COGNITA

St. Mary's Preparatory School (inc EYFS)

Safeguarding and Child Protection Policy and Procedure

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1 Safeguarding in our school

1.1 Our aims and responsibilities

Our commitment is to safeguard and promote the welfare, physical and mental health, and safety of our pupils by creating and maintaining an open, safe, caring, and supportive atmosphere. This includes:

- Proactively teaching pupils about safeguarding;
- Ensuring that systems and procedures are in place to protect pupils; and
- Acting in the best interests of the child.

All staff have the following responsibilities:

- Contribute to providing a safe environment in which all children can learn and flourish;
- Know what to do if a child tells them that they are being abused, neglected, and/or exploited and/or if they are experiencing sexual harassment and/or sexual violence
- Know what to do if they are concerned about the behaviour or conduct of an adult in the school;
- Manage the requirement to maintain an appropriate level of confidentiality;
- Know about Online Safety (including the filtering and monitoring systems that are in use)
- Refer any safeguarding concern about children to the Designated Safeguarding Lead (DSL) or the Deputy DSL;
- Refer any safeguarding concern about adults to the Headteacher, or in their absence the Regional Safeguarding Lead/Head of HR/General Manager (Pod)
- Refer any safeguarding concern about the Headteacher to the Head of HR/Regional Safeguarding Lead/ General Manager (Pod)
- Be aware of local Early Help process and their role in it; and identify children who may benefit from Early Help.
- Be aware of the process for making a referral to Children's Social Care and understand the role they might be expected to play in statutory assessments.
- Be aware of the process for making a referral to the Police and understand the role they may be expected to play in any criminal investigation.
- Be aware of the process of making a referral to Prevent, and understand the role they may be expected to play in any enquiries.

1.2 Definition of safeguarding

Safeguarding and promoting the welfare of children is defined for the purposes of this guidance as:

- providing help and support to meet the needs of children as soon as problems emerge;
- protecting children from maltreatment (abuse, neglect and/or exploitation); whether that is within/outside the home or online
- preventing impairment of children's physical and/or mental health, and/or development;
- ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and
- taking action to enable all children to have the best outcomes.

In our school, safeguarding is everyone's responsibility

Everyone who comes into contact with children and their families has a role to play. No single professional can have a full picture of a child's needs and circumstances. If children and families are to receive the right help at the right time, everyone who comes into contact with them has a role to play in identifying concerns, sharing information and taking prompt action. In order to fulfil this responsibility effectively, all professionals should make sure their approach is child-centred. This means that they should consider, at all times, what is in the best interests of the child, taking into consideration the views and wishes of the child. **All staff** should be aware that children may not feel ready or know how to tell someone that they are being abused, exploited, and/or neglected, and/or they may not recognise their experiences as harmful.

1.3 Who this policy applies to

This policy applies to all pupils in the school, including those in the early years.

This policy applies to all teaching, non-teaching, residential, pastoral, support, peripatetic, contract staff and ancillary staff, agency/supply staff, volunteers, non-school based Cognita staff and any other adults working at the school. All references in this document to "staff" or "members of staff" should be interpreted as relating to the aforementioned, unless otherwise stated. This also applies to adults in the early years phase of the school. Throughout the document, the term DSL is used for the Designated Safeguarding Lead. For staff in the early years, they should report directly to the Early Years Designated Safeguarding Lead (EYDSL)

This Safeguarding Policy applies to all pupils and adults in the school, including when being educated off-site and/or undertaking an educational visit. They also apply to students who are on an exchange and being hosted by the school. This policy also applies to all third parties who are running activities in school on behalf of the school.

1.4 Inter-agency working

The school is committed to inter-agency working in order to secure the best levels of safeguarding for all of its pupils. The school contributes to inter-agency working in accordance with statutory guidance. The school works with Social Care, the Police, health services, and other services to promote the welfare of children and protect them from harm. The school will also work within the requirements of their Safeguarding Partners and their Child Death Review partners. Schools, as relevant agencies, are part of discussions with statutory Safeguarding Partners to agree the levels for the different types of assessment and services to be commissioned and delivered, as part of the local arrangements. The school adheres to the government guidance – Working Together to Safeguarding Children (2023) and Working Together to Improve Education (2024).

1.5 Definitions and terminology

'Children' includes everyone under the age of 18 years
'DSL' refers to the school's named Designated Safeguarding Lead
'DDSL' refers to the school's named Deputy Designated Safeguarding Lead
'DO' refers to the local authority Designated Officer (the person appointed to deal with allegations against adults (often referred to as the LADO))
'ECMS' refers to Electronic Case Management System e.g. CPOMS or MyConcern
'Cause for Concern' form refers to the document included in the Safeguarding Toolkit (*internal recording document)*
'RSL' refers to Regional Safeguarding Lead (Europe and North America) for Cognita
'DE' refers to Director of Education (Europe) for Cognita
GM refers to the General Manager of the school Pod (UK) for Cognita
HoHR refers to the Head of Human Resources for Cognita

ERM refers to the Employee Relations Manager for Cognita

1.6 Related documentation

This policy should be read in relation to the most recent version of the following documents:

National documents:

- The Education (Independent School Standards) Regulations (2014)
- Keeping Children Safe in Education (KCSIE) (2024)
- Working Together to Safeguard Children (February 2023)
- Working Together to Improve Attendance (2024)
- Prevent Duty Guidance: for England and Wales (December 2023)
- Disqualification under the Childcare Act (July 2018)
- What do to if you are worried a child is being abused – Advice for practitioners (departmental advice) (March 2015)
- Early Years Foundation Stage Framework (2024)

This policy is centrally updated annually by the RSL on behalf of Cognita, drawing on feedback from staff, followed by a school review, It isis published to all staff and volunteers and placed on the school website. This policy is based on KCSIE 2024 and any references to national guidance made within this document are in relation to the versions listed above. The school will always refer to the above statutory guidance as the benchmark for all safeguarding practice and decision making, whilst adhering to local authority procedures.

Internal documents:

- Behaviour Policy
- Anti-Bullying Policy
- Drug and Alcohol Policy
- IT Policy (including Digital Safety and Acceptable Use)
- Exclusion Policy
- Early Years – Use of Mobile Phones, Cameras, and Devices Policy
- Preventing Extremism and Radicalisation Policy
- Safer Recruitment Policy
- Staff Code of Conduct
- International Students Handbook
- Use of Reasonable Force, Screening, Searching and Confiscation Policy
- Social Media Policy
- Equality, Diversity, and Inclusion Policy
- Children Absent in Education and Attendance Policy
- Pupil Supervision, Lost, and Missing Policy

1.7 Safer recruitment

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

1.8 Policy review

As stated above, the school carries out an annual review of this policy following a central review by the RSL. This includes an evaluation of the extent to which these policies have been effectively implemented throughout the school. The school will remedy any deficiencies or weaknesses in child protection arrangements without delay and without waiting for the next policy review date, should any be necessary. Staff are invited to contribute to, and shape safeguarding arrangements based on reflection and learning.

Staff are invited to contribute to the review of this policy. Any significant changes to the policy will be agreed centrally by the RSL on behalf of Cognita.

1.9 Information sharing

Information sharing is vital in identifying and tackling all forms of abuse, neglect, and/or exploitation. 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. This policy adheres to the principles and advice in the UK government guidance Information Sharing (2024).

The Data Protection Act (2018) and GDPR do not prevent the sharing of information for the purposes of keeping children safe. 'Safeguarding of children and individuals at risk' is a processing condition that allows schools to share special category personal data. This includes allowing schools to share information with external agencies without parental 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. It would be legitimate to share information without consent where: it is not possible to gain consent; it cannot be reasonably expected that a safeguarding practitioner gains consent; and, if to gain consent would place a child at risk.
School staff should, therefore, be proactive in sharing information as early as possible to help identify, assess, and respond to risks or concerns about the safety and welfare of children, whether this is when problems are first emerging, or where a child is already known to the local authority children's Social Care.

Further details on information sharing can be found in Data Protection: Toolkit for Schools.
Guidance to support schools, including compliance with the GDPR Policy.

1.10 Visiting professionals and speakers

Professionals: For visitors who are in school in a professional capacity, schools should check their photo ID, any professional badges/lanyards, and be assured that the visitor has had the appropriate DBS check (or the visitor's employers have confirmed in writing that their staff have appropriate checks; and what these are). Schools should not ask to see the certificate in these circumstances.

Speakers: Whilst external organisations and individuals (including parents) can provide a varied and useful range of information and resources that can help schools enrich children's education, careful consideration must be given to their suitability. Diligence must include an assessment of the education value, the age appropriateness of what is going to be delivered i.e. the content and approach, the ideology of the speaker, and whether relevant checks will be required. An online due diligence process should also be undertaken, and a discussion with the visiting speaker prior to any confirmation of booking. A record must be kept of the diligence and checks undertaken.

