pupil who is to be deleted from the admission register because s/he:

- Has been taken out of school by their parents and is being educated outside the school system (e.g. elective home education);
- Has ceased to attend school and no longer lives within a reasonable distance of the school at which s/he is registered (moved within the city, within the country or moved abroad but failed to notify the school of the change);
- Has been displaced as a result of a crisis e.g. domestic violence or homelessness;
- Has been certified by the school medical officer as unlikely to be in a fit state of health to attend school before ceasing to be of compulsory school age, and neither s/he nor his/her parent has indicated the intention to continue to attend the school after ceasing to be of compulsory school age;
- Is in custody for a period of more than four months due to a final court order and the proprietor does not reasonably believe that s/he will return to the school at the end of that period;
- Has been permanently excluded.

37. Child Abduction and Community Safety Incidents

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

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

This is of significant importance when acknowledging the size of The Downs Malvern site, the separate entrances and public footpaths. To aid our pupils in understanding the importance of keeping themselves safe specific lessons in PSHCEe, plus assemblies that focus on building children's confidence and abilities, rather than simply warning them about all strangers is discussed.

In addition, all staff, Governors and visitors to the school wear a lanyard, which helps our pupils to easily identify which adult belongs to the school and who does not.

Further information is available at: [Home - Action Against Abduction](#) and www.clevernevergoes.org.

38. Looked After Children and Previously Looked After Children

The most common reason for children becoming looked after is because of abuse and/or neglect. The school and Governors will ensure that staff have the skills, knowledge and understanding to keep looked after children safe.

In particular, we ensure that appropriate staff have the information they need in relation to a child's looked after legal status (whether they are looked after under voluntary arrangements with consent of parents, or on an interim or full care order) and the child's contact arrangements with birth parents or those with parental responsibility. We will also have information about the child's care arrangements and the levels of authority delegated to the carer by the authority looking after him/her. The DSL will have details of the child's social worker and the name of the virtual school head in the authority that looks after the child.

If a child were to be enrolled who was 'looked after' or 'previously looked after' then we would appoint a 'designated teacher' and follow the guidance set out in The designated teacher for looked-after and previously looked-after children (2018)

39. Homelessness

Being homeless or being at risk of becoming homeless presents a real risk to a child's welfare. The DSL (and deputies) are aware of contact details and referral routes into the Local Housing Authority so they can raise/progress concerns at the earliest opportunity.

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

- household debt
- rent arrears
- domestic abuse
- anti-social behaviour
- as well as the family being asked to leave a property.

Whilst referrals and/or discussion with the Local Housing Authority should be progressed as appropriate, and in accordance with local procedures, this does not, and should not, replace a referral into children's social care where a child has been harmed or is at risk of harm.

The Homelessness Reduction Act 2017 places a new legal duty on English councils so that everyone who is homeless or at risk of homelessness will have access to meaningful help including an assessment of their needs and circumstances, the development of a personalised housing plan, and work to help them retain their accommodation or find a new place to live.

The following factsheets usefully summarise the new duties: [Homeless Reduction Act Factsheets](#). The new duties shift focus to early intervention and encourage those at risk to seek support as soon as possible, before they are facing a homelessness crisis.

In most cases we will consider homelessness in the context of children who live with their families, and intervention will be on that basis.

40. Elective Home Educated (EHE)

Many home educated children have an overwhelmingly positive learning experience. We expect the parents' decision to home educate to be made with their child's best education at the heart of the decision. However, we know this is not the case for all, and home education can mean some children are less visible to the services that are there to keep them safe and supported in line with their needs. From September 2016 the Education (Pupil Registration) (England) Regulations 2006 were amended, we must inform our Local Authority of all deletions from our admission register when a child is taken off roll.

Where a parent/carer has expressed their intention to remove a child from school with a view to educating at home, we will work together to coordinate a meeting with parents/carers where possible. Ideally, this would be before a final decision has been made, to ensure the parents/carers have considered what is in the best interest of each child. This is particularly important where a child has SEND, is vulnerable, and/or has asocial worker. The DfE guidance for local authorities on Elective Home Education sets out the role and responsibilities of LA's and their powers to engage with parents in relation to EHE. Although this is primarily aimed at LA's, schools should also be familiar with this.

41. Private Fostering Arrangements

Private fostering occurs when a child under the age of 16 (under 18, if disabled) is provided with care and accommodation by a person who is not a parent, person with parental responsibility for them or an immediate relative in their own home. A child **is not** privately fostered if the person caring for and accommodating them has done so for less than 28 days and does not intend to do so for longer.

The Children Act 1989 defines an **immediate relative** as a grandparent, brother, sister, uncle or aunt, (whether of full blood or half blood or by marriage or civil partnership), or a stepparent.

A private fostering arrangement occurs when someone other than a parent or a close relative care for a child for a period of 28 days or more, with the agreement of the child's parents. It applies to children under the age of 16 or aged under 18 if the child is disabled.

People become involved in private fostering for all kinds of reasons. Examples of private fostering include:

- Children/young people who need alternative care because of parent illness;
- Children/young people whose parents cannot care for them because their work or study involves long or antisocial hours;
- Children/young people sent abroad to stay with another family, usually to improve their educational opportunities;
- Unaccompanied asylum seeking and refugee children/young people;
- Teenagers who stay with friends or other non-relatives) because they have fallen out with their parents;
- Children/young people staying with families attending a school away from their home area.

By law, a parent, private foster carer or other persons involved in making a private fostering arrangement must notify Children's Services as soon as possible.

If we become aware of a private fostering arrangement, we will check that Children's Services have been informed. Children looked after by the local authority or who are placed in a residential school, children's home or hospital are not considered to be privately fostered.

Private fostering occurs in all cultures, including British culture and children may be privately fostered at any age. It is recognised that most privately fostered children remain safe and well but safeguarding concerns have been raised in some cases, so it is important that schools are alert to possible safeguarding issues, including the possibility that a child has been trafficked into the country.

Please see DfE statutory guidance [Children Act 1989 Private fostering](#) for comprehensive guidance on private fostering.

42. Supporting Pupils Who Have Been Bullied, Abused, Witnessed Violence or Have Suffered Family Bereavement

We recognise that children who are or have been bullied, abused, witnessed violence, witnessed traumatic events, bereavements or had changes in family circumstances may find it difficult to develop a sense of self-worth. They may feel helplessness, humiliation and some sense of blame.

We acknowledge that school may be the only stable, secure and predictable element in the lives of children who have been abused or who are at risk of harm. We are aware that research shows that at school their behaviour may be challenging and defiant or they may be withdrawn.

The school will endeavour to support all children by:

- Encouraging self-esteem and self-assertiveness through the curriculum, as well as promoting respectful relationships, challenging bullying and humiliating behaviour;
- Promoting a positive, supportive and secure environment giving pupils a sense of being valued;
- Enforcing a consistently applied school behaviour policy which is aimed at supporting vulnerable pupils. The school will ensure that pupil knows that some behaviour is unacceptable but that they are valued and not to be blamed for any abuse which has occurred;
- Liaising with other agencies that support the pupil such as Children's Social Care Services, Child and Adult Mental Health Service (CAMHS), Educational Psychology Service and those agencies involved in the safeguarding of children;
- Engaging Early Help Services, when appropriate;
- Notifying Children's Social Care Services immediately there is a significant concern;
- Providing continuing support to a pupil about whom there have been concerns who leaves the school by ensuring that appropriate information is forwarded under confidential cover to the pupil's new setting, within 5 days.

Part Four

Safeguarding in the Curriculum

43. Opportunities for Teaching Safeguarding

Our children are taught about safeguarding, including online safety, and recognise that a 'one size fits all' approach **may not** be appropriate for all children, and a more personalised or contextualised approach for more vulnerable children, victims of abuse and some SEND children might be needed.

As part of providing a broad and balanced curriculum, PSHCEe topics and Relationships and Sex and Health Education (RSHE) & Relationship Education (RE) are covered primarily through the PSHCEe lessons. However, there are also cross curricular links through other subjects.

In addition, opportunities to cover Safeguarding topics take place in school Assemblies, Tutor/Form time, Circle Time, School Council Meetings, during the Leavers' Experience and in the Boarding House. Furthermore, visiting speakers, (such as the NSPCC and online Safety talks from West Mercia Police), are regularly invited into the school to talk to the children.

44. Safeguarding in the Curriculum

Children are taught about Safeguarding in schools. The following give examples of how some areas are addressed in **PSHE/RSE** and in the wider curriculum.

- **Bullying/Cyber Bullying**
Examples include: whole school assemblies; participation in anti-bullying week; IT lessons; Y7&Y8 E-Safety talk to both pupils and parents; specific PSHCEe lessons;
- **Drugs, Alcohol and Substance Abuse**
Examples include: specific PSHCEe lessons; visiting speaker, Y8 Leavers' Experience; Science lessons;
- **Online Safety / Mobile Technologies**
Examples include: IT lessons; whole school assemblies; boarding house meetings;
- **Stranger Danger**
Examples include: specific PSHCEe lessons; whole school assemblies;
- **Fire and Water Safety**
Examples include: lifesaving skills in PE lessons; Assemblies, visits from local Fire brigade
- **Child on Child**
Examples include: specific PSHCEe lessons; assemblies; Boarding House
- **Sexual Violence and Sexual Harassment**
Examples include: specific PSHCEe lessons; assemblies; Boarding House
- **Road Safety**
Examples include: whole school assemblies; specific PSHCEe lessons; Extra-Curricular programme – cycling hobby
- **Domestic Abuse**
Examples include: specific PSHCEe lessons, assemblies
- **Healthy relationships/Consent**
Examples include: specific PSHCEe lessons, Circle Time, Tutor Time, Assemblies, Boarding House

- **So called Honour base Violence issues (HBV) eg/ Forced marriage, Female Genital Mutilation (FGM)**
Examples include: specific PSHCEe lessons
- **Child Exploitation of Children**
Examples include: specific PSHCEe lessons, assemblies
- **Extremism and Radicalisation (in line with the DfE advice Promoting Fundamental British Values as part of SMC (spiritual, moral, social and cultural education) in schools (2014)**
Examples include: 'Value of the Week'. Specific PSHCEe lessons, Assemblies, TPR lessons, Expectations of how the whole school community behaves towards each other.

For further information, please visit <https://www.gov.uk/government/publications/promoting-fundamental-british-values-through-smc>. This is in addition to assemblies, visiting speakers and PSHCEe lessons.

45. **Relationship Education (RE) and Relationship Sex Education (RSE)**

(for further information please refer to our separate RE and RSE Policy)

Relationships Education (RE - for all primary pupils) and Relationships and Sex Education (RSE - for all secondary pupils) became a statutory requirement from September 2020.

RE, RSE and Health Education at The Downs Malvern, are taught as explicit lessons in Personal Social Health Citizenship and Economic education (PSCHEe). However, elements from these topics are also embedded in other areas of the curriculum, (such as Science, TPR & English) co-curricular and enrichment activities, as well as through assemblies, guest speakers and as part of the Y8 Leavers' Experience.

The statutory guidance can be found here:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1090195/Relationships_Education_RSE_and_Health_Education.pdf

Staff at The Downs Malvern may also follow and access the following resources:

- Child Exploitation and Online Protection command: is a law enforcement agency which aims to keep children and young people safe from sexual exploitation and abuse. Online sexual abuse can be reported on their website and a report made to one of its Child Protection Advisors.
- The NSPCC provides a helpline for professionals at 0808 800 5000 and help@nspcc.org.uk The helpline provides expert advice and support for school staff and will be especially useful for the DSL (and their deputies).
- Support from specialist sexual violence sector organisations such as Rape Crisis or The Survivors Trust
- The Anti-Bullying Alliance has developed guidance for schools about Sexual and sexist bullying. Online: Schools should recognise that sexual violence and sexual harassment occurring online (either in isolation or in connection with face-to-face incidents) can introduce a number of complex factors. Amongst other things, this can include widespread abuse or harm across a number of social media platforms that leads to repeat victimisation. Online concerns can be especially complicated and support is available from:
- The UK Safer Internet Centre provides a Homepage - UK Safer Internet Centre for professionals at 0344 381 4772. The helpline provides expert advice and support for school and college staff with regard to online safety issues

- Internet Watch Foundation: If the incident/report involves sexual images or videos that have been made and circulated online, the victim can be supported to get the images removed by the Internet Watch Foundation (IWF).
- Childline/IWF Report Remove is a free tool that allows children to report nude or sexual images and/or videos of themselves that they think might have been shared online.
- UKCIS Sharing nudes and semi-nudes advice: Advice for education settings working with children and young people on responding to reports of children sharing non-consensual nude and semi-nude images and/or videos (also known as sexting and youth produced sexual imagery).
- Thinkuknow from NCA-CEOP provides support for the children's workforce, parents and carers on staying safe online.
- LGFL 'Undressed' provided schools advice about how to teach young children about being tricked into getting undressed online in a fun way without scaring them or explaining the motives of sex offenders.
- Public Health England: Rise Above Education (for all primary pupils) and Relationships and Sex Education (for all secondary pupils) and Health Education (for all pupils in state-funded schools) which will be compulsory from September 2021. Schools have flexibility to decide how they discharge their duties effectively within the first year of compulsory teaching and are encouraged to take a phased approach (if needed) when introducing these subjects.

Part Five

Staff Safeguarding Matters

46. Supporting and Supervision of Staff

We recognise that staff working at The Downs Malvern who have become involved with a child who has suffered harm, or appears to be likely to suffer harm, may find the situation stressful and upsetting.

We will support such staff by providing an opportunity to talk through their anxieties with the DSL and to seek further support such as counselling or regular supervision, as appropriate.

Regular supervision will be offered to the DSL and Deputy DSLs, usually half-termly and may be extended to other members of staff as deemed appropriate.

We recognise the importance of practice oversight and multiple perspectives in safeguarding and child protection work. We will support staff by providing opportunities for reflective practice including the opportunity to talk through all aspects of safeguarding work within education, with the DSL and to seek further support as appropriate.

In order to reduce the risk of allegations being made against staff, and ensure that staff are competent, confident and safe to work with children, they will be made aware of safer working practice guidance and will be given opportunities in training to develop their understanding of what constitutes safe and unsafe behaviour.

47. Safer Recruitment and Selection of Staff

further details refer to the schools Recruitment Policy

The Downs Malvern has a written recruitment and selection policy statement and procedures linking explicitly to this policy. The statement is included in all job advertisements, recruitment websites, and candidate information packs.

The recruitment process is robust in seeking to establish the commitment of candidates to support the school's measures to safeguard children and to identify, deter or reject people who might pose a risk of harm to children or are otherwise unsuited to work with them. References are requested, scrutinised and discrepancies followed up. All offers of appointment are conditional until satisfactory completion of mandatory pre-employment checks. Individuals who have lived or worked outside the UK undergo the same checks.

Criminal history and suitability to work with children information should only be requested from applicants who have been shortlisted.

As part of the shortlisting process schools and colleges should consider conducting an online search as part of their due diligence on the shortlisted candidates. This may help identify any incidents or issues that have happened and are publicly available online, which the school or college might want to explore with the applicant at interview.

All staff working within our school who have substantial access to children have been checked as to their suitability, including verification of their identity, qualifications and a satisfactory barred list check, enhanced DBS check and a right to work in the UK check.

All teachers working within our school have been checked using the Teacher Services website to ensure they have been awarded QTS, where appropriate, they have completed their teacher induction, where appropriate, and that there are no prohibitions, sanctions or restrictions in place that might prevent them from taking part in certain activities or working in specific positions (e.g. management posts).

Our governors are subject to an enhanced DBS check without barred list check unless they are in Regulated Activity in which case an enhanced DBS check with barred list check will be undertaken.