2 Key safeguarding facts

The safety and wellbeing of our pupils is our number one priority

Safeguarding and promoting the welfare of children is everyone's responsibility	***We operate within a culture of openness and recognise and accept that abuse, neglect, and/or exploitation can happen in any organisation***	***We are a 'sharing organisation'*** ***All concerns must be reported***

All concerns about a child (including signs of abuse and neglect) must be reported immediately to the Designated Safeguarding Lead (DSL) or, in their absence, to the Deputy Designated Safeguarding Lead (DDSL)

In the event that a child is in immediate danger or at risk of harm, a referral must be made to Children's Social Care and/or the Police immediately

This policy must be read alongside 'Keeping Children Safe in Education' – DFE Statutory Guidance

An allegation about another adult in school must be referred to the Headteacher	**An allegation about the Headteacher must be referred to the RSL/GM or HoHR**	**Any concern or 'nagging doubt' about an adult or child must be shared with the DSL or Headteacher**

3 Key people and contacts

School contacts	
Designated Safeguarding Lead (DSL)	Kate Bodle
Deputy Designated Safeguarding Lead (Deputy DSL)	Rosie Wilkinson
Any other staff trained to DSL level	Stephen Blundell
Designated Practitioner with responsibility for safeguarding in early years	Kate Bodle
Deputy Designated Practitioner with responsibility for safeguarding in early years	Kate Catlin
LGBTQI+ Champion(s)/ EDI Lead	Kate Bodle
Designated Teacher for Looked After Children (including previously looked after)	Kate Bodle
Mental Health/Wellbeing Lead	Kate Bodle
Prevent Lead	Kate Bodle
Headteacher/Principal	Stephen Blundell
Executive Headteacher /Principal (if applicable)	
Cognita (proprietor) contacts	
Cognita Regional Safeguarding Lead (Europe and North America) (see note below)	Alison Barnett alison.barnett@cognita.com
Pod General Manager (Governance oversight, including Safeguarding)	Rhian Ferriman Rhian.ferriman@cognita.com
Group Legal Counsel and Whistleblowing Officer	Jayne Pinchbeck Jayne.pinchbeck@cognita.com
Cognita (proprietor) board member with responsibility for safeguarding	Dr Simon Camby, Group Director of Education, simon.camby@cognita.com
Director of Education (Europe)	Sarah Reynolds sarah.reynolds@cognita.com
Local Authority Contacts	

Our school follows the safeguarding protocols and procedures of our Safeguarding Partners	Oxfordshire OSCB http://www.oscb.org.uk/
Local authority children's Social Care referral team(s)	MASH: 0345 050 7666 South - Locality Community Support Service (LCSS) Oxfordshire County Council Children , Education & Families Tel: 0345 241 2608
The Designated Officer for child protection (sometimes still referred to as the LADO)	Educational Safeguarding Advisory Team Local Authority Designated Officers - Jo Ll , Sandra Barratt, Lorna Berry, Becky Langstone - ESAT Children, Education and Families Oxfordshire County Council County Hall New Road Oxford OX1 1ND Team Number - 01865 810603 Mobile-07584581180(Jo Lloyd) Lado.safeguardingchildren@oxfordshire.gov.uk www.oxfordshire.gov.uk
Local authority Prevent Lead/Officer	MASH: 0345 050 7666 and ask to be put through to Prevent team. PC 7320 | Prevent Officer Oxfordshire | Thames Valley Police Prevent Team Internal:3245219 | Mobile: 07800703363 Email: jonathan.stanley3@thamesvalley.pnn.police.uk Add Station, Oxford Road, Cowley, Oxford, OX4 2LE
Local authority's out of hours Social Care contact numbers	0800 833 408
Police	
Local Police Emergency	999
Local Police non-emergency	101

Location of local authority safeguarding and child protection documents in school	
Local authority documents, e.g. thresholds, referral forms and related guidance can be found:	In DSL Microsoft Teams folder OSCB website

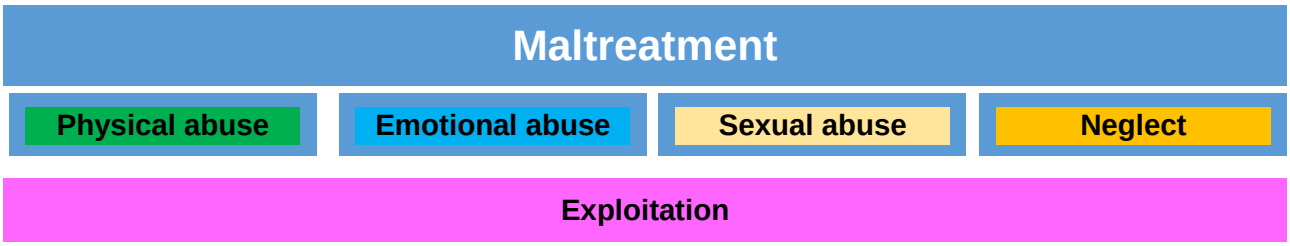
National Contacts	
NSPCC 24/7 Helpline	Tel: 0808 800 5000 Email: help@nspcc.org.uk
NSPCC Text line	88858
NSPCC Child Line	Tel: 0800 1111
NSPCC FGM helpline	Tel: 0800 028 3550 Email: fgmhelp@nspcc.org.uk
NSPCC Whistleblowing helpline	Tel: 0800 028 0285 (8am – 8pm) Email: help@nspcc.org.uk

DfE Prevent helpline for schools & parents	Tel: 020 7340 7264 (non-emergency) Email: counter.extremism@education.gsi.gov.uk
The Lucy Faithfull Foundation (LFF)	Tel: 0800 1000 900 Email: help@stopitnow.org.uk www.parentsprotect.co.uk
National Bullying Helpline	Tel: 0845 22 55 787
UK Safer Internet Centre helpline for School Staff	Tel: 0844 381 4772 Email: helpline@saferinternet.org.uk
Internet Watch Foundation hotline for reporting criminal content	www.iwf.org.uk
Educate Against Hate	http://educateagainsthate.com

Note: The Cognita Regional Safeguarding Lead (RSL) (Europe and North America) is a role which supports the development of effective safeguarding practice within the Cognita family of schools and is not intended to replace, in any way, the statutory referral and reporting requirements.

4 Types of abuse, neglect, and/or exploitation

The term 'maltreatment ' is often used as an umbrella term for harm caused to a child through abuse, neglect and/or exploitation. All staff should be aware of indicators of abuse, neglect and/or exploitation, including sexual harassment and sexual violence, so that they are able to identify cases of children who may be in need of help or protection. Abuse, neglect, and/or exploitation and safeguarding issues are rarely standalone events that can be covered by one definition or label. In most cases, multiple issues will overlap with one another.



4.1 Abuse, Neglect and/or Exploitation

Abuse, Neglect and/or Exploitation are all forms of maltreatment of a child. Somebody may abuse, neglect and/or exploit a child by inflicting harm or failing to act to prevent harm. Children may be abused, neglected and/or exploited in a family or in an institution or community setting by those known to them or, more rarely, by others.

Abuse, neglect, and /or exploitation can take place using a combination of offline/online actions, or wholly online. Technology may also be used to facilitate offline abuse, neglect, and/or exploitation.

Children may be abused, neglected and/or exploited by an adult or adults or by another child, or group of children.

4.2 Physical abuse

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

Signs of physical abuse can include, but is not limited to:

- *injuries to parts of the body where accidents are unlikely, such as thighs, back, abdomen;*
- *respiratory problems from drowning, suffocation or poisoning;*
- *untreated or inadequately treated injuries;*
- *bruising which looks like hand or finger marks or caused by an implement;*
- *cigarette burns, human bites; or*
- *scarring, scalds and burns.*

4.3 Emotional abuse

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

4.4 Domestic abuse

Children can be victims of domestic abuse. They may see, hear, or experience the effects of abuse at home and/or suffer domestic abuse in their own intimate relationships (teenage relationship abuse). The cross-government definition of domestic violence and abuse is that it may be *a single incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality.* The abuse can encompass but is not limited to: psychological; physical; sexual; financial; and emotional. Exposure to domestic abuse and/or violence can have a serious, detrimental, and long-term impact on a child's health, wellbeing, development, and ability to learn. In some cases, a child may blame themselves for the abuse or may have had to leave the family home as a result.

The Domestic Abuse Act (2021) introduced the first ever statutory definition of domestic abuse and recognises the impact of domestic abuse on children, as victims in their own right. Under the statutory definition, both the person who is carrying out the behaviour and the person to whom the behaviour is directed towards must be aged 16 or over and they must be "personally connected" (as defined in section 2 of the 2021 Act).

Operation Encompass operates in all Police forces across England. It helps Police and schools work together to provide emotional and practical help to children and families where abuse is happening. The system ensures that when the Police are called to an incident of domestic abuse, where there are children in the household who have experienced the domestic incident, the Police will inform the DSL in school before the child or children arrive at school the following day. This ensures that the school has up to date relevant information about the child's circumstances and can enable immediate support

to be put in place, according to the child's needs. Operation Encompass does not replace statutory safeguarding procedures. Where appropriate, the Police and/or schools should make a referral to local authority children's Social Care if they are concerned about a child's welfare. More information about the scheme and how schools can become involved is available on the Operation Encompass website.

Operation Encompass provides an advice and helpline service for all staff members from educational settings who may be concerned about children who have experienced domestic abuse. The helpline is available 8AM to 1PM, Monday to Friday on 0204 513 9990 (charged at local rate).

National Domestic Abuse Helpline

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

Signs of emotional abuse tend to be behavioural rather than physical (see below).