Any member of staff taking up a management position will be checked to ensure s/he is not subject to a section 128 direction made by the Secretary of State.

A number of staff, including all members of the Human Resources team, are safer recruitment trained.

The College maintains a single central record of recruitment checks.

Any member of staff working in regulated activity prior to receipt of a satisfactory DBS check will not be left unsupervised and will be subject to a risk assessment.

Volunteers who are not working in regulated activity, will be supervised at all times. A risk assessment will be undertaken, if appropriate, to help decide whether or not an enhanced DBS check, without barred list check, is required.

The College seeks written assurance from supply and third-party agencies, alternative providers, initial teacher training providers and contractors that they have undertaken all appropriate checks on any of their staff that work with or have regular contact with our pupils.

48. Abuse of Trust

We recognise that as adults working in the school, we are in a relationship of trust with pupils in our care and acknowledge that it could be considered a criminal offence to abuse that trust. We acknowledge that the principle of equality embedded in the legislation of the Sexual Offences Act 2003 applies irrespective of sexual orientation: neither homosexual nor heterosexual relationships are acceptable within a position of trust. We recognise that the legislation is intended to protect young people in education who are over the age of consent but under 18 years of age.

49. Complaints or Concerns Expressed by Pupils, Parents, Staff or Volunteers

We recognise that listening to children is an important and essential part of safeguarding them against abuse and neglect. To this end, any expression of dissatisfaction or disquiet in relation to an individual child will be listened to and acted upon in order to safeguard his/her welfare.

We will also seek to ensure that the child or adult who makes a complaint is informed not only about the action the school will take but also the length of time that will be required to resolve the complaint. The school will also endeavour to keep the child or adult regularly informed as to the progress of his/her complaint. The school's complaints procedures are readily available.

50. Safeguarding Concerns and Allegations Made About Staff, Including Supply Teachers, Volunteers, And Contractors

The Downs Malvern recognises that there are two levels of allegation/concern which may be made against a member of staff, including supply teachers, volunteers and contractors:

- Allegations that meet the harms threshold and indicate a person would pose a risk of harm;
- Allegations/concerns that do not meet the harm threshold ("low level concerns") – The school has a separate Low Level Concerns Policy and this is also referenced in the Staff Code of Conduct.

Pupils' allegations or concerns about staff conduct will be taken seriously and followed up in a transparent and timely way.

Our procedures for dealing with allegations against a member of staff, volunteer or contractor, that meet the threshold, are consistent with local safeguarding procedures and practice guidance, including Part Four of KCSiE 2022 and in our Staff Code of Conduct.

The Downs Malvern has a duty of care towards its employees and as such, it must ensure that effective support is provided for anyone facing an allegation. The school will take action in accordance with part

Four of KCSiE 2022 and the school's employment procedures. A "case manager" will lead any investigation. This will be the Headmaster, or, where the Headmaster is the subject of an allegation, the Chair of Governors.

These procedures must be used in any case in which it is alleged that a member of staff, governor, visiting professional, volunteer or contractor has:

- Behaved in a way that has harmed a child/young person or may have harmed a child/young person.
- Possibly committed a criminal offence against or related to a child/young person.
- Behaved towards a child/children in a way that indicates s/he may pose a risk of harm to children/young people.
- Behaved or may have behaved in a way that indicates they may not be suitable to work with children/young people (including behaviour that may have occurred outside school).
- Although it is an uncomfortable thought, it needs to be acknowledged that there is the potential for staff in school to abuse pupils.
- All staff working within our organisation must report any potential safeguarding concerns about an individual's behaviour towards children and young people immediately.

Allegations or concerns about staff, volunteers, contractors, governors and visitors must be reported directly to the Headmaster who will liaise with the Designated Officer (LADO) Team, who will decide on any action required. He may also liaise with the DSL. Low level concerns should be reported to the DSL.

If the concern relates to the Headmaster, it must be reported immediately to the Chair of Governors, who will liaise with the Designated Officer (LADO) and they will decide on any action required.

If the safeguarding concern relates to the proprietor (The Downs Malvern), then the concern must be made directly to the Designated Officer (LADO) Team who will decide on any action required.

The Downs Malvern will follow the DfE, West Midlands Safeguarding Children and Local Authority procedures for managing allegations against staff, a copy of which is available in school. It is important both to look after the welfare of the pupil involved, and to investigate and support the person subject to the allegation.

The parents of the pupil(s) involved will be informed of the allegation as soon as possible or appropriate if they do not already know of it.

The reporting restrictions preventing the identification of a teacher who is the subject of such an allegation in certain circumstances will be observed.

The Initial Response to An Allegation

Where we identify a child that may be an immediate risk of harm or if the situation is an emergency, we will contact Children's Social Care services and as appropriate, the police, immediately, as per the processes explained in Part One and Part Four of KCSiE 2022.

When an allegation is made, we will consider:

- **Looking after the welfare of the child** - the DSL will ensure that the child is not at risk, and refer any cases of suspected abuse to the Local Authority Children's Social Care
- **Investigating and supporting the person subject to the allegation** - the Case Manager will discuss with the Local Authority Designated Officer (LADO), the nature, content and context of the allegation, and agree a course of action.

The Headmaster (or Chair of Governors) on all such occasions will discuss the content of the allegation with LADO, prior to undertaking any investigation.

If it is not possible to report to the Headmaster or Chairman of Governors in the circumstances set out above, a report should be made immediately to the DSL. The DSL will take action in accordance with

these procedures and will, as soon as possible, inform the Headmaster or, where appropriate, the Chairman of Governors or nominated member of the Governing Body.

When dealing with allegations, we will:

- apply common sense and judgement.
- deal with allegations quickly, fairly and consistently; and
- provide effective protection for the child **and** support the person subject to the allegation.

The Downs Malvern will ensure all staff understand the local authority arrangements for managing allegations, including the contact details and what information the LADO will require when an allegation is made.

Before contacting the LADO, the Downs Malvern will conduct basic enquiries in line with local procedures to establish the facts to help them determine whether there is any foundation to the allegation, being careful not to jeopardise any future police investigation. For example:

- was the individual in the school at the time of the allegations?
- did the individual, or could they have, come into contact with the child?
- are there any witnesses? and,
- was there any CCTV footage?

We are familiar with what initial information the LADO will require. *This information can be found in local policy and procedural guidance provided by the LADO service.*

It is important that careful consideration be given to when to inform the individual of the allegation and this will be done on a case by case basis, with guidance, as required, from the LADO, and if appropriate Children Social Care and the Police.

If there is cause to suspect a child is suffering, or is likely to suffer significant harm, a strategy discussion involving the police and/or children's social care services will be convened in accordance with the statutory guidance: Working Together to Safeguard Children.

If the allegation is about physical contact, for example restraint, the strategy discussion or initial evaluation with the LADO should take into account that teachers and other staff are entitled to use reasonable force to control or restrain children in certain circumstances, including dealing with disruptive behaviour. Further information about the use of reasonable force can be found on Welcome to GOV.UK (www.gov.uk)

Where it is clear that an investigation by the Police or Children's Social Care services is unnecessary, or the strategy discussion or initial evaluation decides that is the case, the LADO should discuss the next steps with the Case Manager.

Supply Teachers

In some circumstances the school will have to consider an allegation against an individual not directly employed by them, where its disciplinary procedures do not fully apply; for example, supply teachers provided by an employment agency or business.

Whilst The Downs Malvern are not the employer of supply teachers, we will ensure allegations are dealt with properly. In no circumstances will we decide to cease to use a supply teacher due to safeguarding concerns, without finding out the facts and liaising with the LADO to determine a suitable outcome.

The Governing Body will discuss with the supply agency whether it is appropriate to suspend the supply teacher, or redeploy them to another part of the school, whilst they carry out their investigation.

Agencies should be fully involved and co-operate with any enquiries from the LADO, Police and/or Children's Social Services.

The school will take the lead because agencies do not have direct access to children or other school staff, so they will not be able to collect the facts when an allegation is made, nor do they have all the relevant information required by the LADO as part of the referral process. Supply teachers, whilst not employed by the school, are under the supervision, direction and control of the Governing Body when working in the school.

The supply teacher should be advised to contact their trade union representative if they have one, or a colleague for support. The allegations management meeting which is often arranged by the LADO should address issues such as information sharing, to ensure that any previous concerns or allegations known to the agency are taken into account by the school or college during the investigation.

When using a supply agency, The Downs Malvern will inform the agency of its process for managing allegations. This should include inviting the agency's human resource manager or equivalent to meetings and keeping them up to date with information about its policies.

Governors

If an allegation is made against a governor, The Downs Malvern will follow the schools and Local Authority procedures. Where an allegation is substantiated, we will follow the procedures to consider removing them from office.

Suspension

Suspension is not an automatic response when an allegation is reported. All options to avoid suspension should be considered prior to taking that step. The Case Manager **must** consider carefully whether the circumstances warrant suspension from contact with children at the school or until the allegation is resolved. It should be considered only in cases where there is cause to suspect a child or other children at the school is/are at risk of harm, or the case is so serious that it might be grounds for dismissal. If in doubt, the Case Manager will seek views from their personnel adviser and the LADO, as well as the Police and Children's Social Care where they have been involved

Where the Case Manager is concerned about the welfare of other children in the community or the member of staff's family, they should discuss these concerns with the DSL and make a risk assessment of the situation. It may be necessary for the DSL to make a referral to Children's Social Services.

Where The Downs Malvern is made aware that the Secretary of State has made an interim prohibition order, in respect of an individual who works at the school, we will take immediate action to ensure the individual does not carry out work in contravention of the order. This means that pending the findings of the Teaching Regulation Agency's (TRA) investigation, the individual **must not** carry out teaching work. The Downs Malvern has clear policy on pay arrangements whilst the person is suspended or where there is an interim prohibition order in place.

In many cases, an inquiry can be resolved quickly and without the need for suspension. The employer will decide on whether the individual should continue to work at the school, based on consultation with the LADO, who will provide relevant information he received from the Police or Children's Social Care on whether they have any objections to the member of staff continuing to work during the investigation of the case.

Based on advice from the school's HR department and/or a risk analysis drawn up with the LADO, the following alternatives should be considered by the Case Manager before suspending a member of staff:

- redeployment within the school so that the individual does not have direct contact with the child or children concerned;

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

These alternatives allow time for an informed decision regarding the suspension, this will, however, depend upon the nature of the allegation. The Case Manager will consider the potential permanent professional reputational damage to employees that can result from suspension **where an allegation is later found to be unfounded, unsubstantiated, malicious or false.**

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

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

Children's Social Care services or the Police may give their view to the LADO, but they cannot require the Case Manager to suspend a member of staff or a volunteer, although the Case Manager should give appropriate weight to their advice. The power to suspend is vested in the Governing Body who are the employers. However, where a strategy discussion, or initial assessment, concludes that there should be enquiries by the Children's Social Care services, and/or an investigation by the Police, the LADO should canvass Police and Children's Social Care services for views about whether the accused member of staff should be suspended from contact with children. Police involvement does not make it mandatory to suspend a member of staff; this decision should be taken on a case-by-case basis having undertaken a risk assessment about whether the person poses a risk of harm to children.

Allegations against a teacher who is no longer teaching will be referred to the police. Historical allegations of abuse should also be referred to the police.

We have a duty of care to our employees and will ensure we provide effective support for anyone facing an allegation and provide them with a named contact if they are suspended.

Where The Downs Malvern are not the employer of an individual, they still have responsibility to ensure allegations are dealt with appropriately and that they liaise with relevant parties (this includes supply teachers and volunteers). It is essential that any allegation of abuse made against a teacher or other member of staff or volunteer in a school or college is dealt with very quickly, in a fair and consistent way that provides effective protection for the child and, at the same time supports the person who is the subject of the allegation

51. Concerns and/or Allegations that do not meet the Harm Threshold

If an allegation does not meet the threshold, we will appropriately manage to safeguard our pupils by following the guidance outlined in our stand-alone policy entitled 'Low Level Concerns' Policy. Reference to this can also be found in the Staff Code of Conduct.

Our School has policies and processes to deal with any concerns (including allegations) which do not meet the harm threshold, referred to as 'low-level' concerns.

Low Level Concerns *for further details please refer to the Low Level Concerns Policy*

The Downs Malvern Low Level Concerns Policy is in place to enable staff to share any concerns – no matter how small – about their own or another member of staff's behaviour with the Headmaster. Any concerns will be recorded in writing. The record should include details of the concern, the context in which the concern arose, and action taken.

The name of the individual sharing their concerns should also be noted but if the individual wishes to remain anonymous, this will be respected as far as reasonably possible. Records will be securely retained and kept by the Headmaster and/or HR department, and will be reviewed regularly so that potential patterns of concerning behaviour can be identified. Should the level of concern reach the harms threshold the case will be reported to the Headmaster and referred to the LADO.

The policy applies to all staff, whether working in or on behalf of the school, engaged as an employee, worker or contractor, or unpaid member of staff or volunteer. It also includes anyone who is part of the Governing Body.

We wish to ensure that The Downs Malvern promotes an open and transparent culture in which all concerns about any adult working in or on behalf of our school (including supply teachers, volunteers and contractors) are dealt with promptly and appropriately.

Creating a culture in which all concerns about adults are shared responsibly and with the right person, recorded and dealt with appropriately, is critical. If implemented correctly, this should:

- encourage an open and transparent culture
- enable our school to identify inappropriate, problematic or concerning behaviour early
- minimise the risk of abuse and ensure that adults working in or on behalf of the school are clear about professional boundaries and act within these boundaries, and in accordance with the ethos and values of the institution.

Should Staff Share Concerns About Themselves (i.e. self-reporting)?

Occasionally a member of staff may find themselves in a situation which could be misinterpreted or might appear compromising to others. Equally a member of staff may, for whatever reason, have behaved in a manner which, on reflection, they consider falls below the standard set out in the School's Staff Code of Conduct. Self-reporting in these circumstances can be positive for a number of reasons, and staff are encouraged to self-report.

What Is a Low-Level Concern?

The term 'low-level' concern does not mean that it is insignificant. A low-level concern is any concern – no matter how small, and even if no more than causing a sense of unease or a 'nagging doubt' - that an adult working in or on behalf of the school or college may have acted in a way that is inconsistent with the Staff Code of Conduct, including inappropriate conduct outside of work and does not meet the harm threshold or is otherwise not serious enough to consider a referral to the LADO.

Examples of such behaviour could include, but are not limited to:

- being over friendly with children
- having favourites
- taking photographs of children on their mobile phone, contrary to school policy
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door, or
- humiliating pupils.

Such behaviour can exist on a wide spectrum, from the inadvertent or thoughtless, or behaviour that may look to be inappropriate, but might not be in specific circumstances, through to that which is ultimately intended to enable abuse.

Low-level concerns may arise in several ways and from a number of sources. For example: suspicion; complaint; or disclosure made by a child, parent or other adult within or outside of the organisation; or as a result of vetting checks undertaken.

It is crucial that all low-level concerns are shared responsibly with the right person and recorded and dealt with appropriately. Ensuring they are dealt with effectively should also protect those working in or on behalf of schools and colleges from becoming the subject of potential false low-level concerns or misunderstandings.

The Headmaster will ultimately make the decision in respect of all low-level concerns, although it is recognised that depending on the nature of some low-level concerns the Headmaster may wish to consult with the DSL and take a more collaborative decision-making approach.

52. Unfounded Malicious Allegations

Where an allegation by a pupil is shown to have been deliberately invented or malicious, the Headmaster will consider whether to take disciplinary action in accordance with the School's Behaviour Policy.

Where a parent has made a deliberately invented or malicious allegation the Headmaster will consider whether to require that parent to withdraw their child or children from the school on the basis that they have treated the school or a member of staff unreasonably.

Whether or not the person making the allegation is a pupil or a parent (or other member of the public), the school reserves the right to contact the police to determine whether any action might be appropriate.

53. Whistleblowing (Confidential Reporting)

We recognise that children cannot be expected to raise concerns in an environment where staff fail to do so.

All staff should be aware of their duty to raise concerns, where they exist, about the attitude or actions of colleagues using the school's confidential reporting (Whistleblowing) policy.

Whistleblowing concerns about the Headmaster should be raised with the Chair of Governors.

Staff are made aware that if they feel unable to raise a child protection failure internally, they can contact the NSPCC <https://www.nspcc.org.uk/keeping-children-safe/reporting-abuse/dedicated-helplines/whistleblowing-advice-line/> or the LADO.

54. Managing Professional Disagreements

On occasions there will be disagreements between professionals as to how safeguarding concerns are handled, and these can impact on effective working relationships. The school will support staff to promote positive partnerships within school and with other agencies and will ensure that **staff** are aware of how to escalate concerns and disagreements if appropriate and use the LSCP escalation procedures if necessary.

55. The Use of 'Reasonable Force' in School

Our policy on the use of reasonable force acknowledges that staff must only ever use physical intervention as a last resort, and that at all times it must be minimal force necessary to prevent injury or damage to property.

There are circumstances when it is appropriate for staff of the Downs Malvern to use reasonable force to safeguard children and young people. The term 'reasonable force' covers the broad range of actions used by staff that involve a degree of physical contact to control or restrain children. This can range from guiding a child to safety by the arm, to more extreme circumstances such as breaking up a fight or where a young person needs to be restrained to prevent violence or injury.

'Reasonable' in these circumstances means 'using no more force than is needed'. The use of force may involve either passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact such as leading a pupil by the arm out of the classroom.

We acknowledge that when applying reasonable force in response to risks presented by incidents involving children with SEND or with medical conditions, it is important to recognise their additional vulnerability and make every effort to reduce the occurrence of challenging behaviour and the need to use reasonable force.

We recognise that touch is appropriate in the context of working with children and all staff have been given 'safe working practice' guidance to ensure they are clear about their professional boundaries.

We recognise that the adoption of a 'no contact' policy could leave staff unable to fully support and protect our pupils.

For further information staff should refer to:

- The schools 'Reasonable Force' Policy
- Departmental advice for schools is available [Use of reasonable force in schools guidance](#)
- Advice for colleges is available on the AOC website; [Association of Colleges \(aoc.co.uk\)](http://aoc.co.uk)

56. Staff/Pupil Online Communication

The school provides advice to staff regarding their personal online activity and has strict rules regarding online contact and electronic communication with pupils (please see Staff Code of Conduct). Staff found to be in breach of these rules may be subject to disciplinary action or a child protection investigation.

57. Photography & Use of Images

The welfare and protection of our children is paramount and consideration should always be given to whether the use of photography will place our children at risk. Images may be used to harm children, for example as a preliminary to 'grooming' or by displaying them inappropriately on the internet, particularly social networking sites.

For this reason, consent is always sought when photographing children using any means and including iPads, smart phones or cameras and additional consideration given to photographing vulnerable children, particularly Looked After Children or those known to be fleeing domestic violence.

Consent must be sought from those with parental responsibility (this may include the Local Authority in the case of Looked After Children). Many boarding pupils own or have access to hand-held devices during boarding hours and parents are encouraged to consider measures to keep their children safe when using the internet and social media at home and in the community.

For further details, see our *Use of Images and Personal Mobile Devices Policy*

Part 6

Monitoring and Escalation

58. Challenge and Escalation

We recognise that professional disagreements may arise between any agencies and resolving problems is an integral part of co-operation and joint working to safeguard children.

As part of our responsibility for safeguarding children, we acknowledge that we must be prepared to challenge each other if we feel that responses to concerns, assessments or the way in which plans are implemented are not safeguarding the child and promoting their welfare.

We are aware of the LSCP escalation procedures for raising concerns in respect of poor practice and recognise our responsibility to utilise these as and when necessary, in the interests of safeguarding and promoting the welfare of children.

59. Monitoring and Evaluation

Our Safeguarding Children policy and procedures will be monitored and evaluated by:

- Completion of the annual safeguarding audit / report to the Governing Body;
- Completion and return to the local authority of s175 annual safeguarding report;
- Pupil surveys and questionnaires;
- Discussions with children and staff;
- Scrutiny of data and risk assessments;
- Scrutiny of the school's single central record of recruitment checks;
- Scrutiny of Governing Body meeting minutes;
- Monitoring of logs of bullying/racist/behaviour incidents and Protected Personal Information (PPI) records;
- Supervision of staff involved in child protection;
- Case file audits undertaken by the DSL and the school governor with specific
- Safeguarding responsibility. In some circumstances this may also be undertaken by LSCP.

The DSL will ensure that the procedures set out in this policy and the implementation of these procedures are updated and reviewed regularly, working with the board of governors as necessary. Any child protection incidents at the school will be followed by a review of these procedures by the DSL and a report to the school governors. Where an incident involves a member of staff, the LADO will assist in this review to determine whether any improvements can be made to the schools' procedures. Any deficiencies or weaknesses in regard to child protection arrangements at any time will be remedied without delay.

In addition, the Governing Body will ensure that the DSL will undertake an annual review of this policy. The outcome of this annual review by the DSL will be reported to the governors who will review the policy and the implementation of its procedures, including good cooperation with local agencies, and consider the proposed amendments to the policy, from both the DSL and its own members, before giving the revised policy its final approval. Detailed minutes recording the review by the governors will be made.

Part 7 School Safety

60. Health and Safety

Our Health & Safety Policy, set out in a separate document, reflects the consideration we give to the safeguarding of our children both within the school environment and when away from the school, for example when undertaking school trips and visits.

Risk Assessments are undertaken and reviewed regularly, in respect of site security, risk of children being drawn into terrorism or exposed to extremist behaviour, risk to and from children displaying harmful behaviour.

61. Safe Environment

All staff, governors, contactors, visitors and volunteers wear a lanyard at all times when on school premises.

The school undertakes appropriate risk assessments and checks in respect of all equipment and of the building and grounds in line with local and national guidance and regulations concerning health and safety.

The school has adequate security arrangements in place, including CCTV, in respect of the use of its grounds and buildings by visitors both in and out of school hours.

The school keeps a visitors' book in reception. All visitors must sign in on arrival and sign out on departure. For the duration of their visit, they must be escorted and supervised by an appropriate member of staff. Moreover, prospective parents and visitors will be given a visitors badge or lanyard, which must be clearly displayed for the duration of their visit.

Visiting speakers will be appropriately checked and vetted, to ensure they are not linked to extremist groups or promoting extremist or other harmful material. All visitors to the boarding houses and other public areas must observe the necessity to be kept under sufficient staff supervision during their visit.

For further details, please see our *Visiting Speaker Policy* and our *Supervision of Ancillary, Contract and 'Unchecked' Staff Policy*.

62. Use of School Premises for Non-School Activities

The Downs Malvern will ensure that when we hire out our school facilities/premises to organisations or individuals (for example to community groups, sports associations and service providers to run community or extra-curricular activities) we will ensure that appropriate arrangements are in place to keep children safe.

When services or activities are provided by The Downs Malvern under the direct supervision or management of our school the arrangements for child protection will apply.

Where an external body is providing community or extra-curricular activities the school will seek assurance that appropriate safeguarding and child protection policies and procedures are in place (including inspecting these as needed); and ensure that there are arrangements to lease with The Downs Malvern on these matters where appropriate. The school will ensure safeguarding requirements are included in any transfer of control agreement (i.e. lease or hire agreement), as a condition of use and occupation of the premises; and that failure to comply with this would lead to termination of the agreement. Sally Ann Young is responsible for ensuring all necessary paperwork is completed and adhered to.

63. The Downs Light Railway Trust

The Downs Light Railway is the world's oldest private miniature railway with a track gauge of 9+½. The railway is located within the grounds of The Downs Malvern and is owned by the Downs Light Railway Trust.

The Trust is made up of professional and non-professional volunteers who give of their time freely to support, maintain and run the railway.

Pupils at The Downs Malvern are able, through the school's extra-curricular programme, to have the unique opportunity to work, build, operate and maintain a working steam railway.

The Trust takes its responsibilities for safeguarding, both the children and volunteers, seriously. Trust members work closely with the school on all matters pertaining to Safeguarding and recruitment.

They have their own Safeguarding Policy, a copy of which is held by the DSL at The Downs Malvern.

64. Other Relevant Policies

The Governing Body's statutory responsibility for safeguarding the welfare of children goes beyond compliance with child protection procedures. The duty is now to ensure that safeguarding permeates all activities and functions. This policy therefore complements and supports a range of other policies, for example:

- Staff Code of Conduct
- Behaviour Policy
- Complaints Procedure
- Anti-Bullying (including Cyber Bullying and Racist Incidents)
- Use of Reasonable Force Policy
- SEND
- Trips and Educational Visits
- First Aid and the Administration of Medicines
- Health and Safety Policy
- Relationships Education & Relationship and Sex Education Policy
- Online Safety and Acceptable Use Policy
- Use of Images and Mobile Devices Policy
- Equal Opportunities Policy
- Whistleblowing
- Prevent Duty Policy
- Toileting/Intimate Care
- Recruitment Policy

The above list is not exhaustive but when undertaking development planning of any kind the school will need to consider safeguarding matters.

APPENDICES

APPENDIX 1

Recognition and Identification of Abuse

from: Keeping Children Safe in Education, Part 1 2022

More detailed information can be found in Working Together to Safeguard Children 2018 (Appendix A)

Indicators of Abuse and Neglect

- **Abuse:** a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Harm can include ill treatment that is not physical as well as the impact of witnessing ill treatment of others. This can be particularly relevant, for example, in relation to the impact on children of all forms of domestic abuse. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others. Abuse can take place wholly online, or technology may be used to facilitate offline abuse. Children may be abused by an adult or adults or by another child or children.
- **Physical abuse:** a form of abuse which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.
- **Emotional abuse:** the persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child's developmental capability as well as overprotection and limitation of exploration and learning or preventing the child from participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, although it may occur alone.
- **Sexual abuse:** involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing, and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse. Sexual abuse can take place online, and technology can be used to facilitate offline abuse. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children. The sexual abuse of children by other children is a specific safeguarding issue in education and **all** staff should be aware of it and of their school or college's policy and procedures for dealing with it.
- **Neglect:** the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy, for example, as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to: provide adequate food, clothing and shelter (including exclusion from home or abandonment); protect a child from physical and emotional harm or danger; ensure adequate supervision (including the use of inadequate care-givers); or ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

APPENDIX 2

The Role of the Designated Safeguarding Lead

In accordance with Annex C of Keeping Children Safe in Education, 2022, the main responsibilities of the DSL are:

Manage Referrals:

The designated safeguarding lead is expected to refer cases:

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

Working with others:

The designated safeguarding lead is expected to:

- act as a source of support, advice and expertise for all staff
- act as a point of contact with the safeguarding partners
- liaise with the headteacher or principal to inform him or her of issues- especially ongoing enquiries under section 47 of the Children Act 1989 and police investigations. This should include being aware of the requirement for children to have an Appropriate Adult present when they are being questioned. This person will be able to support, advise and assist the young person. Further information can be found in the Statutory guidance - PACE Code C 2019.
- as required, liaise with the "case manager" (as per Part four) and the local authority designated officer(s) (LADO) for child protection concerns in cases which concern a staff member
- liaise with staff (especially teachers, pastoral support staff, school nurses, IT technicians, senior mental health leads and special educational needs co-ordinators (SENCO's), or the named person with oversight for SEND in a college and senior mental health leads) on matters of safety and safeguarding and welfare (including online and digital safety) and when deciding whether to make a referral by liaising with relevant agencies so that children's needs are considered holistically
- liaise with the senior mental health lead and, where available, the mental health support team, where safeguarding concerns are linked to mental health
- promote supportive engagement with parents and/or carers in safeguarding and promoting the welfare of children, including where families may be facing challenging circumstances
- work with the headmaster and relevant strategic leads, taking lead responsibility for promoting educational outcomes by knowing the welfare, safeguarding and child protection issues that children in need are experiencing, or have experienced, and identifying the impact that these issues might be having on children's attendance, engagement and achievement at school or college. This includes:
 - ensuring that the school or college knows who its cohort of children who have or have had a social worker are, understanding their academic progress and attainment, and maintaining a culture of high aspirations for this cohort, and
 - supporting teaching staff to provide additional academic support or reasonable adjustments to help children who have or have had a social worker reach their potential, recognising that even when statutory social care intervention has ended, there is still a lasting impact on children's educational outcomes.

Information sharing and managing the child protection file

The designated safeguarding lead is responsible for ensuring that child protection files are kept up to date. Information should be kept confidential and stored securely. It is good practice to keep concerns and referrals in a separate child protection file for each child.

Records should include:

- a clear and comprehensive summary of the concern
- details of how the concern was followed up and resolved
- a note of any action taken, decisions reached and the outcome.

They should ensure the file is only accessed by those who need to see it and where the file or content within it is shared, this happens in line with information sharing advice as set out in Part one and Part two of this guidance.

Where children leave the school or college (including in year transfers) the designated safeguarding lead should ensure their child protection file is transferred to the new school or college as soon as possible, and within 5 days for an in-year transfer or within the first 5 days of the start of a new term to allow the new school or college to have support in place for when the child arrives. This should be transferred separately from the main pupil file, ensuring secure transit, and confirmation of receipt should be obtained. Receiving schools and colleges should ensure key staff such as designated safeguarding leads and special educational needs co-ordinators (SENCO's) or the named person with oversight for SEND in colleges, are aware as required.

Lack of information about their circumstances can impact on the child's safety, welfare and educational outcomes. In addition to the child protection file, the designated safeguarding lead should also consider if it would be appropriate to share any additional information with the new school or college in advance of a child leaving to help them put in place the right support to safeguard this child and to help the child thrive in the school or college. For example, information that would allow the new school or college to continue supporting children who have had a social worker and been victims of abuse and have that support in place for when the child arrives.

Raising Awareness

The designated safeguarding lead should:

- ensure each member of staff has access to, and understands, the school's or college's child protection policy and procedures, especially new and part-time staff
- ensure the school's or college's child protection policy is reviewed annually (as a minimum) and the procedures and implementation are updated and reviewed regularly, and work with governing bodies or proprietors regarding this
- ensure the child protection policy is available publicly and parents know that referrals about suspected abuse or neglect may be made and the role of the school or college in this
- link with the safeguarding partner arrangements to make sure staff are aware of any training opportunities and the latest local policies on local safeguarding arrangements, and
- help promote educational outcomes by sharing the information about the welfare, safeguarding and child protection issues that children who have or have had a social worker are experiencing with teachers and school and college leadership staff.

The Deputy DSL will carry out these roles when the DSL is not available

Raising Awareness

The designated safeguarding lead should:

- ensure each member of staff has access to, and understands, the school's or college's child protection policy and procedures, especially new and part-time staff
- ensure the school's or college's child protection policy is reviewed annually (as a minimum) and the procedures and implementation are updated and reviewed regularly, and work with governing bodies or proprietors regarding this
- ensure the child protection policy is available publicly and parents know that referrals about suspected abuse or neglect may be made and the role of the school or college in this
- link with the safeguarding partner arrangements to make sure staff are aware of any training opportunities and the latest local policies on local safeguarding arrangements, and
- help promote educational outcomes by sharing the information about the welfare, safeguarding and child protection issues that children who have or have had a social worker are experiencing with teachers and school and college leadership staff.