4.5 Sexual abuse

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example rape or oral sex), or non-penetrative acts such as masturbation, kissing, rubbing, and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging and/or exploitating 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, including peers and siblings. The sexual abuse of children by other children, known as child-on-child abuse, is a specific safeguarding issue in education and is explored below.

Signs of sexual abuse displayed by children may include, but is not limited to:

- *pregnancy*
- *sexually transmitted infection/diseases;*
- *pain/itching/bleeding/bruising/discharge to the genital area/anus/mouth;*
- *urinary infections;*
- *difficulty walking or sitting or standing;*
- *persistent sore throats; or*
- *stomach ache*

Supporting practice in tackling child sexual abuse - CSA Centre

Centre of Expertise on Child Sexual Abuse has free evidence-based practice resources to help professionals working with children and young people to identify and respond appropriately to concerns of child sexual abuse.

4.6 Neglect

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health and/or development. Neglect may also 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 caregivers); or ensure access to appropriate medical care/treatment and/or assessments (including for learning need/other). It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

Signs of possible neglect include, but are not limited to:

- *the child seems underweight or is very small for their age, or their weight deteriorates*
- *the child seems very overweight for their age*
- *they are poorly clothed, with inadequate protection from the weather*
- *they are often absent from school for no apparent reason; or persistently arrive late: or*
- *they are regularly left alone, or in charge of younger brothers or sisters.*

4.7 Child on child abuse

All staff must be alert to possible indicators of safeguarding concerns which may indicate child on child abuse. This is most likely to include, but may not be limited to:

- bullying (including cyberbullying);
- Taking part in planned aggression, or pressuring/inciting others to aggress others (and/or videoing such incidents)
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm;
- sexual violence and/or sexual harassment and/or sexual exploitation;
- sharing of pornography with others without their consent to receive
- sharing nudes/semi nudes of themselves/others to others without consent
- sharing sexual imagery/videos of themselves/others to others without consent
- sexual communication without consent;
- encouraging others to share the above, or self-generate the above
- sexually coerced extortion (often known as 'sextortion' – see below)
- initiation/hazing type violence and rituals; and
- 'upskirting'

See separate section of this document on child-on-child abuse below.

4.8 Honour Based Abuse (HBA) (including Female Genital Mutilation (FGM), Forced Marriage (FM) and breast flattening)

HBA includes all incidents or crimes which have been committed to protect or defend the honour of the community and/or the family, and commonly involve practices such as FGM, forced marriage and/or breast flattening. Abuse often involves a wider network of family or community pressure and therefore it is important to be aware of this dynamic and consider risk factors when deciding on action. If staff have a concern that a child may be at risk of Honour Based Abuse, they must alert their DSL immediately.

FGM

FGM is abuse that encompasses all procedures involved in the partial or total removal of female external genitalia and is illegal in the UK. Whilst all staff should speak to the DSL (or deputy DSL) with regards to any concerns about FGM, there is a specific legal duty on teachers under the FGM Act (2003) to report FGM. If a teacher, in the course of their work in the profession, discovers that an act of FGM appears to have been carried out on a girl under the age of 18, it is mandatory that the teacher **must** report this to the police using the telephone number 101. They must be supported by a member of the safeguarding team should they do this.

Forced Marriage (FM)

Forcing a person into marriage is a crime in England and Wales. Changes to the Marriage Act (1929) and the Civil Partnership Act (2004) came into effect in February 2023 which have raised the legal marriage age to 18 years old. These changes mean that 16 to 17-

year-olds are no longer able to marry or enter a civil partnership under any circumstances, even with parental or judicial consent. This Minimum Age Act expands the criminal offence of forced marriage in England and Wales to make it an offence in all circumstances to do anything intended to cause a child to marry before they turn 18 without the need to prove that:

- the young person is coerced into the marriage or civil partnership (e.g. threatened);
- the young person is deceived into leaving the UK and coerced into marriage;
- the young person lacks the mental capacity to give consent.

FM is one entered into without the full and free consent of one or both parties and where violence, threats or any form of coercion is used to cause a person to enter into a marriage. The Forced Marriage Unit (FMU) has created: Multi-agency practice guidelines: handling cases of forced marriage (pages 75-80 of which focus on the role of schools) plus there is the government guidance The right to choose: government guidance on forced marriage -GOV.UK (www.gov.uk) .

School staff can contact the Forced Marriage Unit if they need advice or information: Contact: 020 7008 0151 or email fmu@fcdo.gov.uk.

Breast Flattening

Breast flattening, also known as breast ironing, is the pounding and massaging of a pubescent girl's breasts, using hard or heated objects, to try to make them stop developing or disappear. It is typically carried out by the girl's mother, who will say she is trying to protect the girl from sexual harassment and rape to prevent early pregnancy that would tarnish the family name, or to allow the girl to pursue education, rather than be forced into early marriage.

See Annex B of KCSIE for further details.

4.9 Behavioural signs of abuse, neglect and/or exploitation

If a child is being abused, neglected and/or exploited, their behaviour may change in a number of ways. For example, (but not limited to) they may:

- behave aggressively to self/others or be disruptive, act out, demand attention and require more discipline than other children;
- become angry or disinterested socially, and/or show little creativity/motivation;
- seem frightened of certain adults or child (child on child abuse);
- present as sad, withdrawn, and/ or depressed;
- have trouble sleeping/sleep for longer periods than the norm for them;
- become sexually active at a young age;
- exhibit inappropriate/advanced sexual knowledge for their age
- exhibit sexualised behaviour in their play or interactions with other children;
- refuse to undress/change for gym/PE, and/or refuse to participate in physical activities;
- develop dysfunctional eating;
- self-harm and/or express suicidal ideation;
- have changes in their attendance, refuse to attend school, go missing whilst in school, or run away from home/go missing in the community;
- lack confidence or have low self-esteem; in some situations will have raised confidence and esteem initially
- use drugs and/or alcohol as a coping strategy for anxiety/ new use of drugs/alcohol
- have unexplained gifts, money, and/or other items
- spend increasing time online, and become socially isolated
- have a new group of friends (potentially older)

- be seen to leave school with unknown peers/adults

4.10 Emotional Wellbeing and Mental Health

Where children have suffered abuse, neglect and/or exploitation, or other potentially traumatic adverse childhood experiences, this can have a lasting impact throughout childhood, adolescence and into adulthood. It is key that all staff are aware of how these children's experiences, can impact on their mental health, behaviour, and education.

All staff should also be aware that deteriorating emotional wellbeing and escalation of mental health problems can, in some cases, be an indicator that there is a safeguarding concern, for example, a child has suffered or is at risk of suffering abuse, neglect, bullying/cyberbullying or exploitation. Their experiences can also have been historic and emerge in later years in their mental health. Please note, however, that only appropriately trained health professionals must attempt to make a diagnosis of a mental health problem.

Staff, however, are well placed to observe children day-to-day and identify those whose behaviour suggests that they may be experiencing a mental health problem or be at risk of developing one. If staff have a mental health concern about a child that is also a safeguarding concern, immediate action should be taken, through following this policy and speaking to the DSL. Parents/carers must be contacted when signs/indicators of deteriorating/emerging mental health are first displayed (unless to do so would heighten the risk of harm for the child, in which case Social Care will be contacted for advice).

The Department of Education has published advice and guidance on Preventing and Tackling Bullying, Mental Health and Behaviour in Schools, and 'Every interaction matters'. The latter is a pre-recorded webinar which provides staff with a simple framework for promoting wellbeing, resilience, and mental health.

In addition, Public Health England has produced a range of resources to support secondary school teachers to promote positive health, wellbeing and resilience among young people including its guidance, Promoting Children and Young People's Emotional Health and Wellbeing. Its resources include social media, forming positive relationships, smoking and alcohol. See Rise Above for links to all materials and lesson plans.

4.10.1 Vulnerabilities

Whilst all children should be protected from abuse, neglect and/or exploitation, it is important that staff recognise that some groups of children are potentially at greater risk of harm (including online harm). For example, this vulnerable group includes, but is not limited to: those already known to local authority social care, those children with SEND (see below), young carers, those with a parent in prison/ going through criminal proceedings, those identifying/perceived as LGBTQ+, those who are gender questioning, those who are/have been looked after in care, and those living in homes characterised by domestic abuse and/or parental acrimony, including those involved in the court system. This policy will now consider two groups of children known to be more at risk of harm.

4.11 Children with Special Educational Needs and/or Disabilities

Children with special educational needs (SEN) and/or disabilities are statistically more vulnerable to child abuse, neglect, and/or exploitation including child on child abuse. Additional barriers can exist when recognising abuse and neglect in this group of children. These include:

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

- communication barriers and difficulties in overcoming these challenges and/or reporting their concerns to a trusted adult.

Further information can be found at:
SEND Code of Practice 0 to 25 years, and
Supporting Pupils at School with Medical Conditions

and from specialist organisations such as:
The Special Educational Needs and Disabilities Information and Support Services (SENDIASS). SENDIASS offer information, advice and support for parents and carers of children and young people with SEND.
All local authorities have such a service: Find your local IAS service (councilfordisabledchildren.org.uk)

Mencap - Represents people with learning disabilities, with specific advice and information for people who work with children and young people

NSPCC - Safeguarding children with special educational needs and disabilities (SEND) and NSPCC - Safeguarding d/deaf and disabled children and young people

4.11.1 Children who are lesbian, gay, or bisexual/other in sexual orientation, and/or gender questioning

N.B. This section will be reviewed and adapted, pending the outcome of the gender questioning children UK government guidance consultation, and final gender questioning UK government guidance documents being published.