Training, knowledge and skills

The designated safeguarding lead (and any deputies) should undergo training to provide them with the knowledge and skills required to carry out the role. This training should be updated at least every two years. The designated safeguarding lead (and any deputies) should undertake Prevent awareness training. Training should provide designated safeguarding leads with a good understanding of their own role, how to identify, understand and respond to specific needs that can increase the vulnerability of children, as well as specific harms that can put children at risk, and the processes, procedures and responsibilities of other agencies, particularly local authority children's social care, so they:

- understand the assessment process for providing early help and statutory intervention, including local criteria for action and local authority children's social care referral arrangements
- have a working knowledge of how local authorities conduct a child protection case conference and a child protection review conference and be able to attend and contribute to these effectively when required to do so
- understand the importance of the role the designated safeguarding lead has in providing information and support to local authority children social care in order to safeguard and promote the welfare of children
- understand the lasting impact that adversity and trauma can have, including on children's behaviour, mental health and wellbeing, and what is needed in responding to this in promoting educational outcomes
- are alert to the specific needs of children in need, those with special educational needs and disabilities (SEND), those with relevant health conditions and young carers¹⁵⁴
- understand the importance of information sharing, both within the school and college, and with the safeguarding partners, other agencies, organisations and practitioners
- understand and support the school or college with regards to the requirements of the Prevent duty and are able to provide advice and support to staff on protecting children from the risk of radicalisation
- are able to understand the unique risks associated with online safety and be confident that they have the relevant knowledge and up to date capability required to keep children safe whilst they are online at school or college
- can recognise the additional risks that children with special educational needs and disabilities (SEND) face online, for example, from bullying, grooming and radicalisation and are confident they have the capability to support children with SEND to stay safe online
- obtain access to resources and attend any relevant or refresher training courses, and
- encourage a culture of listening to children and taking account of their wishes and feelings, among all staff, in any measures the school or college may put in place to protect them.

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

The designated Safeguarding Lead will encourage a culture of listening to children and taking account of their wishes and feelings, among all staff, and in any measures the school may put in place to protect them. The DSL will also be aware of and understand the difficulties that children may have in approaching staff about their circumstances and consider how to build trusted relationships which facilitate communication.

Availability

During term time the designated safeguarding lead (or a deputy) should always be available (during school or college hours) for staff in the school or college to discuss any safeguarding concerns.

APPENDIX 3

Child-on-Child Abuse

Introduction

We recognise that children are also vulnerable to physical, sexual and emotional abuse by their peers or siblings. The Downs Malvern recognises that abuse is abuse and should never be tolerated or passed off as 'banter', 'just having a laugh' or 'part of growing up'. All Child-on-Child abuse is unacceptable and will be taken seriously.

All staff at The Downs Malvern are advised to maintain an attitude of '**it could happen here**' where Child-on-Child abuse is concerned and staff should always act in the best interest of the child.

The different forms of Child-on-Child abuse are likely to include, but not limited to:

1. Physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm
2. Sexually harmful behaviour/sexual abuse (inappropriate sexual language, touching, sexual assault, etc)
3. Bullying (physical, name calling, homophobic, etc)
4. Cyber bullying
5. Sexting (also known as Youth Produced Sexual Imagery)
6. Initiation/hazing type violence and rituals
7. Prejudiced behaviour

This abuse can:

- Be motivated by perceived differences e.g. on grounds of race, religion, gender, sexualorientation, disability or other differences
- Result in significant, long lasting and traumatic isolation, intimidation or violence to the victim; vulnerable adults are at particular risk of harm

Children or young people who harm others may have additional or complex needs e.g:

- Significant disruption in their own lives
- Exposure to domestic abuse or witnessing or suffering abuse
- Educational under-achievement
- Involved in crime

Abuse perpetrated by children can be just as harmful as that perpetrated by an adult, so it is important to remember the impact on the victim of the abuse as well as to focus on the support for the child or young person exhibiting the harmful behaviour – the (alleged) perpetrator.

Such abuse will always be taken as seriously as abuse perpetrated by an adult and the same safeguarding children's procedures will apply in respect of any child who is suffering or likely to suffer significant harm.

Stopping violence and ensuring immediate physical safety is the first priority of any education setting, but emotional bullying can sometimes be more damaging than physical. Staff at The Downs Malvern, alongside the Designated Safeguarding Lead and/or Deputy, will need to make the necessary judgements about each specific case and should use this document for help and guidance.

Responsibility

KCSiE (2022) states that.....

'Governing bodies and proprietors should ensure their child protection policy includes procedures to minimise the risk of child-on-child abuse and sets out how allegations of child-on-child abuse will be investigated and dealt with' (Part 2, para 155)

KCSiE emphasises that the voice of the child must be heard.....

'Where there is a concern, governing bodies, proprietors and school or college leaders should ensure that the child's wishes and feelings are taken into account when determining what action to take and what services to provide.....systems should be in place, and they should be well promoted, easily understood and easily accessible for children to confidently report, any form of abuse or neglect, knowing their concerns will be treated seriously, and knowing they can safely express their views and give feedback'.
(Part 2, para 95 & 96)

KCSiE 2022 also states that all staff need to be aware that some children may not feel ready or know how to tell someone that they are being abused.....

'All staff should be aware that children may not feel ready or know how to tell someone that they are being abused, exploited, or neglected, and/or they may not recognise their experiences as harmful. For example, children may feel embarrassed, humiliated, or being threatened. This could be due to their vulnerability, disability and/or sexual orientation or language barriers. This should not prevent staff from having a professional curiosity and speaking to the DSL if they have concerns about a child. It is also important that staff determine how best to build trusted relationships with children and young people which facilitate communication.' (Part 1, para 19)

Abuse and Harmful Behaviour

It is necessary to consider:

- what abuse is and what it looks like;
- how it can be managed;
- what appropriate support and intervention can be put in place to meet the needs of the individual;
- what preventative strategies may be put in place to reduce further risk of harm.

Abuse is abuse and should never be tolerated or passed off as 'banter' or 'part of growing up'. It is important to consider the forms abuse may take and the subsequent actions required:

- Children are vulnerable to abuse by their peers. Such abuse should be taken as seriously as abuse by adults and should be subject to the same child protection procedures.
- Children can abuse other children. This can include (but is not limited to): abuse within intimate partner relationships; bullying (including cyberbullying); sexual violence and sexual harassment; physical abuse such as hitting, kicking, shaking, biting, hair pulling or otherwise causing physical harm; sexting and initiation/hazing type violence and rituals.
- Staff should not dismiss abusive behaviour as normal between young people and should not develop high thresholds before taking action.
- Staff should be aware of the potential uses of information technology for bullying and abusive behaviour between young people.
- Staff should be aware of the added vulnerability of children and young people who have been the victims of violent crime (for example mugging), including the risk that they may respond to this by abusing younger or weaker children.

The alleged perpetrator is likely to have considerable unmet needs as well as posing a significant risk of harm to other children. Evidence suggests that such children may have suffered considerable disruption in their lives, may have witnessed or been subjected to physical or sexual abuse, may have problems in their educational development and may have committed other offences. They may therefore be suffering, or be at risk of suffering, significant harm and be in need of protection. Any long-term plan to reduce the risk posed by the alleged perpetrator must address their needs.

Types of Abuse (reference can also be made to Appendix 1 of this policy)

1. Physical Abuse (hitting, kicking, shaking, biting, hair pulling, etc)

Physical abuse may include, hitting, kicking, nipping, shaking, biting, hair pulling or otherwise causing physical harm to another person. There may be many reasons why a child harms another and it is important to understand why a child has engaged in such behaviour, including accidentally, before considering the action or punishment to be undertaken.

2. Sexually harmful behaviour/sexual abuse (inappropriate sexual language, touching, sexual assault, etc)

Sexually harmful behaviour from children is not always contrived or with intent to harm others. There may be many reasons why a child engages in sexually harmful behaviour and it may be distressing to the child who instigates it as well as the child it is aimed at. Sexually harmful behaviour may range from inappropriate sexual language, inappropriate role play, to sexually touching another or sexual assault/abuse.

3. Bullying (physical, name calling, homophobic, etc)

Bullying is unwanted aggressive behaviour among school aged children that involves a real or perceived power imbalance. The behaviour is repeated, or has the potential to be repeated, over time. Both children who are bullied and who bully others may have serious, lasting problems.

In order to be considered bullying, the behaviour must be aggressive and include:

- An Imbalance of Power: Young people who bully use their power—such as physical strength, access to embarrassing information, or popularity—to control or harm others. Power imbalances can change over time and in different situations, even if they involve the same people.
- Repetition: Bullying behaviours happen more than once or have the potential to happen more than once.

Bullying includes actions such as:

- making threats,
- spreading rumours,
- attacking someone physically
- attacking someone verbally – maybe with a particular focus – size, colour, gender, sexual orientation, excluding someone from a group, etc
- excluding someone from a group on purpose.

See Anti Bullying Policy for more information

4. Online/Cyber Bullying

Online/Cyber bullying is the use of phones, instant messaging, email, chat rooms or social networking sites such as Facebook and twitter to harass, threaten or intimidate, harass or threaten someone for the same reasons as stated above. Online bullying can take many forms, for example:

- Abusive or threatening texts, emails or messages
- Posting abusive comments on social media sites
- Sharing humiliating videos or photos of someone else
- Stealing someone's online identity
- Spreading rumours online
- Trolling – sending someone menacing or upsetting messages through social networks, chatrooms or games
- Developing hate sites about another person
- Prank calls or messages
- Group bullying or exclusion online
- Anonymous messaging
- Encouraging a young person to self-harm
- Pressuring children to send sexual messages or engaging in sexual conversation.

It is important to state that cyber bullying can easily fall into criminal behaviour under the Malicious Communications Act 1988 and is also supported by the Communications Act 2003.

If the behaviour involves the use of taking or distributing indecent images of children under the age of 18 then this is also a criminal offence under the Sexual Offences Act 2003. Outside of the immediate support children may require in these instances, the school will have no choice but to involve the police to investigate these situations.

See Cyber Bullying Policy for more information

5. Sharing Nude, Semi-Nude or Indecent Imagery (also known as 'sexting')

Sexting is when someone sends or receives a sexually explicit text, image or video. This includes sending 'nude pics', 'rude pics' or 'nude selfies'. Pressuring someone into sending a nude picture can happen in any relationship and to anyone, whatever their age, gender or sexual preference.

However, once the image is taken and sent, the sender has lost control of the image and these images could end up anywhere. By having in their possession, or distributing, indecent images of a person under 18 on to someone else, children may not even be aware that they could be breaking the law as stated, as these are offences under the Sexual Offences Act 2003.

This **must** be referred immediately to the DSL, who will follow the guidance found in:

- Sharing Nudes and Semi-Nudes: advice for educational settings working with children and young people, UKCIS 2020. <https://www.gov.uk/government/organisations/uk-council-for-internet-safety>

6. Upskirting,

This typically involves taking a picture under a person's clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm. It is a criminal offence. Anyone of any gender can be a victim.

7. Initiation/Hazing Type Violence and Rituals

Hazing is a form of initiation ceremony which is used to induct newcomers into an organisation. There are a number of different forms, from relatively mild rituals to severe and sometimes violent ceremonies.

The idea behind this practice is that it welcomes newcomers by subjecting them to a series of trials which promote a bond between them. After the hazing is over, the newcomers also have something in common with the older members of the organisation, because they all experienced it as part of a rite of passage. Many rituals involve humiliation, embarrassment, abuse and harassment.

8. Prejudiced Behaviour

The term prejudice-related bullying refers to a range of hurtful behaviour, physical, emotional or both, which causes someone to feel powerless, worthless, excluded or marginalised and which is connected with prejudices around belonging, identity and equality in society. In particular prejudices to do with:

- Disabilities – including children with SEND
- Gender
- Home life
- Sexual identity – LGBTQ children

9. Teenage Relationship Abuse

Teenage relationship abuse is a pattern of actual or threatened acts of physical, sexual, and/or emotional abuse, perpetrated by an adolescent (between the ages of 13 and 18) against a current or former partner. Abuse may include insults, coercion, social sabotage, sexual harassment, threats and/or acts of physical or sexual abuse. The abusive teen uses this pattern of violent and coercive behaviour, in a heterosexual or same gender relationship, in order to gain power and maintain control over the partner. This abuse may be child sexual exploitation.

Expected Action to Be Taken by All Staff

The school will ensure, through training, that staff, volunteers and governors will have an understanding of the range of Child-on-Child abuse, including sexual violence and sexual harassment, and will be made aware of how to recognise and manage such issues.

Staff will be given the skills to identify and manage harmful sexual behaviour using resources such as the Brook Traffic Light Tool.

<https://www.brook.org.uk/our-work/category/sexual-behaviours-traffic-light-tool>

The DSL should be informed of any concern as soon as possible so they can make decisions around the next steps to be taken. Staff should not be prejudiced, judgemental, dismissive or irresponsible in dealing with such sensitive matters. **It is essential that all victims are reassured that they are being taken seriously and that they will be supported and kept safe.** KCSIE 2022

Recognising Child Abuse

An assessment of an incident between children should be completed and consideration given to:

- Chronological and developmental ages of everyone involved.
- Difference in their power or authority in relation to age, race, gender, physical, emotional or intellectual vulnerability.
- All alleged physical and verbal aspects of the behaviour and incident.
- Whether the behaviour involved inappropriate sexual knowledge or motivation.
- What was the degree of physical aggression, intimidation, threatening behaviour or bribery.
- The effect on the victim.
- Any attempts to ensure the behaviour and incident is kept a secret.
- The child or young person's motivation or reason for the behaviour, if they admit that it occurred.

It is important to deal with a situation of child abuse immediately and sensitively. It is important to gather the information as soon as possible to get the true facts. It is equally important to deal with it sensitively and think about the language used and the impact of that language on both the children and the parents when they become involved. Avoid language that may create a 'blame' culture and leave a child labelled. Staff will talk to the children in a calm and consistent manner. Staff will not be prejudiced, judgemental, dismissive or irresponsible in dealing with such sensitive matters.

Taking Action

- Always take complaints seriously.
- Gain a statement of facts from the pupil(s).
- Assess needs of victim and alleged perpetrator.
- Consider referral to Police or Social Care.
- Contribute to multi-agency assessments.
- Convene a risk management meeting.
- Record all incidents and all action taken.

Recording Sexualised Behaviour

- Be clear, explicit and avoid vague statements or euphemisms.
- Record as soon as possible, as you can quickly forget or confuse detail.
- Follow the prompts on your safeguarding and child protection recording form.
- Use proper names for body parts but record exactly any language or vocabulary used by the child. Use the child's exact words in quotation marks.
- Note where and when the incident happened and whether anyone else was around.

Gather the Facts

Speak to all the young people involved separately, gain a statement of facts from them and use **consistent language** and **open questions** for each account. Ask the young people to tell you what happened. Use open questions, 'where, when, why, who'. (What happened? Who observed the incident? What was seen? What was heard? Did anyone intervene?). Do not interrogate or ask leading questions.

Consider the Intent

Has this been a deliberate or contrived situation for a young person to be able to harm another?

Decide On Your Next Course of Action

If you believe any young person to be at risk of significant harm you must report to the DSL immediately; they will follow the school's Safeguarding and Child Protection Policy.

If MASH and the police intend to pursue this further, they may ask to interview the young people in school or they may ask for parents to come to school to be spoken to. It is important to be prepared for every situation and the potential time it may take.

Informing Parents/Carers

The best way to inform parents/carers is face to face. Although this may be time consuming, the nature of the incident and the type of harm/abuse a young person may be suffering can cause fear and anxiety to parents/carers whether their child is the child who was harmed or who harmed another.

Is the pupil 13+ and does not want to share with parents? Use the 'Gillick' test and the 'Fraser' guidelines.