Children who are Lesbian, Gay and/or Bisexual /other in sexual orientation

A child or young person being lesbian, gay, or bisexual (or other) is not in itself an inherent risk factor for harm, however, they can sometimes be targeted by other children. In some cases, a child who is perceived by other children to be lesbian, gay, or bisexual (whether they are or not) can be just as vulnerable as children who are. Our school is an inclusive environment where all children belong, and all children are encouraged to seek support when, and if, they require this.

Children who are Gender-Questioning
Our school will use and refer to the Guidance for Schools and Colleges in relation to Gender Questioning Children, when deciding how to proceed (currently in draft and out for consultation). The school will also follow the recommendations made in the Cass Report which advised that when families/carers are making decisions about support for their gender questioning children, they should initially be encouraged to seek clinical help and advice, as early as possible by a clinical professional with relevant experience. Therefore, should a parent /carer approach the school around this matter, they will be initially supported by signposting them to their local General Practitioner (GP). If a child approaches staff to talk about their gender, they will be supported to talk to their parents/carers about how they are feeling, and the school will, where needed, do so on the child's behalf/with the child (unless to do so would heighten any risk of harm to the child, including a significant deterioration of their mental health, and/or a more mature student declines consent). The school, will, as the review report advises, take a cautious approach and consider the broad range of the child's individual needs, in partnership with

the child's parents/carers (other than in the exceptionally rare circumstances where involving parents would constitute a significant risk of harm to the child).

Approach and Support Provision in school

Whether a child be identifying or perceived to be lesbian, gay or bisexual (or other), and/or gender questioning, any risks can be compounded where children lack trusted adults with whom they can be open. It is therefore vital that our staff endeavour to reduce the additional barriers faced by these potentially vulnerable groups of children, and maintain a culture where children can speak out or share their concerns with members of staff.

In our school we do this in this way: We try to have a gender neutral approach at school in terms of toilets, uniform and access to all experiences including sport. PSHE covers the RSE curriculum in an age appropriate way. We provide children with a variety of ways to express themselves and to raise concerns including worry boxes, online access to teachers e.g. private channels between pupil and form teacher in upper KS2 (with two teachers per channel), reflect app etc.

4.12 Signs of abuse, neglect and/or exploitation manifested by the parents/carers or other responsible adult

- places unrealistic expectations on the child, i.e. demands a level of academic or physical performance, of which they are not capable;
- offers conflicting or unconvincing explanation of any injuries to the child;
- delays seeking medical treatment for the child's physical health/mental health (including taking the child to a specialist medical practitioner immediately when a child discloses suicidal ideation in school);
- does not meet the basic needs of the child in regards to clothing, housing, food etc
- has alcohol/drug dependency/unmanaged mental illness and refuses support
- appears indifferent to, is emotionally unavailable, or overtly rejects, the child;
- denies existence of or blames the child for the child's behaviours at home or at school;
- sees and describes the child as entirely worthless, burdensome or in another negative light;
- refuses offers of support to meet the child's needs
- involves their child in acrimonious private family matters causing emotional distress, for example, but not limited to, contact arrangements where parents have separated
- refuses to consent to referrals to external agencies/organisations meet their child's needs/does not engage/cooperate

4.13 Grooming

Grooming is the process by which an individual prepares a child, significant adults, including staff, and the environment for abuse and/or exploitation of this child. The motivation can be sexual, or increasingly financially related (see below for sexually coercive exploitation). Children and young people can be groomed online or in the real world, by a stranger or by someone they know, or someone pretending to be someone they know, including peers. Groomers may be of any gender identity or sexual orientation. They could be of any age, including another young person. They may be located in the country where the child lives, or if online exploitation, could be resident anywhere in the world.

Many children and young people do not understand that they are being/have been groomed, or that what has happened is abuse and/or exploitation. The signs that a child

is being groomed are not always obvious. Groomers will also go to great lengths not to be identified.

Children may:

- be very secretive, including about what they are doing online;
- be in a relationship with an older child offline/online (or perceive themselves to be with an older child)
- go to unusual places to meet friends; not disclose who they are meeting, or give false accounts of who they are meeting
- have new things such as clothes or mobile phones that they can't or won't explain;
- have increasing or new access to drugs and alcohol;
- go missing from home or school; or are increasingly likely to be absent from school without adequate explanation
- display behavioural changes; these can be both negative and positive
- have sexual health issues;
- express suicidal ideation and/or self-harm (including dysfunctional eating and/or excessive exercise)
- express indicators that they are anxious and/or depressed
- have low self-esteem (or occasionally high self-esteem in earlier stages of grooming)
- steal items or money/sell theirs or others' items for money

In older children, signs of grooming can easily be mistaken for 'normal' teenage behaviour, but you may notice unexplained changes in behaviour or personality, or inappropriate sexual behaviour for their age. See the NSPCC website for further information about grooming.

4.14 Signs of grooming and/or online abuse and/or exploitation

A child may be experiencing abuse and/or exploitation online if they:

- spend lots, much more, or much less time online, texting, gaming or using social media;
- are withdrawn, upset or outraged after using the internet or texting;
- are secretive about who they're talking to and what they're doing online or on their mobile phone; and/or
- have lots of new phone numbers, texts or e-mail addresses on their mobile phone, laptop or tablet.
- have more than one phone

4.15 Signs of grooming manifested by sex offenders (paedophiles)

It is important to remember that not all sex offenders will exhibit the signs listed below and if an individual exhibits some or all of these signs, it does not mean that they are a sex offender:

- Overly affectionate behaviour with a child;
- Affording special attention or preferential treatment to a child (ren);
- Gravitating towards a specific sex of pupil or year group
- Creating and/or spending excessive time alone with a child outside of the classroom/school;
- Frequently spending time with a child in private or isolated areas in the school;
- Transporting a child to or from the school;
- Making friends with a child's parents and visiting their home socially;
- Offering to provide a particular child additional educational support;
- Acting as a particular child's confidante;
- Giving small gifts, money, toys, cards, letters to a child;

- Using texts, telephone calls, e-mails, messaging apps, and/or social networking sites to inappropriately communicate with a child; and/or
- Flirtatious behaviour or making suggestive remarks or comments of a sexual nature around a child.
- Making inappropriate and/or suggestive remarks about children to other staff

4.16 Modus operandi of grooming

- Target vulnerable victim: Perpetrators target victims who are vulnerable, isolated, insecure and/or have greater emotional needs. This may happen over a number of months/years, or may happen very quickly.
- Gain victim's trust: Offenders may allow a child to do something (e.g. eat ice cream, stay up late, view pornography) which is not normally permitted by the child's parents or the school in order to foster secrecy and intimacy.
- Gain the trust of others: Institutional offenders are often popular with children and parents, and often staff, successfully grooming not only the victim but also other members of the victim's family and the school community at large.
- Filling a need/becoming more important to the child: This can involve giving gifts, rewards, additional help or advice, favouritism, special attention and/or opportunities for special trips or outings.
- Isolating the child: The perpetrator may encourage dependency and subtly undermine the victim's other relationships with friends or family members. This may involve the offender making themselves the only/main point of contact in school for the child.
- Sexualising the relationship: This can involve playful touches, tickling and hugs. It may involve adult jokes and innuendo or talking as if adults, for example about marital problems or conflicts.
- Maintaining control and secrecy: Offenders may use their professional position to make a child believe that they have no choice but to submit to the offender.
- Making threats: Offenders may threaten the child/their family/their friends/their pet with harm if they tell/do not continue with the abuse.
- Blackmailing: Offenders may blackmail their victim, for example, by saying that they will share any intimate photos of the child with friends and family.
- Creating opportunity: Offenders will gradually seek to create the time and opportunity to allow for the grooming process to occur, and the eventual abuse of the child (ren). This behaviour may involve the offender creating situations where they have access more easily, in unstructured scenarios and/or encouraging the children), and occasionally the parent/care unwittingly to do so.

4.17 Signs of grooming for radicalisation

All schools are subject to a duty under section 26 of the Counter Terrorism and Security Act (2015), in the exercise of their functions, to have "due regard to the need to prevent people from being drawn into terrorism". This duty is known as the Prevent duty. For more information, please see the Preventing Extremism and Radicalisation Policy and Annex B of KCSIE.

There is no single way of identifying whether a child is likely to be susceptible to an extremist ideology and/or radicalisation. 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). Increasingly the preferred pathway for those wishing to radicalise others is by online methods. As with other safeguarding risks, staff should be alert to changes in children's behaviour, which could indicate that they may be in need of help or protection. Staff should use their judgement in identifying children

who might be susceptible and at risk of radicalisation and act proportionately which may include the DSL and/or the Prevent Lead making a Prevent referral.

There are no known definitive indicators that a young person is susceptible or vulnerable to radicalisation, but there are a number of signs that t*ogether* increase their risk of being groomed in this way.

Signs of susceptibility and/or vulnerability include, but are not limited to:

- Under/over achievement changes;
- Being in possession/sharing of extremist literature;
- Poverty;
- Social exclusion/isolation and need for belonging;
- Traumatic events – current and/or historical in earlier childhood;
- Global or national events (may or may not involve any personal link/association with a particular country);
- Religious conversion/changes in practice and/or belief structure;
- Change in behaviour (verbal, physical, emotional, social);
- Exploitation of some form;
- Extremist influences;
- Conflict with family over lifestyle;
- Confused identity/sense of self;
- Victim or witness to race or hate crimes;
- Rejection by peers, family, social groups; and
- Having confirmed or emerging indicators of SEND

4.18 Child Criminal Exploitation and Serious Violence

CCE is where an individual and/or group takes advantage of an imbalance of power to coerce, control, manipulate, exploit, and/or deceive a child into any criminal activity
(a) in exchange for something the victim needs or wants, and/or
(b) for the financial or other advantage of the perpetrator or facilitator and/or
(c) through violence or the threat of violence.

The victim may have been criminally exploited even if the activity appears consensual. CCE does not always involve physical contact; it can also occur through the use of technology. CCE can include children being forced to work in cannabis factories, forced to shoplift or pickpocket, or to threaten other young people. 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 also be at higher risk of sexual exploitation.

CCE also involves children and young people being coerced into moving drugs or money across the country; this is commonly referred to a County Lines.

County Lines usually occurs through engaging children into gangs and using them to carry money or drugs from urban areas to suburban and rural areas, market, and seaside towns. Further information on the signs of a child's involvement in county lines is available in guidance published by the Home Office here.
County Lines Toolkit For Professionals - The Children's Society in partnership with Victim Support and National Police Chiefs' Council.

All staff should be aware of indicators which may signal that children are susceptible and/or at risk from, and/or are involved with, serious violent crime. These can include but are not limited to:

- increased absence/going missing from school;
- a change in friendships or relationships with older individuals and/or groups;
- a significant decline in academic performance;
- signs of self-harm, suicidal ideation, or a significant change in wellbeing; and/or
- signs of assault or unexplained injuries.

Unexplained gifts or new possessions could also indicate that children have been approached by, or are involved with, individuals/groups associated with criminal networks or gangs. More information can be found in KCSIE (2024), in the Home Office's 'Preventing youth violence and gang involvement' and its 'Criminal exploitation of children and vulnerable adults: county lines guidance'.

See Annex B of KCSIE for more information.

4.19 Contextual Safeguarding

Contextual Safeguarding is an approach to understanding, and responding to, young people's experiences of significant harm beyond their families. It recognises that the different relationships that young people form in their neighbourhoods, schools and online can feature violence and abuse, neglect and/or exploitation. Parents and carers can often have (or feel that they have) little influence over these contexts, and young people's experiences of extra-familial abuse can undermine parent-child relationships. Staff should consider the importance of understanding intra familial harms and any necessary support for siblings following incidents of child-on-child abuse, including sexual harassment and/or violence (see below)

The contextual safeguarding approach says that children's social care practitioners, child protection systems and wider safeguarding partnerships need to engage with individuals and sectors who do have influence over/within extra-familial contexts, and recognise that assessment of, and intervention with, these spaces are a critical part of safeguarding practices. Contextual Safeguarding, therefore, expands the objectives of child protection systems in recognition that young people are vulnerable to abuse *beyond their front doors*. This also includes the risk of abuse, neglect and/or exploitation occurring in or outside of school.

See Annex B of KCSIE for more information and:
Child exploitation disruption toolkit – Home Office (UK) statutory guidance
Multi-agency practice principles for responding to child exploitation and extra-familial harm.

4.20 Child Sexual Exploitation (CSE)

CSE is a form of child sexual abuse (see above) and occurs where an individual and/or group takes advantage of an imbalance in power to coerce, manipulate, exploit and/ or deceive a child into sexual activity. Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, sexual identity, cognitive ability, physical strength, status, and access to economic or other resources. In some cases, the abuse will be in exchange for something the victim needs or wants and/or will be to the financial benefit or other advantage (such as increased status) of the perpetrator or facilitator.

CSE can be perpetrated by individuals or groups, males or females, and children or adults. The abuse can be a one-off occurrence or a series of incidents over time and range from opportunistic to complex organised abuse. It can involve force and/or enticement-based methods of compliance and may, or may not, be accompanied by violence or threats of violence, both to the child and/or someone they know. Victims can be exploited even when activity appears consensual as they may not realise that they are being exploited/harmed, and it should be noted that exploitation as well as being directly physical, can also be facilitated and/or take place online or a combination of offline/online exploitation and harm.

CSE can affect any child or young person (male or female) under the age of 18 years, including 16-and 17-year-olds, who can legally consent to have sex. It can include both contact (penetrative and non-penetrative acts) and non-contact sexual activity and may occur without the child or young person's immediate knowledge (e.g. through others copying videos or images they have created and posted on social media). The latter can be of the actual victim child, or those stating that the content is of the actual child, when it is not. Either way, this is exploitation and has harmed a child.

The above CCE indicators can also be indicators of CSE, as can:

- children who have older boyfriends or girlfriends; and
- children who suffer from sexually transmitted infections or become pregnant.

For more information, see Child Sexual Exploitation: Guide for Practitioners
See Annex B of KCSIE for more information.

4.20.1 Sexually Coercive Exploitation (SCE, sometimes referred to as 'Sextortion')

Increasingly children are being sexually coerced and exploited for money, rather than any sexual motivation underpinning the actions of the offender.
The offender (known, posing as known, or unknown children/adults) will demand the victim child self-generate nudes and send them to them. Whether or not the victim child sends these images/videos, the perpetrator will blackmail the victim by threatening to share these online, and occasionally offline, with the wider community i.e. family, friends, staff and/or media unless they send money to them.

This is known as 'sextortion' and there has been a rapid increase in these situations being reported nationally; many cases of course will not have been reported by children for a number of reasons. Young males in particular have been targeted, and some have taken their lives due to this particular form of exploitation. For this reason, the school will hold an 'open door' and supportive approach in regard to children sending nudes/semi nudes, rather than seeking to criminalising them. This approach will enable children to feel able to share that they have shared nudes, or been asked to do this, with the aim that they can receive the support they so vitally may need in a timely manner. This is not the same as condoning or accepting the sharing of images/videos as the norm. The school is mindful that much of this behaviour is illegal and will follow their statutory duties where appropriate, including reporting matters on a case-by-case basis to the Police and Social Care as

needed. Find more information and advice about SCE from the Internet Watch Foundation here.

4.21 Children Absent from Education

It is mandatory for all children of statutory age to attend school every day that the school is open. All staff should be aware that children who are absent from education for unexplainable, and/or prolonged periods and/or on repeat occasions, particularly repeatedly, can act as a vital warning sign of a range of safeguarding possibilities. This may include abuse and neglect, which may include sexual abuse or exploitation and can also be a sign of child criminal exploitation including involvement in County Lines. It may indicate mental health difficulties, risk of substance abuse, risk of travelling to conflict zones, risk of female genital mutilation and/or risk of forced marriage.

It is important that the school's response to unexplainable, prolonged and/or persistently absent children supports identifying such abuse, and in the case of absent pupils, helps prevent the risk of them becoming a child missing education in the future. This includes when problems are first emerging. Early intervention is necessary to identify the existence of any underlying safeguarding risk and to help prevent the risks of a child being absent from school or going missing in future.

Where children are already known to external agencies, where being absent from education may increase known safeguarding risks within the family or in the community, or where there is prolonged absence and/or unexplained absence for any child, the school will request that the parents/carers facilitate regular visibility of the child remotely, over MS Teams. Where the parents/carers do not comply with this request, consideration will be given to seeking advice/making a referral to local authority children's Social Care.

Please see section 4 -Safeguarding -in our Child Absent in Education and Attendance Policy for more information.

Staff should be aware of their school's unauthorised absence and their local authority's 'children missing/absent from education' procedures. Information regarding schools' duties regarding children absent/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: Children Missing Education.

Elective Home Education

Many home-educated children have an overwhelmingly positive learning experience. Most parents decide to home educate with their child's best education at the heart of their decision. However, 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. Where a parent/carer has expressed their intention to remove a child from school with a view to educating at home, the school will coordinate a meeting with parents/carers where, and as soon as possible. Ideally, this would be before a final decision has been made, to ensure the parents/carers have considered what is in the best interests of each child, and the school has had ample opportunity to listen to the underlying reasons for absence/wishes to remove the child from the school; supportive interventions will be offered. This is particularly important where a child has SEND, is vulnerable, and/or has a Social Worker. Should there be existing safeguarding concerns about any child whose parents state they are planning to educate them at home and/or the removal from the child to home educate may be a concern, a referral to Social Care may be considered.

4.22 Children with family members in prison

Schools should be aware and provide additional support if they have any children or young people on their roll whose parent or close family member is moving through criminal proceedings, and/or in prison. Approximately 100,000 children in England and Wales have a parent currently in prison on any given day (PACT Oct 2023).

Many children with a parent in prison go on to lead positive and fulfilling lives. However, a range of research shows that this group of vulnerable children are more likely to have poorer outcomes, including, but not limited to poverty, stigma, isolation, homelessness and mental health problems. Crucially they are more likely to become involved in crime. NICCO and PACT provide information designed to support professionals working with offenders, parents/carers and their children, to help mitigate negative consequences for those children.