In all circumstances where the risk of harm to the child is evident then the school should encourage the young person to share the information with their parent/carer (they may be scared to tell parents/carers that they are being harmed in any way).

Points to consider

What is the age of the children involved?

How old are the young people involved in the incident and is there any age difference between those involved? In relation to sexual exploration, children under the age of 5, in particular 1-4 year olds who are learning toileting skills, may show a particular interest in exploration at around this stage. This, however, should not be overlooked.

Where did the incident or incidents take place?

Was the incident in an open, visible place to others? If so, was it observed? If not, is more, supervision required within this particular area?

What was the explanation by all children involved of what occurred?

Can each of the young people give the same explanation of the incident and also what is the effect on the young people involved? Is the incident seen to be bullying for example, in which case regular and repetitive? Is the version of one young person different from another and why?

What is each of the children's own understanding of what occurred?

Do the young people know/understand what they are doing? eg/ do they have knowledge of body parts, of privacy and that it is inappropriate to touch? Is the young person's explanation in relation to something they may have heard or been learning about that has prompted the behaviour? Is the behaviour deliberate and contrived? Does the young person have understanding of the impact of their behaviour on the other person?

Repetition

Has the behaviour been repeated to an individual on more than one occasion? Similarly, it must be considered whether the behaviour persisted to an individual after the issue had been discussed or dealt with and appropriately resolved?

Next Steps

Once the outcome of the incident(s) has been established it is necessary to ensure future incidents of abuse do not occur again and consider the support and intervention required for those involved.

For The Young Person Who Has Been Harmed

The level of support required depends on the individual young person. It may be that they wish to seek counselling or one-to-one support via a mentor. It may also be that they feel able to deal with the incident(s) on their own or with support of family and friends; in which case it is necessary that this young person continues to be monitored and offered support should they require it in the future. If the incidents are of a bullying nature, the young person may need support in improving peer groups/relationships with other young people, or some restorative justice work with all those involved may be required.

Other interventions that could be considered may target a whole class or year group for example, a speaker on online bullying, relationship abuse etc. It may be delivered through the school's PSHCEe and RE/RSE curriculum.

For The Young Person Who Has Displayed Harmful Behaviour (The Perpetrator)

It is important to find out why the young person has behaved in such a way. It may be that the young person is experiencing their own difficulties and may even have been harmed themselves in a similar way. In such cases, support such as one-to-one mentoring or counselling may also be necessary.

Particular support from identified services may be necessary through an early help referral and the young person may require additional support from family members.

Once the support required to meet the individual needs of the young person has been met, it is important that the young person receives a consequence for their behaviour. This may be in the form of restorative justice e.g. making amends with the young person they have targeted if this has been some form of bullying.

In the cases of sexually harmful behaviour, it may be a requirement for the young person to engage in one-to-one work with a particular service or agency (if a crime has been committed this may be through the police or youth offending service).

If there is any form of criminal investigation ongoing it may be that this young person cannot be educated on site until the investigation has concluded. In which case, the young person will need to be provided with appropriate support and education elsewhere.

It may be that the behaviour that the young person has displayed may continue to pose a risk to others, in which case an individual risk assessment may be required. This should be completed via a multi-agency response to ensure that the needs of the young person and the risks towards others are measured by all of those agencies involved including the young person and their parents. This may mean additional supervision of the young person or protective strategies if the young person feels at risk of engaging in further inappropriate or harmful behaviour.

The school may also choose a sanction as a consequence, such as exclusion or a Detention for a period of time to allow the young person to reflect on their behaviour.

After Care

It is important that following the incident the young people involved continue to feel supported and receive help even if they have stated that they are managing the incident. Sometimes the feelings of remorse, regret or unhappiness may occur at a much later stage than the incident. It is important to ensure that the young people do not engage in any further harmful behaviour, either towards someone else or to themselves as a way of coping (e.g. self-harm). For this reason, regular reviews with the young people following the incident(s) are imperative.

Preventative Strategies

Child-on-Child abuse can occur in any school, even with the most robust policies and support processes. It is important to develop appropriate strategies to proactively prevent Child-on-Child abuse. This school has an open environment where young people feel safe to share information about anything that is upsetting or worrying them – The Circle of Care.

There is a strong and positive PSHCEe & RE/RSE curriculum, which tackles such issues as consent and prejudiced behaviour and gives children an open forum to talk things through rather than seek one on one opportunities to be harmful to one another. The school makes sure that 'support and report' signposting is available to young people.

Staff will not dismiss issues as 'banter' or 'growing up' or compare them to their own experiences of childhood. Staff will consider each issue and each individual in their own right before taking action.

Young people are part of changing their circumstances and, through our School Council, for example, we encourage young people to support changes and develop 'rules of acceptable behaviour'. We involve pupils in the positive ethos of the school; one where all young people understand the boundaries of behaviour before it becomes abusive.

APPENDIX 4

Child-on-Child Sexual Violence and Sexual Harassment

The DfE Sexual Violence and Sexual Harassment Between Children in Schools and Colleges document (2017, updated 2021) has been withdrawn and the advice is now incorporated throughout the statutory guidance of KCSiE 2022, especially Part two and Part five.

All staff are advised to read Part Five, of KCSiE 2022

Introduction

This part of the statutory guidance is about how schools and colleges should **respond to all reports and concerns** of child-on-child sexual violence and sexual harassment, including those that have happened outside of the school or college premises, and or online (what to look out for, and indicators of abuse are set out in Part one of this guidance).

Sexual violence and sexual harassment can occur between two children of **any age and sex**, from primary through to secondary stage and into colleges. It can occur through a group of children sexually assaulting or sexually harassing a single child or group of children. Sexual violence and sexual harassment exist on a continuum and may overlap; they can occur online and face to face (both physically and verbally) and are never acceptable. As set out in Part one of KCSiE 2022, all staff working with children are advised to maintain an attitude of **'it could happen here'**.

Addressing inappropriate behaviour (even if it appears to be relatively innocuous) **can** be an important intervention that helps prevent problematic, abusive and/or violent behaviour in the future.

Children who are victims of sexual violence and sexual harassment wherever it happens, will likely find the experience stressful and distressing. This will, in all likelihood, adversely affect their educational attainment and will be exacerbated if the alleged perpetrator(s) attends the same school or college. As set out in Part one of KCSiE 2022, schools and colleges should be aware that safeguarding incidents and/or behaviours can be associated with factors outside the school or college, including intimate personal relationships.

Whilst **any** report of sexual violence or sexual harassment should be taken seriously, staff should be aware it is more likely that girls will be the victims of sexual violence and sexual harassment and more likely it will be perpetrated by boys. But it is essential that all victims are reassured that they are being taken seriously and that they will be supported and kept safe. A victim should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report.

Part Five in KCSiE 2022 - Child-on-Child Sexual Violence and Sexual Harassment has been expanded to incorporate guidance previously covered in the DfE's Sexual Violence and Sexual Harassment between children in schools and colleges (2017 and last updated in 2021).

It contains further detailed information on:

- what sexual violence and sexual harassment constitutes,
- important context to be aware of, including what is consent, power imbalances, and developmental stages,
- harmful sexual behaviour (HSB), including that a child displaying HSB maybe an indication that they are a victim of abuse themselves,
- related legal responsibilities for schools and colleges,
- the importance of understanding intra familial harm and any necessary support for siblings following incidents.

- advice on a whole school or college approach to preventing Child-on-Child sexual violence and sexual harassment, and
- more detailed advice on responding to reports of sexual violence and sexual harassment, including safeguarding and supporting both the victim(s) and alleged perpetrator(s).

Responding To Reports of Sexual Violence and Sexual Harassment

Part two of this guidance is clear that systems should be in place (and they should be well promoted, easily understood and easily accessible) for children to confidently report abuse, knowing their concerns will be treated seriously.

Schools and colleges not recognising, acknowledging or understanding the scale of harassment and abuse and/or downplaying some behaviours related to abuse can lead to a culture of unacceptable behaviour, an unsafe environment and in worst case scenarios a culture that normalises abuse leading to children accepting it as normal and not coming forward to report it.

Reports of sexual violence and sexual harassment are likely to be complex and require difficult professional decisions to be made, often quickly and under pressure. Pre-planning, effective training and effective policies will provide schools and colleges with the foundation for a calm, considered and appropriate response to any reports. Governing bodies and proprietors should ensure that the school or college contributes to multi-agency working in line with statutory guidance Working Together to Safeguard Children.

This part of the KCSiE 2022 guidance does not attempt to provide (nor would it be possible to provide) detailed guidance on what to do in any or every particular case. The guidance provides effective safeguarding practice and principles for schools and colleges to consider in their decision-making process.

Ultimately, any decisions are for the school or college to make on a case-by-case basis, with the designated safeguarding lead (or a deputy) taking a leading role and using their professional judgement, supported by other agencies, such as children's social care and the police as required.

There is support available for schools and colleges. Paragraph 52 and Annex A in the Sexual Violence and Sexual Harassment Between Children in Schools and Colleges advice provides detailed information and links to resources.

In addition, London Grid for Learning's – 'undressed' (LGFL) provides schools with advice about how to teach young children about being tricked into getting undressed online in a fun way without scaring them or explaining the motives of sex offenders. <https://undressed.lgfl.net>

The Immediate Response to A Report

Responding to the Report

It is important to note that children may not find it easy to tell staff about their abuse verbally. Children can show signs or act in ways that they hope adults will notice and react to. In some cases, the victim may not make a direct report. For example, a friend may make a report, or a member of school or college staff may overhear a conversation that suggests a child has been harmed or a child's own behaviour might indicate that something is wrong. As per Part one of KCSiE 2022, if staff have **any** concerns about a child's welfare, they should act on them immediately rather than wait to be told.

The school's or college's initial response to a report from a child is incredibly important. How the school or college responds to a report can encourage or undermine the confidence of future victims of sexual violence and sexual harassment to report or come forward.

It is essential that **all** victims are reassured that they are being taken seriously, regardless of how long it has taken them to come forward and that they will be supported and kept safe. Abuse that occurs online or outside of the school or college should not be downplayed and should be treated equally seriously. A

victim should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report or their experience minimised.

As per Part one of KCSiE 2022, all staff should be trained to manage a report. The Downs Malvern will always follow the reporting guidelines of the West Midlands Safeguarding Procedures. However, effective safeguarding practice includes:

- if possible, managing reports with two members of staff present, (preferably one of them being the designated safeguarding lead or a deputy). However, this might not always be possible.
- where the report includes an online element, being aware of searching screening and confiscation advice (for schools) and UKCIS Sharing nudes and semi-nudes: advice for education settings working with children and young people.

The key consideration is for staff not to view or forward illegal images of a child. The following advice provides more details on what to do when viewing an image is unavoidable. In some cases, it may be more appropriate to confiscate any devices to preserve any evidence and hand them to the police for inspection:

- not promising confidentiality at this initial stage as it is very likely a concern will have to be shared further (for example, with the designated safeguarding lead or children's social care) to discuss next steps. Staff should only share the report with those people who are necessary in order to progress it. It is important that the victim understands what the next steps will be and who the report will be passed to; recognising that a child is likely to disclose to someone they trust: this could be **anyone** on the school or college staff. It is important that the person to whom the child discloses recognises that the child has placed them in a position of trust. They should be supportive and respectful of the child; recognising that an initial disclosure to a trusted adult may only be the first incident reported, rather than representative of a singular incident and that trauma can impact memory and so children may not be able to recall all details or timeline of abuse;
- keeping in mind that certain children may face additional barriers to telling someone because of their vulnerability, disability, sex, ethnicity and/or sexual orientation;
- listening carefully to the child, reflecting back, using the child's language, being on-judgmental, being clear about boundaries and how the report will be progressed, not asking leading questions and only prompting the child where necessary with open questions – where, when, what, etc. It is important to note that whilst leading questions should be avoided, staff can ask children if they have been harmed and what the nature of that harm was;
- considering the best way to make a record of the report. Best practice is to wait until the end of the report and immediately write up a thorough summary. This allows the staff member to devote their full attention to the child and to listen to what they are saying. It may be appropriate to make notes during the report (especially if a second member of staff is present). However, if making notes, staff should be conscious of the need to remain engaged with the child and not appear distracted by the note taking. Either way, **it is essential a written record is made**;
- only recording the facts as the child presents them. The notes should not reflect the personal opinion of the note taker. Schools and colleges should be aware that notes of such reports could become part of a statutory assessment by children's social care and/or part of a criminal investigation; and
- informing the designated safeguarding lead (or deputy), as soon as practically possible, if the designated safeguarding lead (or deputy) is not involved in the initial report.

Risk Assessment

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

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

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

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

Action Following a Report of Sexual Violence and/or Sexual Harassment

What to consider

As set out above, sexual violence and sexual abuse can happen anywhere, and all staff working with children are advised to maintain an attitude of **'it could happen here'**. Schools and colleges should be aware of and respond appropriately to **all** reports and concerns about sexual violence and/or sexual harassment both online and offline, including those that have happened outside of the school. The designated safeguarding lead (or deputy) is likely to have a complete safeguarding picture and be the most appropriate person to advise on the school's initial response. Important considerations will include:

- the wishes of the victim in terms of how they want to proceed. This is especially important in the context of sexual violence and sexual harassment. Victims should be given as much control as is reasonably possible over decisions regarding how any investigation will be progressed and any support that they will be offered. This will however need to be balanced with the school's or college's duty and responsibilities to protect other children:
- the nature of the alleged incident(s), including whether a crime may have been committed and/or whether Harmful Sexual Behaviour (HSB) has been displayed.
- the ages of the children involved;
- the developmental stages of the children involved;
- any power imbalance between the children. For example, is the alleged perpetrator(s) significantly older, more mature or more confident? Does the victim have a disability or learning difficulty?;
- if the alleged incident is a one-off or a sustained pattern of abuse (sexual abuse can be accompanied by other forms of abuse and a sustained pattern may not just be of a sexual nature);
- that sexual violence and sexual harassment can take place within intimate personal relationships between peers;
- are there ongoing risks to the victim, other children, adult students or school or college staff; and
- other related issues and wider context, including any links to child sexual exploitation and child criminal exploitation.

As always when concerned about the welfare of a child, all staff should act in the best interests of the child. In all cases, schools and colleges should follow general safeguarding principles as set out throughout this guidance. **Immediate** consideration should be given as to how best to support and protect the victim and the alleged perpetrator(s) (and any other children involved/impacted).

The starting point regarding any report should always be that there is a **zero-tolerance** approach to sexual violence and sexual harassment and it is never acceptable and it will not be tolerated. It is

especially important not to pass off any sexual violence or sexual harassment as “**banter**”, “**just having a laugh**”, “**part of growing up**” or “**boys being boys**” as this can lead to a culture of unacceptable behaviours and an unsafe environment for children.

Children Sharing a Classroom: Initial Considerations When the Report Is Made

Any report of sexual violence is likely to be traumatic for the victim. It is essential that all victims are reassured that they are being taken seriously and that they will be supported and kept safe. A victim should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report.

However, reports of rape and assault by penetration are likely to be especially difficult with regard to the victim, and close proximity with the alleged perpetrator(s) is likely to be especially distressing. Whilst the school establishes the facts of the case and starts the process of liaising with Children’s Social Care and the Police, the alleged perpetrator(s) **should** be removed from any classes they share with the victim. The school or college should also **carefully** consider how best to keep the victim and alleged perpetrator(s) a reasonable distance apart on school premises (including during any before or after school-based activities) and on transport to and from the school, where appropriate. These actions are in the best interests of all children involved and should not be perceived to be a judgment on the guilt of the alleged perpetrator(s).

For other reports of sexual violence and sexual harassment, the proximity of the victim and alleged perpetrator(s) and considerations regarding shared classes, sharing school premises and school transport, should be considered immediately.