4.23 Children involved in the court system

Criminal courts

Children are sometimes required to give evidence in criminal courts, either for crimes committed against them or for crimes they have witnessed. There are two age-appropriate guides to support children 5-11-year olds and 12-17 year olds. The guides explain each step of the process, support and special measures that are available.

Family Courts

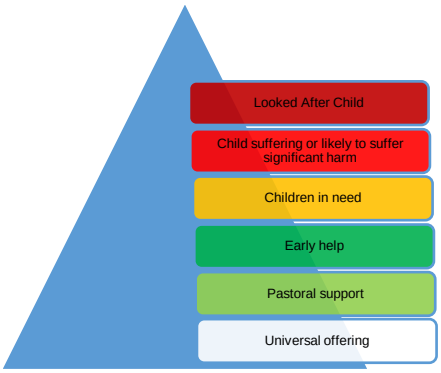
Making child arrangements via the family courts following separation can be stressful and entrench conflict in families. This can be extremely stressful for children caught up in proceedings, and in the most complex situations, cause significant emotional abuse to the child (in which case a referral to local authority children's services will likely be required). The Ministry of Justice (UK) has launched an online child arrangements information tool with clear and concise information for on the dispute resolution service. This may be useful for staff, parents, and children.

Where children are involved in the above family courts, the school has a duty to support any court order granted and cannot become involved in individual discussions with parents around court decisions around collections/residence. It is the parents' responsibility to adhere to the directions in any court order, therefore it will be themselves who potentially breach it. Those with Parental Responsibility must seek permission from the courts to disclose any variation to orders with the school.

5 Stages of child protection

The school can use a range of arrangements, depending on the information available and the risk of harm posed to the child. The school will always work cooperatively with external agencies, including the local authority and the Police.

The diagram opposite outlines the hierarchy of these approaches.



Where a child is suffering, or is likely to suffer from harm, a referralto children's Social Care (and, if appropriate, the Police) must be made immediately by the DSL, who must follow the local authority's referral process. If the DSL is not available, then there should be no delay in another safeguarding staff member in the school making a referral.

5.1 Early Help

Early help falls under the overall definition of safeguarding. In line with managing situations/unmet need internally, the school may decide that the child(ren) involved do not require referral to statutory services but may benefit from early help.

Early help is support for children of all ages that improves a family's resilience and outcomes and/or reduces the chance of a problem getting worse, and subsequently the risk of harm escalating. Providing early help is more effective in promoting the welfare of children than reacting later when the needs of the child are affecting their health and/or development, or when harm has already occurred and/or there is the likelihood of harm.

If early help is appropriate, the DSL or DDSL will generally lead on liaising with other agencies and setting up an inter-agency assessment as appropriate. Staff may be required to support other agencies and professionals in an early help assessment, in some cases acting as the lead professional. Some local authorities hold formal multi-agency/organisation Early Help panels to discuss referrals, whilst others have different processes. For more information about this schools' early help local processes, please contact the DSL.

Many forms of early help to children and families can also be offered via signposting parents/carers of children to helpful local orgnaisations.

Early help interventions can also occur within school: We have a trained ELSA as well as access to a play therapist who visits school (private arrangement with parents) DSL is early help trained by the local authority and accesses the Oxfordshire LCSS service for support. DSL is a trained Mental Health first aider and NLP Kids Coach so can offer support and guidance to parents and pupils. We use the PASS tool to help identify pupils who may need support as well as using online tools such as the Reflect App to track how pupils are feeling.

All cases at the Early Help stage must be kept under constant review and consideration given to a referral to Children's Social Care for assessment for statutory services if the child's situation does not appear to be improving or is getting worse, and/or the parents/carers are not engaged with the support recommended to meet their child's unmet need.

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

- is disabled and has specific additional needs;
- has special educational needs (whether or not they have a statutory education, health and care plan);
- has a mental health need;
- has an ongoing or chronic physical illness
- is a young carer;
- is showing signs of being drawn into anti-social or criminal behaviour, including gang involvement and association with organised crime groups;
- is involved in the court system; criminal or family court
- is frequently missing/goes missing from care or from home;
- has received multiple suspensions, and is at risk of being excluded from school
- is misusing drugs or alcohol themselves;
- is at risk of modern slavery, trafficking, and/ or exploitation;
- is at risk of so called 'honour'-based abuse including Female Genital Mutilation (FGM) and/or Forced Marriage (FM)
- is in a family circumstance presenting challenges for the child/other, such as drug/alcohol misuse/addiction, unmanaged mental health problems and/or domestic abuse;
- has returned home to their family from 'looked after' care;
- is newly adopted or being cared for permanently by a family member other than their biological parents;
- has a parent/significant other going through the criminal court system/serving a custodial sentence in prison;
- is showing early signs of abuse, exploitation, and/or neglect;
- is at risk of being radicalised or exploited; online or offline is showing emerging signs of becoming gaming /gambling addicted

is a privately fostered child; and/or

- has already identified as being LGBTQ+ or is beginning/perceived to identify as LGBTQ+.
- is gender questioning

This is not an exhaustive list and there may be many other factors or situations that could mean that a child or their family will benefit from early help.

More information can be found in Annex B of KCSIE.

5.2 Children who have a Social Worker

Children may need a Social Worker (local authority children's services) due to safeguarding or welfare needs. Children may need this help due to abuse, neglect, and/or exploitation and/or 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 positive mental health.

Local authorities should share with schools the fact a child has a Social Worker and inform schools whether the child is subject to a Child in Need (s17) or Child Protection (s47) Plan. However, it is more than likely that thy the school will have been involved in any assessment leading to the child being made subject to a statutory 'plan' (see below for types of plan)..

The DSL/DDSL in their absence must attend all 'plan reviews'. Where children have an allocated Social Worker, this should inform school 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). Any new information or safeguarding concern that the school has about any child on a statutory plan must and will be shared with the child's allocated Social Worker (or their Team Manager in their absence).

5.3 Children in Need

A Child in Need is defined under the Children Act (1989) as a child who is;

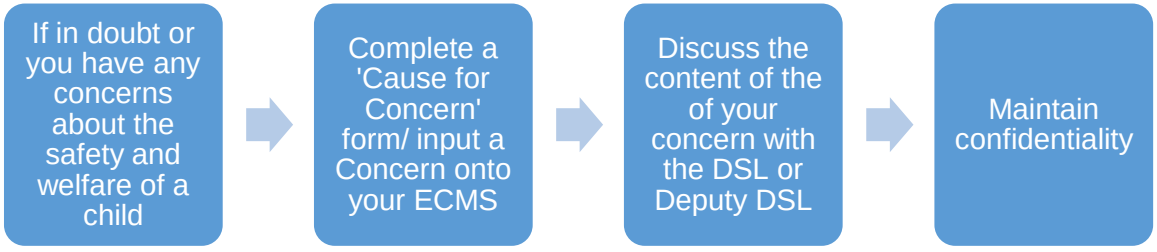
- unlikely to achieve or maintain a reasonable level of health or development, or
- whose health and development is likely to be significantly or further impaired, without the provision of services;
- or a child who is disabled.

Local authorities are required to provide services for children in need for the purposes of safeguarding and promoting their welfare. A child who is deemed to be a Child in Need will have been assessed by Children's Social Care under section 17 of the Children Act (1989). The child will have a Child in Need Plan which should be shared by the allocated Social Worker with the school. The school will attend and participate in Child in Need Review meetings, as arranged by the local authority.

5.4 Children suffering or likely to suffer significant harm

Local authorities, with the help of other organisations as appropriate, including school, have a duty to make enquires under section 47 of the Children Act (1989) if they have reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm. Such enquiries enable them to decide whether they should take any action to safeguard and promote the child's welfare and must be initiated where there are concerns about maltreatment, including all forms of abuse, neglect, female genital mutilation or other so-called honour-based abuse, and extra-familial threats like radicalisation and sexual/criminal/financial exploitation. Should an investigation occur, then the school's involvement and any action may be determined on the advice given by the investigating agency. If the child is made subject to a Child Protection plan, following social care's assessment under s47 and an Initial Child Protection Case Conference, their CP Plan will be shared by the allocated Social Worker with the school. The school will attend and participate in regular meetings (known as Core Groups), as arranged by the local authority. See Working Together to Safeguarding Children (2023) for further information about local authority statutory Social Care processes (and/or the link to procedures in section 3).

5.5 What to do if you have a concern about a child in the school (STAFF)



5.5.1 Disclosure of abuse, neglect and/or exploitation by a child to staff

The following should be read alongside KCSIE (statutory guidance) – Part One and Annex B.

Safeguarding and promoting the welfare of children is everyone's responsibility (KCSIE 2024). All staff should know what to do when a child discloses abuse to them, if they have concerns about a child's welfare, or when other children or staff raise concerns about a pupil to them.