In all cases, the initial report should be carefully evaluated, reflecting the considerations set out at paragraph 448, of KCSiE 2022. The wishes of the victim, the nature of the allegations and the protection of all children in the school or college will be especially important when considering any immediate actions.

Options To Manage the Report

It is important that schools and colleges consider every report on a case-by-case basis as per paragraph 448, KCSiE 2022. When to inform the alleged perpetrator(s) will be a decision that should be carefully considered. Where a report is going to be made to Children’s Social Care and/or the Police, then, as a general rule, the school should speak to the relevant agency and discuss next steps and how the alleged perpetrator(s) will be informed of the allegations. However, as per general safeguarding principles, this does not and should not stop the school taking immediate action to safeguard their children, where required.

There are four likely scenarios for schools to consider when managing any reports of sexual violence and/or sexual harassment. It will be important in all scenarios that decisions and actions are regularly reviewed and that relevant policies are updated to reflect lessons learnt. It is particularly important to look out for potential patterns of concerning, problematic or inappropriate behaviour. Where a pattern is identified, the school or college should decide on a course of action. Consideration should be given to whether there are wider cultural issues within the school or college that enabled the inappropriate behaviour to occur and where appropriate extra teaching time and/or staff training could be delivered to minimise the risk of it happening again. The four scenarios are:

1. Manage Internally

- In some cases of **sexual harassment**, for example, one-off incidents, the school may take the view that the children concerned are not in need of early help or that referrals need to be made to statutory services and that it would be appropriate to handle the incident internally, perhaps through utilising their Behaviour Policy and by providing pastoral support.
- Whatever the response, it should be underpinned by the principle that there is a **zero-tolerance** approach to sexual violence and sexual harassment, and it is never acceptable and will not be tolerated.

- All concerns, discussions, decisions, and reasons for decisions should be recorded (written or electronic).

2. Early Help

- In line with 1 above, the school may decide that the children involved do not require referral to statutory services but may benefit from early help. Early help means providing support as soon as a problem emerges, at any point in a child's life. Providing early help is more effective in promoting the welfare of children than reacting later. Early help can be particularly useful to address non-violent Harmful Sexual Behaviour (HSB) and may prevent escalation of sexual violence. It is particularly important that the designated safeguarding lead (and their deputies) know what the Early Help process is and how and where to access support. More information on Early Help is set out in Part one of KCSiE 2022 with full details of the early help process in Chapter one of Working Together to Safeguard Children.
- Multi-agency early help will work best when placed alongside strong school or college policies, preventative education and engagement with parents and carers.
- Early help and the option to manage a report internally do not need to be mutually exclusive: a school could manage internally and seek early help for both the victim and perpetrator(s).
- Whatever the response, it should be under-pinned by the principle that there is zero tolerance approach to sexual violence and sexual harassment, and it is never acceptable and will not be tolerated.
- All concerns, discussions, decisions, and reasons for decisions should be recorded (written or electronic).

3. Referrals to Children's Social Care

- Where a child has been harmed, is at risk of harm, or is in immediate danger, schools should make a referral to local children's social care.
- At the point of referral to children's social care, schools will generally inform parents or carers, unless there are compelling reasons not to (if informing parent or carer is going to put the child at additional risk). Any such decision should be made with the support of Children's Social Care.
- If a referral is made, Children's Social Care will then make enquiries to determine whether any of the children involved are in need of protection or other services.
- Where statutory assessments are appropriate, the school (especially the designated safeguarding lead or a deputy) should be working alongside, and cooperating with, the relevant lead social worker. Collaborative working will help ensure the best possible package of coordinated support is implemented for the victim and, where appropriate, the alleged perpetrator(s) and any other children that require support.
- Schools should not wait for the outcome (or even the start) of a children's social care investigation before protecting the victim and other children in the school. It will be important for the designated safeguarding lead (or a deputy) to work closely with Children's Social Care (and other agencies as required) to ensure any actions the school takes do not jeopardise a statutory investigation. The risk assessment as per paragraph 445-447 in KCSiE 2022 will help inform any decision. Consideration of safeguarding the victim, alleged perpetrator(s), any other children directly involved in the safeguarding report and all children at the school or college should be **immediate**.
- In some cases, Children's Social Care will review the evidence and decide a statutory intervention is not appropriate. The school (generally led by the designated safeguarding lead or a deputy) should be prepared to refer again if they believe the child remains in immediate danger or at risk of harm. If a statutory assessment is not appropriate, the designated safeguarding lead (or a deputy) should consider other support mechanisms such as early help, specialist support and pastoral support.
- Whatever the response, it should be under-pinned by the principle that there is **a zero-tolerance** approach to sexual violence and sexual harassment and it is never acceptable and will not be tolerated.
- **All concerns**, discussions, decisions, and reasons for decisions should be recorded (written or electronic).

4. Reporting to the Police

- **Any report** to the police will generally be in parallel with a referral to children's social care (as above).
- It is important that the designated safeguarding lead (and their deputies) are clear about the local process for referrals and follow that process.
- Where a report of rape, assault by penetration or sexual assault is made, the starting point is that this should be passed on to the police. Whilst the age of criminal responsibility is ten, if the alleged perpetrator(s) is under ten, the starting principle of reporting to the police remains. The police will take a welfare, rather than a criminal justice, approach. The following advice may help schools decide when to engage the Police and what to expect of them when they do.
- Where a report has been made to the police, the school should consult the police and agree what information can be disclosed to staff and others, in particular, the alleged perpetrator(s) and their parents or carers. They should also discuss the best way to protect the victim and their anonymity.
- At this stage, schools and colleges will generally inform parents or carers unless there are compelling reasons not to, for example, if informing a parent or carer is likely to put a child at additional risk. In circumstances where parents or carers have not been informed, it will be especially important that the school is supporting the child in any decision they take. This should be with the support of Children's Social Care and any appropriate specialist agencies.
- All police forces in England have specialist units that investigate child abuse. The names and structures of these units are matters for local forces. It will be important that the designated safeguarding lead (and their deputies) are aware of their local arrangements.
- In some cases, it may become clear very quickly that the police (for whatever reason) will not take further action. In such circumstances, it is important that the school continues to engage with specialist support for the victim and alleged perpetrator(s) as required.
- Whilst protecting children and/or taking any disciplinary measures against the alleged perpetrator(s), it will be important for the designated safeguarding lead (or a deputy) to work closely with the police (and other agencies as required), to ensure any actions the school takes does not jeopardise the police investigation.
- If schools have questions about the investigation, they should ask the police. The police will help and support the school as much as they can (within the constraints of any legal restrictions).
- Whatever the response, it should be under-pinned by the principle that there is a **zero-tolerance** approach to sexual violence and sexual harassment and it is never acceptable and will not be tolerated.
- All concerns, discussions, decisions, and reasons for decisions should be recorded (written or electronic).

Considering Bail Conditions

- The police will consider what action to take to manage the assessed risk of harm. This could involve the use of police bail with conditions, prior to a suspect appearing in court, or court bail with or without conditions after the first appearance.
- Alternatively, the person suspected of an offence could be 'released under investigation' (RUI). People released under RUI can have no conditions attached to their release from custody and it is possible for a person on bail also to have no conditions.
- Whatever arrangements are in place; the school will need to consider what additional measures may be necessary to manage any assessed risk of harm that may arise within their institution.
- Particular regard should be given to: the additional stress and trauma that might be caused to a victim within the institution; the potential for the suspected person to intimidate the victim or a witness; the need to ensure that any risk management measures strike a balance between management of risk and the rights of an unconvicted person (e.g. rights to privacy, family life, etc).
- Careful liaison with the police investigators should help to develop a balanced setoff arrangement.

APPENDIX 5

Child Criminal Exploitation (CCE) and Child Sexual Exploitation (CSE) County Lines & Gang Affiliation

The sexual and criminal exploitation of children and young people (CSE & CCE) under-18 is defined as that which:

‘Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/591903/CSE_Guidance_Core_Document_13.02.2017.pdf

CSE and CCE is a form of abuse which involves children (male and female, of different ethnic origins and of different ages) receiving something in exchange for sexual or criminal activity.

Who Is at Risk?

CSE and CCE can happen to any young person from any background. Although the research suggests that the females are more vulnerable to CSE, boys and young men are also victims of this type of abuse.

The characteristics common to all victims of CSE and CCE are not those of age, ethnicity or gender, rather their powerlessness and vulnerability. Victims often do not recognise that they are being exploited because they will have been groomed by their abuser(s). As a result, victims do not make informed choices to enter into, or remain involved in, sexually exploitative situations but do so from coercion, enticement, manipulation or fear. Sexual and criminal exploitation can happen face to face and it can happen online. It can also occur between young people.

In all its forms, CSE and CCE is child abuse and should be treated as a child protection issue.

Child Criminal Exploitation (CCE)

Child Criminal Exploitation is common in county lines and occurs where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child or young person under the age of 18. The victim may have been criminally exploited even if the activity appears consensual. Child Criminal Exploitation does not always involve physical contact; it can also occur through the use of technology.

The UK Government defines county lines as:

County lines is a term used to describe gangs and organised criminal networks involved in exporting illegal drugs into one or more importing areas within the UK, using dedicated mobile phone lines or other form of “deal line”. They are likely to exploit children and vulnerable adults to move and store the drugs and money and they will often use coercion, intimidation, violence (including sexual violence) and weapons.

Crimes Associated with County Lines:

- Drugs
- Violence
- Exploitation
- Sexual Exploitation

Criminal exploitation of children is broader than just county lines and includes, for instance, children forced to work on cannabis farms or to commit theft.

Signs To Look Out For

A young person's involvement in county lines activity often leaves signs. A person might exhibit some of these signs, either as a member or as an associate of a gang dealing drugs.

- Are they regularly missing from school or their home?
- Are they travelling alone to places far away from home?
- Do they suddenly have lots of money/lots of new clothes/new mobile phones?
- Are they receiving much more calls or texts than usual?
- Are they carrying or selling drugs?
- Are they carrying weapons or know people that have access to weapons?
- Are they in a relationship with or hanging out with someone/people that are older and controlling?
- Do they have unexplained injuries?
- Do they seem very reserved or seem like they have something to hide?
- Do they seem scared?
- Are they self-harming?

What To Do If You Are Concerned

Follow your normal safeguarding procedures and refer to your school's DSL. The DSL will refer on to Children's Social Care and/or the Police, if the young person is at immediate risk of harm.

Further information is available in the regional guidance of the West Midlands Child Protection Procedures

Further guidance is available in the Home Office's publication 'County Lines: criminal exploitation of children and vulnerable adults'.

Child Sexual Exploitation (CSE)

Child sexual exploitation is a form of abuse which involves children (male and female, of different ethnic origins and of different ages) receiving something in exchange for sexual activity. 'Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology.' (DfE – February 2017)

The definition and further guidelines can be found in the DfE document : Child sexual exploitation - Definition and a guide for practitioners

Who Is at Risk?

Child sexual exploitation can happen to any young person from any background. Although the research suggests that the females are more vulnerable to CSE, boys and young men are also victims of this type of abuse. The characteristics common to all victims of CSE are not those of age, ethnicity or gender, rather their powerlessness and vulnerability. Victims often do not recognise that they are being exploited because they will have been groomed by their abuser(s). As a result, victims do not make informed choices to enter into, or remain involved in, sexually exploitative situations but do so from coercion, enticement, manipulation or fear. Sexual exploitation can happen face to face and it can happen online. It can also occur between young people.

In all its forms, CSE is child abuse and should be treated as a child protection issue.

Warning Signs and Vulnerabilities Checklist

The evidence available points to several factors that can increase a child's vulnerability to being sexually exploited. The following are typical vulnerabilities in children prior to abuse:

- Living in a chaotic or dysfunctional household (including parental substance use, domestic violence, parental mental health issues, parental criminality).
- History of abuse (including both intra and extra familial child sexual abuse, risk of forced marriage, risk of 'honour'-based violence, physical and emotional abuse and neglect).
- Recent bereavement or loss.
- Gang association either through relatives, peers or intimate relationships (in cases of gang associated CSE only).
- Attending school with young people who are sexually exploited.
- Learning disabilities.
- Unsure about their sexual orientation or unable to disclose sexual orientation to their families.
- Friends with young people who are sexually exploited.
- Homeless.
- Lacking friends from the same age group.
- Living in a gang neighbourhood.
- Living in residential care.
- Living in hostel, bed and breakfast accommodation or a foyer.
- Low self-esteem or self-confidence.
- Young carer.

The following signs and behaviour are generally seen in children who are already being sexually exploited:

- Missing from home or care;
- Physical injuries;
- Drug or alcohol misuse;
- Involvement in offending;
- Repeat sexually-transmitted infections, pregnancy and terminations;
- Absent from school;
- Evidence of sexual bullying and/or vulnerability through the internet and/or social networking sites;
- Estranged from their family;
- Receipt of gifts from unknown sources;
- Recruiting others into exploitative situations;
- Poor mental health;
- Self-harm;
- Thoughts of or attempts at suicide.

Evidence shows that any child displaying several vulnerabilities from the above lists should be considered to be at high risk of sexual exploitation.

The DSL is aware of the guidance on Child Sexual Exploitation on the West Midlands Safeguarding Children Procedures website.

APPENDIX 6

Sharing Nudes, Semi-Nudes & Indecent Imagery (Sexting)

Sharing Nudes and Semi-Nudes: advice for educational settings working with children and young people, UKCIS 2020. <https://www.gov.uk/government/organisations/uk-council-for-internet-safety>

What is sexting/sharing nudes, semi-nude and indecent imagery?

The term 'sexting' is the exchange of self-generated sexually explicit images, through mobile picture messages or webcams over the internet.

Sexting is often seen as flirting by children and young people who think that it's part of normal life.

Often, incidents of sexting are not clear-cut or isolated; schools may encounter a variety of scenarios. Sexting incidents can be divided into two categories – aggravated and experimental.

Aggravated incidents of sexting involve criminal or abusive elements beyond the creation of an image. These include further elements, adult involvement or criminal or abusive behaviour by minors such as sexual abuse, extortion, threats, malicious conduct arising from personal conflicts, or creation or sending or showing of images without the knowledge or against the will of a minor who is pictured.

Experimental incidents of sexting involve youths taking pictures of themselves to share with established boy or girlfriends, to create romantic interest in other youth, or for reasons such as attention seeking. There is no criminal element (and certainly no criminal intent) beyond the creation and sending of the images and no apparent malice or lack of willing participation.

The consequences of sexting can be devastating for young people. In extreme cases it can result in suicide or a criminal record, isolation and vulnerability. Young people can end up being criminalised for sharing an apparently innocently image which may have, in fact, been created for exploitative reasons.

Because of the prevalence of sexting, young people are not always aware that their actions are illegal. In fact, sexting as a term is not something that is recognised by young people and the 'cultural norms' for adults can be somewhat different. Some celebrities have made comments which appear to endorse sexting – 'it's okay, as long as you hide your face' - giving the impression that sexting is normal and acceptable. However, in the context of the law it is an illegal activity and young people must be made aware of this.

The decision to criminalise children and young people for sending these kinds of images is a little unclear although recent media information suggested that all incidents reported to the police would be recorded, but not all would be investigated. The current Association of Chief Police Officers (ACPO) position is that:

'ACPO does not support the prosecution or criminalisation of children for taking indecent images of themselves and sharing them. Being prosecuted through the criminal justice system is likely to be upsetting and distressing for children especially if they are convicted and punished. The label of sex offender that would be applied to a child or young person convicted of such offences is regrettable, unjust and clearly detrimental to their future health and wellbeing.'

Further information from ACPO is expected imminently (August 2016).

Action To Take in The Case of An Incident of Sexting

Step 1 – Disclosure by a student

Sexting disclosures should follow the normal safeguarding practices and protocols. A student is likely to be very distressed especially if the image has been circulated widely and if they don't know who has

shared it, seen it or where it has ended up. They will need pastoral support during the disclosure and after the event. They may even need immediate protection or a referral to Children's Social Care.

The following questions will help decide upon the best course of action:

- Is the student disclosing about themselves receiving an image, sending an image or sharing an image?
- What sort of image is it? Is it potentially illegal or is it inappropriate?
- Are the school child protection and safeguarding policies and practices being followed? For example, has the DSL been consulted and is their advice and support available?
- How widely has the image been shared and is the device in their possession?
- Is it a school device or a personal device?
- Does the student need immediate support and or protection?
- Are there other students and or young people involved?
- Do they know where the image has ended up?

This situation will need to be handled very sensitively. Whatever the nature of the incident, ensure school safeguarding and child protection policies and practices are adhered to.

Step 2 – Searching a device

It is highly likely that the image will have been created and potentially shared through mobile devices. The image may not be on one single device but may be on a website or on a multitude of devices; it may be on either a school-owned or personal device. It is important to establish the location of the image but be aware that this may be distressing for the young person involved, so be conscious of the support they may need.

When searching a mobile device, the following conditions should apply:

- The action is in accordance with the school's child protection and safeguarding policies
- The search is conducted by the headmaster or a person authorised by them
- A member of the safeguarding team is present
- The search is conducted by a member of the same sex

If any illegal images of a child are found you should consider whether to inform the police. As a general rule it will almost always be proportionate to refer any incident involving "aggravated" sharing of images to the police, whereas purely "experimental" conduct may proportionately be dealt with without such referral, most particularly if it involves the child sharing images of themselves.

Any conduct involving, or possibly involving, the knowledge or participation of adults should always be referred to the police.

If an "experimental" incident is not referred to the police the reasons for this should be recorded in writing.

Always put the child first. Do not search the device if this will cause additional stress to the student/person whose image has been distributed.

If there is an indecent image of a child on a website or a social networking site then you should report the image to the site hosting it. In the case of a sexting incident involving a child or young person where you feel that they may be at risk of abuse then you should report the incident directly to CEOP www.ceop.police.uk/ceop-report, so that law enforcement can make an assessment, expedite the case with the relevant provider and ensure that appropriate action is taken to safeguard the child.

Step 3 – What to do and not do with the image

If the image has been shared across a personal mobile device:

- Confiscate and secure the device.
- Don't view the image unless there is a clear reason to do so.

- Don't send, share or save the image anywhere.
- Don't allow students to view images or send, share, or save them anywhere.

If the image has been shared across a school network, a website or social network:

- Block the network to all users and isolate the image.
- Don't send or print the image.
- Don't move the material from one place to another.
- Don't view the image outside of the protocols of your safeguarding policies and procedures.

Step 4 – Who should deal with the incident?

Whoever the initial disclosure is made to must act in accordance with the school safeguarding policy, ensuring that the DSL or a senior member of staff is involved in dealing with the incident.

The DSL should always record the incident. Senior management should also always be informed. There may be instances where the image needs to be viewed and this should be done in accordance with protocols. The best interests of the child should always come first; if viewing the image is likely to cause additional stress, staff should make a judgement about whether or not it is appropriate to do so.

Step 5 - Deciding on a response

There may be a multitude of reasons why a student has engaged in sexting – it may be a romantic/sexual exploration scenario, or it may be due to coercion.

It is important to remember that it won't always be appropriate to inform the police; this will depend on the nature of the incident. However, as a school it is important that incidents are consistently recorded. It may also be necessary to assist the young person in removing the image from a website or elsewhere.

If indecent images of a child are found:

- Act in accordance with your child protection and safeguarding policy, e.g. notify DSL
- Store the device securely
- Carry out a risk assessment in relation to the young person (see Appendix B of the Safeguarding Children in Education Guidance for a Sexting Risk Assessment pro-forma and flow chart)
- Make a referral if needed
- Contact the police (if appropriate)
- Put the necessary safeguards in place for the student, e.g. they may need counselling support, immediate protection and parents must also be informed.
- Inform parents and/or carers about the incident and how it is being managed.

Step 6 – Contacting other agencies (making a referral)

If the nature of the incident is high-risk, consider contacting Children's Social Care. Depending on the nature of the incident and the response you may also consider contacting local police or referring the incident to CEOP.

Understanding the nature of the incident, whether experimental or aggravated, will help to determine the appropriate course of action.

Step 7 – Containing the incident and managing pupil reaction

Sadly, there are cases in which victims of sexting have had to leave or change schools because of the impact the incident has had on them. The student will be anxious about who has seen the image and where it has ended up. They will seek reassurance regarding its removal from the platform on which it was shared. They are likely to need support from the school, their parents and their friends. Education programmes can reinforce to all students the impact and severe consequences that this behaviour can have. Consider engaging with your local police and asking them to talk to the students.

Other staff may need to be informed of incidents and should be prepared to act if the issue is continued or referred to by other students. The school, its students and parents should be on high alert, challenging

behaviour and ensuring that the victim is well cared for and protected. The students' parents should usually be told what has happened so that they can keep a watchful eye over their child, especially when they are online at home.

Creating a supportive environment for students in relation to the incident is very important.

Step 8 – Reviewing outcomes and procedures to prevent further incidences

As with all incidents, a review process ensures that the matter has been managed effectively and that the school has the capacity to learn and improve its handling procedures. Incidents of sexting can be daunting for a school to manage, especially if the image has been widely shared between pupils in school.

Further information is available from the [NSPCC](#)

APPENDIX 7

Domestic Abuse Effects Of Domestic Abuse on Children and Young People

The impact of domestic abuse on the quality of a child's or young person's life is very significant. Children and young people who live with domestic abuse are at increased risk of behavioural problems, emotional trauma, and mental health difficulties in adult life.

The impact of domestic abuse on children and young people can be wide-ranging and may include effects in any or all of the following areas:

Physical: Children and young people can be hurt either by trying to intervene and stopping the violence or by being injured themselves by the abuser. They may develop self-harming behaviour or eating disorders. Their health could be affected, as they may not be being cared for appropriately. They may have suicidal thoughts or try to escape or blank out the abuse by using drugs, alcohol or by running away.

Sexual: There is a high risk that children and young people will be abused themselves where there is domestic abuse. In homes where living in fear is the norm, and situations are not discussed, an atmosphere of secrecy develops, and this creates a climate in which sexual abuse could occur. In addition to this, children and young people may sometimes be forced to watch the sexual abuse of their mother/carer. This can have long-lasting effects on the sexual and emotional development of the child/young person.

Economic: The parent or carer of the child or young person may have limited control over the family finances. Therefore, there might be little or no money available for extra-curricular activities, clothing or even food, impacting on their health and development.

Emotional: Children and young people will often be very confused about their feelings – for example, loving both parents/carers but not wanting the abuse to continue. They may be given negative messages about their own worth, which may lead to them developing low self-esteem. Many children and young people feel guilty, believing that the abuse is their fault. They are often pessimistic about their basic needs being met and can develop suicidal thoughts. Some children and young people may internalise feelings and appear passive and withdrawn or externalise their feelings in a disruptive manner.

Isolation: Children and young people may become withdrawn and isolated; they may not be allowed out to play; and if there is abuse in the home, they are less likely to invite their friends round. Schooling may be disrupted in many ways, and this may contribute to their growing isolation. They may frequently be absent from school as they may be too scared to leave their mother alone. They may have to move away from existing friends and family – e.g. into a refuge or other safe or temporary accommodation.

Threats: Children and young people are likely to have heard threats to harm their mother/father. They may have been directly threatened with harm or heard threats to harm their pet. They also live under the constant and unpredictable threat of violence, resulting in feelings of intimidation, fear and vulnerability, which can lead to high anxiety, tension, confusion and stress.

This clearly highlights that living with domestic abuse has a significant impact on a child's ability to achieve the five outcomes as outlined in the 'Every Child Matters' agenda:

- be healthy;
- stay safe;
- enjoy and achieve;

- make a positive contribution;
- achieve economic well-being.

What You Might See in School

- Unexplained absences or lateness – either from staying at home to protect their parent or hide their injuries, or because they are prevented from attending school:
- Children and young people attending school when ill rather than staying at home.
- Children and young people not completing their homework, or making constant excuses, because of what is happening at home.
- Children and young people who are constantly tired, on edge and unable to concentrate through disturbed sleep or worrying about what is happening at home.
- Children and young people displaying difficulties in their cognitive and school performance.
- Children and young people whose behaviour and personality changes dramatically.
- Children and young people who become quiet and withdrawn and have difficulty in developing positive peer relations.
- Children and young people displaying disruptive behaviour or acting out violent thoughts with little empathy for victims.
- Children and young people who are no trouble at all.

This list is not exhaustive – this is intended to give you an idea of some of the types of behaviour that could be presented.

What Schools Can Do

We must create an environment which both promotes their belief and commitment that domestic abuse is not acceptable, and that they are willing to discuss and challenge it. For many victims, our school might be the one place that they visit without their abusive partner.

We should aim to display information about domestic abuse and contact details for useful agencies, for example:

- NSPCC **0800 800 5000**
- ChildLine **0800 11 11** (displayed on Circle of Care Poster)
- Parentline **0800 800 2222**
- Worcestershire's Forum Against Domestic Abuse and Sexual Violence (WFADSA) website
- West Mercia Women's Aid 24hr. helpline: **0800 980 3331**
- West Mercia Constabulary – Police Domestic Abuse Units – **101**

Research shows that the repeated use of physical, sexual, psychological and financial abuse is one of the ways in which male power is used to control women. The underlying attitudes which legitimate and perpetuate violence against women should be challenged by schools as part of the whole school ethos.

Schools can support individual children and young people by:

- Enforcing a **whole-school philosophy** that domestic abuse is unacceptable.
- **Responding to disclosures** and potential child protection concerns; recognising that domestic abuse and forced marriage may be a child protection concern; policies and procedures must include domestic abuse.
- **Giving emotional support** – the child or young person might need referral to a more specialist service or need additional support to complete coursework, exams etc.
- **Facilitating a peer support network** – children and young people can become isolated but often welcome talking to friends about their problems.
- **Offering practical support** – if children or young people are new to the school they may not yet have a uniform, they may also need financial help with extra-curricular activities, or they may be unfamiliar with the syllabus, the area, where to hang out, etc.
- **Providing somewhere safe and quiet** to do their homework or just to sit and think.
- **Improving the self-esteem and confidence** of children and young people by:
 - offering them opportunities to take on new roles and responsibilities.
 - offering tasks which are achievable and giving praise and encouragement.
 - monitoring their behaviour and setting clear limits.

- criticising the action, not the person.
- helping them to feel a sense of control in their school lives.
- involving them in decision making.
- helping them to be more assertive.
- respecting them as individuals.
- encouraging involvement in extra-curricular activities.

(From the Expect Respect Education Toolkit – Women's Aid)

Operation Encompass

Operation Encompass is a police and education early information sharing partnership enabling schools to offer immediate support for children and young people experiencing domestic abuse. Information is shared by the police with a school's trained Key Adult (Designated Safeguarding Lead) prior to the start of the next school day after officers have attended a domestic abuse incident thus enabling appropriate support to be given, dependent upon the needs and wishes of the child. Children experiencing domestic abuse are negatively impacted by this exposure; domestic abuse has been identified as an Adverse Childhood Experience and can lead to emotional, physical and psychological harm. Operation Encompass aims to mitigate this harm by enabling immediate support, making a child's day better and giving them a better tomorrow.

The DSL should:

- View the Operation Encompass website (www.operationencompass.org) for further information;
- Ensure the Safeguarding Education Adviser has up to date contact information;
- Ensure the Operation Encompass referral record document is retained in the same way as other child protection documents, in a secure place;
- Identify and brief a colleague who can deputise in his/her absence;
- Ensure that all teaching staff are aware of Operation Encompass and understand the confidential nature of any information passed to them and that this information must be treated in the same way as any other child protection information;
- Inform parents that the school is part of Operation Encompass (using the template letter supplied);
- Inform the Governing Body that the school is part of Operation Encompass and the Governor with responsibility for safeguarding should have a working knowledge of the principles;
- Include details of Operation Encompass in the school prospectus and on the school website to ensure that all new parents are informed of the school's involvement.
- Consider displaying Operation Encompass posters around the school.

On receiving a Domestic Abuse notification, the DSL should:

- Complete the Operation Encompass referral record
- Notify Form Teacher/Personal Tutor and Head of Year, where appropriate
- If there's no change to the child's behaviour - just monitor and log the DA
- If the child displays poor behaviour choices /seems upset/withdrawn, offer the relevant support needed

Bear in mind:

- Victim of incident may be anxious that the information will be shared inappropriately.
- Notification may not give details as to which parent is the perpetrator/victim – any disclosure to the 'wrong' parent could heighten risk.
- Need to be aware who is 'connected' to the child – e.g. TA/lunchtime supervisor may be child's relative / friend of the family.
- **Inappropriate sharing of information could heighten the risk for the victim and/or the child.**

IF IN DOUBT, CONSULT WITH THE FAMILY FRONT DOOR (01905 822666) or THE EMERGENCY DUTY TEAM (EDT – 01905 768020).

APPENDIX 8

Radicalisation & Extremism Prevent Duty

Preventing Radicalisation

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

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

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

What is Prevent?

Prevent is the Government's strategy to stop people becoming terrorists or supporting terrorism, **in all its forms**. Prevent works at the pre-criminal stage by using early intervention to encourage individuals and communities to challenge extremist and terrorist ideology and behaviour.

The Counter-Terrorism and Security Act (2015), places a duty on specified authorities, including schools and colleges, to have due regard to the need to prevent people from being drawn into terrorism ("the Prevent duty").

The Prevent duty reinforces existing duties placed upon educational establishments for keeping children safe by:

- Ensuring a broad and balanced curriculum is in place schools to promote the spiritual, moral, social and cultural development of pupils
- Assessing the risk of pupils being drawn into extremist views
- Ensuring safeguarding arrangements by working in partnership with local authorities, police and communities
- Training staff to provide them with the knowledge and ability to identify pupils at risk
- Keeping pupils safe online, using effective filtering and usage policies.

Warning Signs/Indicators of Concern

There is no such thing as a "typical extremist": those who become involved in extremist actions come from a range of backgrounds and experiences, and most individuals, even those who hold radical views, do not become involved in violent extremist activity.

Pupils may become susceptible to radicalisation through a range of social, personal and environmental factors. It is vital that school staff are able to recognise those vulnerabilities. However, this list is not exhaustive, nor does it mean that all young people experiencing the above are at risk of radicalisation for the purposes of violent extremism.

Factors which may make pupils more vulnerable may include:

- **Identity Crisis:** the pupil is distanced from their cultural/religious heritage and experiences discomfort about their place in society.
- **Personal Crisis:** the pupil may be experiencing family tensions; a sense of isolation; low self-esteem; they may have dissociated from their existing friendship group and become involved with a new and different group of friends; they may be searching for answers to questions about identity, faith and belonging.

- **Personal Circumstances:** migration; local community tensions and events affecting the pupil's country or region of origin may contribute to a sense of grievance that is triggered by personal experience of racism or discrimination or aspects of Government policy.
- **Unmet Aspirations:** the pupil may have perceptions of injustice; a feeling of failure; rejection of civic life.
- **Experiences of Criminality:** involvement with criminal groups, imprisonment, poor resettlement or reintegration.
- **Special Educational Need:** pupils may experience difficulties with social interaction, empathy with others, understanding the consequences of their actions and awareness of the motivations of others.