If a child tells a member of staff that they know about or have been a victim of abuse, neglect, and/or exploitation the member of staff should:

- Listen carefully and allow the child to speak freely and remain calm.
- Not interrupt the child or be afraid of silences. Recognise that there are many barriers to a child making a disclosure.
- Never promise confidentiality.
- Provide reassuring nods and words such as, "I am so sorry this has happened", "You are doing the right thing in talking to me".
- Avoid saying things like, "I wish you had told me about this earlier" or "I cannot believe what I am hearing".
- Not question the child about what they are saying extensively, as partner agencies will lead any investigation.
- Seek a context around what the child has said.

The above context must always be sought prior to any referral being made to partner agencies. Depending on who obtained the initial disclosure i.e. if a member of teaching staff receives a disclosure or has a concern, the DSL/DDSL should then also speak to the child, either to corroborate the child's account or to gain further context, prior to making the referral Whilst any member of staff can, and should know how to make a referral, our policy is that any referral will be done by the DSL or DDSL.

All staff involved should limit their questioning to the minimum necessary for clarification using *What, When, How and Where,* Do *not* use questions beginning with *Why* as this can apportion feelings of guilt within a child. Avoid asking the child leading questions by saying encouraging statements like 'go on, you're doing well'.

Staff should summarise for the child what they have said as the conversation continues or at the end, to ensure that they have heard and understood the information accurately, mirroring back to the child their own words and descriptions, occasionally stopping to check.

- If the child discloses abuse, neglect, and/or exploitation, it is appropriate to ask whether any other adults/children were present and observed/involved in what happened.
- At an appropriate time in the conversation, tell the child that the matter will be passed onto to those that need to keep them safe in confidence, always using language that is appropriate to the age and stage of development of the child, allowing for their individual need.
- Take the child directly to the DSL/DDSL, or if not immediately available, ensure that the child is supervised until emotionally stable. If the child has disclosed abuse and also spoken about physical pain and/ or physical discomfort, medical intervention must happen immediately whilst the DSL/DDSL makes a referral. No photos must ever be taken of injuries (see below)
- If the child has expressed any suicidal ideation when they disclosed their abuse, they must be 100% supervised by appropriate staff until support can be put in place, and referrals made. If to follow normal processes i.e. informing the child's parents/carers of their ideation and asking them to collect their child, would heighten risk to the child/other,

then the child must be supervised until such time that statutory agencies have made their initial decisions.

If a disclosure of abuse has been made by the child, staff should immediately discuss the concerns verbally with the DSL, Deputy DSL or Headteacher prior to writing up the record so that immediate action can be considered.

If the DSL is not available then this should not delay appropriate action being taken and staff should speak to the DDSL, Headteacher or, failing that, a member of the SLT/RSL. Headteachers should be made aware of any referral that is made to Social Care or the Police, but staff must not delay if they are unavailable before making the referral.

Staff should understand the difficulties children may have in approaching them and the need to build trusted relationships **All staff** should be aware that children may not feel ready or know how to tell someone that they are being abuse, neglected and/or exploited, and/or they may not be able to recognise their experiences as harmful. Staff should be aware that the first approach/disclosure from a child may not be the only incident that has happened. It is appropriate therefore, to ask the child whether something like this has ever happened to them before.

5.5.2 Recording

All safeguarding-related documents must be kept in a secure location with restricted access. Staff must make a written record of any conversation with the child as soon as possible, using a 'Cause for Concern Form' or uploading/entering their concern onto their ECMS.

Staff recording disclosures must use the specific words that the child used when they disclosed (e.g. if referring to parts of their body), indicating these words by using "speech marks/inverted commas".

The Safeguarding team are responsible for making decisions on next steps and actions following any disclosure or reported concern. All discussions and decisions made, and the reasons/rationale for those decisions being made (AND for others **not** being made), must be recorded in writing by the DSL/DDSL throughout the child's safeguarding record.

Records must include, but not be limited to:

- a clear and comprehensive summary of the concern and/or disclosure;
- details of how the concern/disclosure was initially followed up i.e. note of the immediate action (s) taken, decisions reached (see above), and school interventions (including referrals to agencies)
- confirmation that all those with parental responsibility for the child have directly been informed of the concern/disclosure (unless to do so would heighten risk at that time to the child/others).
- the outcome in terms of whether the unmet need was met/harm addressed and /or reduced (this may occur later).

Further actions, meetings, and decisions may be required after the initial concern has been raised. For all disclosures, it is likely that there will more recording required, and a lengthy period of intervention.

5.5.3 Photos/videos

If a child discloses physical /sexual abuse, neglect and/or exploitation, self-harms causing injury, or attempts to take their life, staff must **never** take photos/videos of children's injuries. On very rare occasions, Social Care or the Police (only) will direct the school to take a photo/video of a child's injury and send it to them securely for their assessment of risk. The school must record on their systems who has asked this to be done, the rationale for the request, noting their role and contact. Any photo/video subsequently taken by staff on an agency's request must have a witness present. The Headteacher must be informed.

5.5.4 Making referrals to statutory agencies

If a child is thought to be at risk of harm

When a child is thought to be at risk of harm or is likely to be at risk of harm (see above), a referral must be made **immediately** to Children's Social Care, and/or to the Police if a criminal act is thought to have occurred. Whilst it is the role of the DSL/DDSL, any member of staff can make a referral to Children's Social Care or the Police and there should be no delay.

The school does not require parental consent for referrals to be made to statutory agencies.

Consent to do this will and must **not** be obtained from the parents if to gain consent would put the child's safety at risk (for example in situations where physical/sexual abuse by a parent/family member has been clearly disclosed by a child) or to do so could jeopardise any investigation by partner agencies (WTSC 2023) The school should ask whether and when the referral can be shared with the child's parents/carers of the child when making such a the referral where seeking consent is a safeguarding element of the situation See above re ensuring that a context is gathered **prior** to making any referral to external agencies.

If a child has unmet needs

When a child is not considered at risk of harm, but still has unmet needs that could mean that they are a Child in Need (see above), a referral should be made to Children's Social Care via the local authority process. The school does not require parental consent for referrals to be made to statutory agencies in these circumstances, however, it is best practice that these concerns should be discussed with the parents and any subsequent referral made transparently with the parent's knowledge.

Confidentiality

Whilst it is always important to take into consideration the wishes and feelings of a child, staff should never guarantee confidentiality to pupils or adults wishing to tell them about something serious, as this may ultimately not be in the best interests of the child. They should guarantee that they will not tell anyone who does not have a clear need to know and that they will pass on information in confidence only to the people who must be told in order to ensure their safety.

5,5,5 Passing on safeguarding records when a child leaves the school

Information sharing is vital in identifying and tackling all forms of abuse, neglect, and/or exploitation. KSCIE (20234) emphasises the need for fuller pastoral information to be passed on about students for whom there has a been a safeguarding concern, as a lack of information about their circumstances can impact on the child's safety, welfare, and educational outcomes.

When a child leaves the school, it is the responsibility of the DSL to ensure that a copy of their safeguarding records is transferred securely and confidentially to the new school. Records should be transferred within 5 days for an in-year transfer or within the first 5 days of the start of a new term (KCSIE 2024).

Before transferring data, the DSL will arrange a telephone call with the DSL or Headteacher in the receiving school to ensure that the child has started their school as planned/informed. Following their conversation, and only once that confirmation has been received, the DSL will arrange for the secure transfer of documentation. No sensitive data /information must be passed onto the child's pending new school, including verbally, until they are formally on roll and in their new school. Confirmation of the receipt of the documentation must be retained with safeguarding records. A safeguarding record must be transferred separately from the main pupil file. (See *internal document* Safeguarding Toolkit for further detail).

Whilst data protection legislation places duties on organisations and individuals to process personal information fairly and lawfully and to keep the information they hold safe and secure, this is not a barrier to sharing information where the failure to do so would result in a child being placed at risk of harm. Fears about sharing information cannot be allowed to stand in the way of the need to promote the welfare and protect the safety of children.

The DSL should also consider if it would be appropriate to share any information with the new school in advance of a child leaving, for example, information that would allow the new school to continue supporting victims of abuse, neglect and/or exploitation and have time to arrange for appropriate support in place for when the child arrives. This should be done with parent's knowledge, unless to do so would heighten any risk to the child or younger person (if this is the case, then Social Care are likely to already be involved and the school must seek (and record) their advice about what information should be shared).

6 Whistleblowing

Please refer to the staff Whistleblowing Policy for more information.

KEY FACTS:

- Staff are encouraged to report to Cognita any suspected wrongdoing within our School or Cognita.
- Members of staff who raise genuine concerns under the Whistleblowing Policy will be supported, even if they turn out to be mistaken.
- Staff must not suffer any detrimental treatment (including dismissal, disciplinary action, threats, or other unfavourable treatment) as a result of raising a genuine concern.
- Staff should ordinarily report wrongdoing internally within Cognita. In most cases it will not be necessary to alert anyone externally.
- Reports made maliciously or in bad faith may lead to disciplinary action.

All adults have a responsibility to report any concerns about poor or unsafe practice, including in relation to the care and protection of a pupil or pupils. If a member of staff believes that best practice in this area is not being adhered to or that practice may put a pupil or pupils at risk, they should first attempt to resolve their concern at school level via their Headteacher. If the situation is not resolved, or the staff member is uncertain about whether something is within the scope of the Whistleblowing Policy, they should seek advice from the Whistleblowing Officer via whistleblowingofficer@cognita.com.