Pupils who are vulnerable to radicalisation may also be experiencing:

- Substance and alcohol misuse
- Pressure
- Influence from older people or via the Internet
- Bullying
- Domestic violence
- Race/hate crime

Behaviours which may indicate a child is at risk of being radicalised or exposed to extremist views could include:

- Being in contact with extremist recruiters and/or spending increasing time in the company of other suspected extremists.
- Loss of interest in other friends and activities not associated with the extremist ideology, group or cause.
- Pupils accessing extremist material online, including through social networking sites.
- Possessing or accessing materials or symbols associated with an extremist cause.
- Using extremist narratives and a global ideology to explain personal disadvantage.
- Pupils voicing opinions drawn from extremist ideologies and narratives, this may include justifying the use of violence to solve societal issues.
- Graffiti symbols, writing or art work promoting extremist messages or images;
- Significant changes to appearance and/or behaviour increasingly centred on an extremist ideology, group or cause.
- Changing their style of dress or personal appearance to accord with the group.
- Attempts to recruit others to the group/cause.
- Using insulting to derogatory names for another group.

Increase in prejudice-related incidents committed by that person – these may include:

- physical or verbal assault
- provocative behaviour
- damage to property
- derogatory name calling
- possession of prejudice-related materials
- prejudice related ridicule or name calling
- inappropriate forms of address
- refusal to co-operate
- attempts to recruit to prejudice-related organisations
- condoning or supporting violence towards others
- Parental reports of changes in behaviour, friendship or actions and requests for assistance;
- Partner schools, local authority services, and police reports of issues affecting pupils in other schools.

Referral Process

All concerns about young people vulnerable to radicalisation should be referred to the DSL in the first instance. The DSL will follow safeguarding procedures including:

- Talking to the young person about their behaviour/views/on-line activity/friends etc.
- Discussion with parents/carers about the concerns.
- Checking out on-line activity, including social media if possible.
- Providing in-house support, if available.
- Providing Early Help targeted support if necessary.
- Refer to the Channel programme

If concerns persist, then the DSL should make a referral to the LCSP, usually with the knowledge and consent of the young person.

The referral will then be subject to a triage process to decide whether or not it meets the threshold for a referral to Channel. If it does, the DSL should be prepared to attend the Channel Panel meeting to share the concerns and help identify any intervention required.

Further feedback to the Channel Panel will be expected following intervention to decide whether there are still concerns.

Further information can be found in:

the West Midlands Safeguarding Children procedures.

the Government's Counter Extremism Strategy <https://www.gov.uk/government/publications/counter-extremism-strategy>.

The Revised Prevent Duty Guidance for England and Wales
<https://www.gov.uk/government/publications/prevent-duty-guidance/revised-prevent-duty-guidance-for-england-and-wales>.

the Terrorism Act 2000 (TACT 2000) <http://www.legislation.gov.uk/ukpga/2000/11/contents>

The Home Office has also developed three e-learning modules:

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

APPENDIX 9

Forced Marriage A Form of Honour-Based Abuse and a Serious Crime

Forced Marriage should be recognised as a human rights abuse – and should always invoke child protection procedures within the school.

A forced marriage is a marriage conducted without the full consent of both parties, and one where duress is a factor. A forced marriage is not the same as an arranged marriage – in an arranged marriage the families take a leading role in choosing the marriage partner. The marriage is entered into freely by both people.

Warning Signs

Warning signs can include a sudden drop in performance, truancy from lessons and conflicts with parents over continuation of the student's education.

There may be excessive parental restrictions and control, a history of domestic abuse within the family, or extended absence through sickness or overseas commitments. Students may also show signs of depression or self-harming, and there may be a history of older siblings leaving education early to get married.

The Justifications

Most cases of forced marriage in the UK involve South Asian families. This is partially a reflection of the fact that there is a large established South Asian population in the UK. It is clear, however, that forced marriage is not a solely South Asian phenomenon — there have been cases involving families from East Asia, the Middle East, Europe and Africa.

Some forced marriages take place in the UK with no overseas element, while others involve a partner coming from overseas, or a British citizen being sent abroad. Parents who force their children to marry often justify it as protecting them, building stronger families and preserving cultural or religious traditions. They may not see it as wrong.

Forced marriage can never be justified on religious grounds: every major faith condemns it and freely given consent is a pre-requisite of Christian, Jewish, Hindu, Muslim and Sikh marriage.

Culture

Often parents believe that they are upholding the cultural traditions of their home countries, when in fact practices and values there have changed. Some parents come under significant pressure from their extended families to get their children married.

The Law

Sexual intercourse without consent is rape, regardless of whether this occurs within the confines of a marriage. A girl who is forced into marriage is likely to be raped and may be raped until she becomes pregnant.

In addition, the Forced Marriage (Civil Protection) Act (2007) makes provision for protecting children, young people and adults from being forced into marriage without their full and free consent through Forced Marriage Protection Orders. Breaching a Forced Marriage Protection Order is a criminal offence.

The Anti-Social Behaviour, Crime and Policing Act 2014 makes it a criminal offence, with effect from 16th June 2014, to force someone to marry.

This includes:

- Taking someone overseas to force them to marry (whether or not the marriage takes place);
- Marrying someone who lacks the mental capacity to consent to the marriage (whether they're pressured into it or not).

What To Do If a Student Seeks Help

- The student should be seen immediately in a private place, where the conversation cannot be overheard.
- The student should be seen on her own, even if she attends with others.
- Develop a safety plan in case the student is seen i.e. prepare another reason why you are meeting.
- Explain all options to the student and recognise and respect her wishes. If the student does not want to be referred to Children's Social Care, you will need to consider whether to respect the student's wishes — or whether the student's safety requires further action to be taken. If you take action against the student's wishes you must inform the student.
- Establish whether there is a family history of forced marriage — i.e. siblings forced to marry.
- Advise the student not to travel overseas and discuss the difficulties she may face.
- Seek advice from the Forced Marriage Unit.
- Liaise with Police and Children's Social Care to establish if any incidents concerning the family have been reported.
- Refer to the local Police Child Protection Unit if there is any suspicion that there has been a crime or that one may be committed.
- Refer the student with her consent to the appropriate local and national support groups, and counselling services.

What To Do If the Student Is Going Abroad Imminently

The Forced Marriage Unit advises education professionals to gather the following information if at all possible — it will help the unit to locate the student and to repatriate her:

- a photocopy of the student's passport for retention — encourage her to keep details of her passport number and the place and date of issue
- as much information as possible about the family (this may need to be gathered discretely)
- full name and date of birth of student under threat
- student's father's name
- any addresses where the student may be staying overseas
- potential spouse's name
- date of the proposed wedding
- the name of the potential spouse's father if known
- addresses of the extended family in the UK and overseas

Specific Information

It is also useful to take information that only the student would know, as this may be helpful during any interview at an embassy or British High Commission — in case another person of the same age is produced pretending to be the student.

Professionals should also take details of any travel plans and people likely to accompany the student. Also note the names and addresses of any close relatives remaining in the UK and a safe means to contact the student- a secret mobile telephone, for example, that will function abroad.

Forced Marriage: What Educators Should NOT Do

- treat such allegations merely as domestic issues and send the student back to the family home
- ignore what the student has told you or dismiss the need for immediate protection
- approach the student's family or those with influence within the community, without the express consent of the student, as this will alert them to your concern and may place the student in danger
- contact the family in advance of any enquires by the Police, Children's Services or the Forced Marriage Unit, either by telephone or letter

- share information outside child protection information sharing protocols without the express consent of the student
- breach confidentiality except where necessary in order to ensure the student's safety
- attempt to be a mediator

Further guidance is available from The Forced Marriage Unit:

Tel: (+44) (0)20 7008 0151 between 9.00 a.m. and 5.00 p.m. Monday to Friday

Emergency Duty Officer (out of hours): (+44) (0)20 7008 1500

E-mail: fmf@fco.gov.uk **Website:** www.fco.gov.uk/forcedmarriage

FMU publication: 'Multi-Agency Practice Guidelines: Handling Cases of Forced Marriage' June 09

See also: 'The Right to Choose – Multi-Agency Guidance in relation to Forced Marriage' Government Office - November 2008 and Interagency Guidance on Forced Marriage on the WSCB website.

[The right to choose: government guidance on forced marriage - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

APPENDIX 10

Female Genital Mutilation (FGM) A Form of Honour-Based Abuse and a Serious Crime

What Is FGM?

FGM includes procedures that intentionally alter or injure the female genital organs for non-medical reasons.

There are four known types of FGM, all of which have been found in the UK:

Type 1 – clitoridectomy: partial or total removal of the clitoris and, in very rare cases, only the prepuce (the fold of skin surrounding the clitoris)

Type 2 – excision: partial or total removal of the clitoris and the labia minora, with or without excision of the labia majora (the labia are the 'lips' that surround the vagina)

Type 3 – infibulation: narrowing of the vaginal opening through the creation of a covering seal. The seal is formed by cutting and repositioning the inner, or outer, labia, with or without removal of the clitoris

Type 4 – other: all other harmful procedures to the female genitalia for non-medical purposes, e.g., pricking, piercing, incising, scraping and cauterising the genital area.

FGM is sometimes known as 'female genital cutting' or female circumcision. Communities tend to use local names for this practice, including 'sunna'.

Why Is FGM Carried Out?

It is believed that:

- It brings status and respect to the girl and that it gives a girl social acceptance, especially for marriage.
- It preserves a girl's virginity/chastity.
- It is part of being a woman as a rite of passage.
- It upholds the family honour.
- It cleanses and purifies the girl.
- It gives the girl and her family a sense of belonging to the community.
- It fulfils a religious requirement believed to exist.
- It perpetuates a custom/tradition.
- It helps girls and women to be clean and hygienic.
- It is cosmetically desirable.
- It is mistakenly believed to make childbirth safer for the infant.

Religion is sometimes given as a justification for FGM. For example, some people from Muslim communities argue that the Sunna (traditions or practices undertaken or approved by the prophet Mohammed) recommends that women undergo FGM, and some women have been told that having FGM will make them 'a better Muslim'. However, senior Muslim clerics at an international conference on FGM in Egypt in 2006 pronounced that FGM is not Islamic, and the London Central Mosque has spoken out against FGM on the grounds that it constitutes doing harm to oneself or to others, which is forbidden by Islam.

Within Which Communities Is FGM Known to Be Practised?

According to the Home Office it is estimated that up to 24,000 girls under the age of 15 are at risk of FGM.

UK communities that are most at risk of FGM include Kenyan, Somali, Sudanese, Sierra Leonean, Egyptian, Nigerian and Eritrean, as well as non-African communities including Yemeni, Afghani, Kurdish, Indonesian and Pakistani.

Obviously, this is not to say that all families from the communities listed above practise FGM, and many parents will refuse to have their daughters subjected to this procedure. However, in some communities a great deal of pressure can be put on parents to follow what is seen as a cultural or religious practice.

Is FGM Harmful?

FGM is extremely harmful and is often described as brutal because of the way it is carried out, and its short-, and long-term effects on physical and psychological health.

FGM is carried out on children between the ages of 0 and 15, depending on the community in which they live. It is often carried out without any form of sedation and without sterile conditions. The girl or young woman is held down while the procedure of cutting takes place and survivors describe extreme pain, fear and feelings of abandonment.

Where the vagina is cut and then sewn up, only a very small opening may be left. This is often seen as a way to ensure that when the girl enters marriage, she is a virgin. In some communities the mother of the future husband and the girl's own mother will take the girl to be cut open before the wedding night.

Repeat urinary tract infections are a common problem for women who have undergone FGM, and for some, infections come from menstruation being restricted. Many women have problems during pregnancy and childbirth. The removal of the clitoris denies women physical pleasure during sexual activity and some groups will practise complete removal to ensure chastity.

Is It Illegal?

FGM is internationally recognised as a violation of the human rights of girls and women and is illegal in most countries – including the UK. The Female Genital Mutilation Act 2003 came into force in 2004:

The act makes it illegal to:

- practise FGM in the UK
- take girls who are British nationals or permanent residents of the UK abroad for FGM, whether or not it is lawful in that country
- aid and abet, counsel or procure the carrying out of FGM abroad.

The offence carries a penalty of up to 14 years in prison, and/or a fine.

Signs, Symptoms and Indicators

The following list of possible signs and indicators are not diagnostic, but are offered as a guide as to what kind of things should alert professionals to the possibility of FGM.

Things that may point to FGM happening:

- a child talking about getting ready for a special ceremony
- a family arranging a long break abroad
- a child's family being from one of the 'at-risk' communities for FGM (see above)
- knowledge that an older sibling has undergone FGM
- a young person talks of going abroad to be 'cut' or get ready for marriage.

Things that may indicate a child has undergone FGM:

- prolonged absence from school or other activities
- behaviour change on return from a holiday abroad, such as the child being withdrawn and appearing subdued
- bladder or menstrual problems
- finding it difficult to sit still, and looking uncomfortable
- complaining about pain between their legs

- mentioning something somebody did to them that they are not allowed to talk about
- secretive behaviour, including isolating themselves from the group
- reluctance to take part in physical activity
- repeated urinal tract infection
- disclosure

What Should Schools Do?

Where schools have a concern about a child, they should contact Children's Social Care Services. If the concerns are based on more concrete indicators – i.e., the young person says this is going to happen to them, or disclosure that it has happened to them or to an older sister – schools should make a child protection referral and inform the Police as required by the mandatory reporting duty. **Schools should not:**

- contact the parents before seeking advice from children's social care.
- make any attempt to mediate between the child/young person and parents.

It is important to keep in mind that the parents may not see FGM as a form of abuse; however, they may be under a great deal of pressure from their community and or family to subject their daughters to it. Some parents from identified communities may seek advice and support as to how to resist and prevent FGM for their daughters, and education about the harmful effects of FGM may help to make parents feel stronger in resisting the pressure of others in the community. Remember that religious teaching does not support FGM.

The 'One Chance' Rule

In the same way that we talk about the 'one chance rule' in respect of young people coming forward with fears that they may be forced into marriage, young people disclosing fears that they are going to be sent abroad for FGM are taking the 'one chance', of seeking help.

It is essential that we take such concerns seriously and act without delay. Never underestimate the determination of parents who have decided that it is right for their daughter to undergo FGM. Attempts to mediate may place the child/young person at greater risk, and the family may feel so threatened at the news of their child's disclosure that they bring forward their plans or take action to silence her.

Mandatory Reporting Duty

Where FGM has taken place, since 31 October 2015 there has been a mandatory reporting duty placed on teachers. Section 5B of the Female Genital Mutilation Act 2003 (as inserted by section 74 of the Serious Crime Act 2015) places a statutory duty upon teachers in England and Wales, to personally report to the police where they discover (either through disclosure by the victim or visual evidence) that FGM appears to have been carried out on a girl under 18. Those failing to report such cases will face disciplinary sanctions. Further information on when and how to make a report can be found in the following Home Office guidance: '[Mandatory Reporting of Female Genital Mutilation - procedural information](#)' (October 2015).



Safeguarding Concern Form – Child

All Staff & Visitors

PRIVATE and CONFIDENTIAL

Use this form to record/log any concern **about** a pupil’s safety and/or welfare and/or Child protection issue.

Once complete, pass this form onto the DSL straight away.

Name of person raising concern & position:	Date:	Time:
Name of pupil of concern:	D.O.B.	Year Group:
<p>Details of concern raised:</p> <p>(include who, what, when and where; the names of witnesses if relevant; details of any immediate action; attach any other relevant documentation)</p>		
<p>Details of conversations (where possible record both the pupil’s and your actual words):</p>		

Other people who witnessed or know of the situation:

Action Taken:

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Reporting staff signature:	Date:
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DSL signature:	Date:
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Further action and details:

Resolution of concern:

Date	Action	People involved

Documents connected to concern:		