Staff are strongly encouraged to reach out at an early stage.
[Please see the 'key people and contacts' page in this document for the contact details of the above people within Cognita.]

Concerns raised under this Whistleblowing Policy are distinct from concerns or allegations about an adult's suitability to work with or have access to children.

Where an adult feels unable to raise a concern about poor safeguarding practice within Cognita through the above options or where they feel that their concern is not being addressed, they can raise their concern externally using either of the routes below:

- Government guidance can be found here.
- The NSPCC whistleblowing helpline is available for adults who do not feel able to raise concerns regarding child protection failures internally. Staff can call: 0800 028 0285 – lines are available from 8:00am to 8:00pm, Monday to Friday, or email: help@nspcc.org.uk

7 The role of the Designated Safeguarding Lead and Deputy DSL

The Designated Safeguarding Lead (DSL) is the senior member of staff responsible for leading safeguarding in the school The DSL **must** be a member of the school leadership team (SLT). The DSL takes the lead responsibility for safeguarding and child protection in the school (including online safety within which there is filtering and monitoring) and their role description explicitly reflects this.

7.1 Deputy DSL

The school can appoint any number of Deputy DSLs. Their role is to support the DSL in their safeguarding role. Whilst the *activities* of the DSL can be delegated to DDSLs, the ultimate lead responsibility for child protection must remain with the DSL, and this lead responsibility must not be delegated. The Deputy DSLs are trained to the same level as the DSL and their duties of the Deputy DSLs are reflected explicitly in their role descriptions.

7.2 Inter-agency working

The DSL and Deputy DSLs liaise with the local authority and work in partnership with other agencies in the best interests of children in the school. Safeguarding Partners and Child Death Review partner arrangements (the local authority; a clinical commissioning group for an area within the local authority; and the chief officer of police for an area (any part of which falls) within the local authority area) publish a local 'threshold' document which includes the process for the local early help assessment and the type and level of early help services to be provided, and DSLs (and their deputies) will be familiar with this document (see above section 5 for more information about Early Help).

The DSL and any deputies should liaise with the three Safeguarding Partners and work with other agencies in line with Working Together to Safeguard Children (2023).

'NPCC - When to call the police' should help DSLs understand when they should consider calling the Police and what to expect when they do. Under the Police and Criminal Evidence Act (PACE) (1984) – Code C, the DSL is aware of the requirement for children to have an 'Appropriate Adult' when in contact with Police officers who suspect them of an offence. PACE states that anyone who appears to be under 18, shall, in the absence of clear evidence that they are older, be treated as a child for the purposes of this Code and any other Code.

PACE also states that If at any time an officer has any reason to suspect that a person of any age may be vulnerable, then that person is entitled to be accompanied by an 'Appropriate Adult' at any point. The DSL will communicate any vulnerabilities known by the school to any Police Officer who wishes to speak to a pupil about an offence they may suspect. This communication **must** be recorded using the school's recording systems. If, having been informed of the vulnerabilities, the DSL does not feel that the officer is acting in accordance with PACE, they should intervene in any interview, ask to speak with the officer's supervisor or contact 101 to escalate their concerns.

A person whom there are grounds to suspect of an offence must be cautioned before questioned about an offence, or asked further questions if the answers they provide the grounds for suspicion, or when put to them the suspect's answers or silence, (i.e. failure or refusal to answer or answer satisfactorily) may be given in evidence to a court in a prosecution.

Police Officer must not caution a juvenile or a vulnerable person unless the appropriate adult is present. If a child or a vulnerable person is cautioned in the absence of the appropriate adult, the caution must be repeated in the appropriate adult's presence.

The 'Appropriate Adult', in the case of a child must be:
the parent, guardian or, if the juvenile is in the care of a local authority or voluntary organisation, a person representing that authority or organisation, a Social Worker of a local authority failing these, some other responsible adult aged 18 or over who is not:

a. a Police Officer;
b. employed by the Police;
c. under the direction or control of the chief officer of a Police force; or
d. a person who provides services under contractual arrangements (but without being employed by the chief officer of a Police force), to assist that force in relation to the discharge of its chief officer's functions.

Further information can be found in the Statutory guidance - PACE Code C 2019.
https://www.gov.uk/government/publications/pace-code-c-2019/pace-code-c-2019-accessible

7.3 Support for the DSL

The DSL will be given the time, funding, training, resources, and support to provide advice and support to other staff on child welfare and child protection matters, to take part in Strategy Discussions and any other inter-agency meetings (see WTSC 2023), and/or to support other staff to do so, and to contribute to the assessment of children.

There are 4 key elements to the DSL role. They will:

- Manage referrals to external agencies
- Work with others in other agencies, including the Safeguarding Partners
- Train staff in relation to safeguarding
- Raise awareness of safeguarding within the school staff group

7.4 Manage referrals

The DSL is expected to:

- refer cases of suspected abuse to the local authority children's Social Care as required; and/or
- support staff who make referrals to local authority children's Social Care
- refer cases to the Channel programme where there is a radicalisation concern as required, in collaboration with the school Prevent Lead and/or support staff who make referrals to the Channel programme;
- refer cases where a person is dismissed or has left due to risk/harm to a child to the Disclosure and Barring Service as required (in collaboration with HR team who will lead);
- refer cases where a crime may have been committed to the Police as required.
- refer children to external mental health agencies/signpost parents to organisations/professionals when there are concerns about a child's emotional wellbeing and/or mental health, in collaboration with the school Wellbeing/Mental Health Lead (s).
- Follow up and escalate referrals as needed, and make re-referrals if the child's situation does not improve despite intervention/lack of parental engagement.

7.5 Work with others

The DSL is expected to:

- act as a point of contact with the three Safeguarding Partners;
- liaise with the Headteacher to inform them of safeguarding issues, especially ongoing enquiries under section 47 of the Children Act 1989 and Police investigations;
- as required, liaise with the "case manager" (in relation to allegations against adults) and the Designated Officer(s) at the local authority for child protection concerns in cases which concern a staff member (see below- Allegations);
- liaise with staff (especially pastoral support staff, Wellbeing/Mental Health Lead (s), school nurses, IT technicians, and SENCOs) on matters of safety and safeguarding (including online and digital safety) and when deciding whether to make a referral by liaising with relevant agencies; and
- act as a source of support, advice and expertise for all staff
- promote supportive engagement with parents and/or carers in safeguarding and the welfare of children, including where families may be facing challenging circumstances.

7.6 Training

The DSL (and any deputies)must undergo training to provide them with the knowledge and skills required to carry out their role, including inter-agency working. This training must be updated **at least every two years**. Where available, DSLs and DDSLs should access this training via their Local Authority in order to make local links and understand local processes. Where this is not available, the DSL/DDSL will liaise with the RSL to identify alternative suitable training to the same level ; this may be offline/online training.

The DSL and Prevent Lead must undertake the government Prevent awareness training sessions. This is in addition to the Prevent Awareness training that all school staff undertake every 3 years.

The DSL must undertake Online Safety training on an annual and ongoing basis. This will likely be the same training offered to all child-facing staff created centrally, but also comprise any additional training that they identify.

The DSL must undertake Safer Recruitment training every 2 years (see safer Recruitment Policy).

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

- understand the assessment process for providing early help and statutory intervention, including local criteria for local authority children's Social Care referral arrangements and thresholds documents;
- have a working knowledge of how local authorities conduct a child protection case conference and a child protection review conference and be able to attend and contribute to these effectively when required to do so;
- ensure each member of staff has access to, and understands, the school's safeguarding and child protection policy and procedures, especially new, part time staff, and/or agency staff;
- are alert to the specific needs of those subject to a child in need plan, those subject to child protection plans, those who are 'looked after' or who have been 'previously looked after', those with special educational needs, and young carers;
- learn how to maintain high aspirations for vulnerable children, promoting their educational outcomes by knowing the welfare, safeguarding and child protection issues experienced by them and the potential impact on their attendance, engagement and achievement;
- understand how to support teaching staff to feel confident to provide additional academic support/reasonable adjustments for vulnerable children who need or have needed a Social Worker, recognising the lasting impact on educational outcomes, even when statutory agencies have ceased involvement;
- understand relevant data protection legislation and regulations, especially the Data Protection Act 2018 and the General Data Protection Regulation
- understand the importance of information sharing, both within the school, and with the three Safeguarding Partners, other agencies, organisations, and practitioners
- are able to keep detailed, accurate, secure written records of concerns and referrals;

- understand and support the school, in collaboration with the school Prevent Lead, 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, including knowledge of the school's filtering and monitoring systems and processes;
- can recognise the additional risks that children with SEN and disabilities (SEND) face online, for example, from online bullying, grooming and radicalisation and are confident they have the capability to support SEND children to stay safe online;
- can recognise the additional risks that children identifying at LGBTQ+ and/or gender questioning children (or perceived to be by others) face online, for example, from online bullying, grooming and radicalisation and are confident they have the capability to support these children to stay safe online;
- have oversight of attendance, including those children who are absent from education, and/ or a sponsored visa
- obtain access to resources and attend any relevant or refresher training courses; and
- encourage a culture of listening to children, having an understanding their views and taking account of their wishes and feelings, among all staff, in any measures the school may put in place to protect them.

7.7 Raise awareness

The DSL should:

- ensure that the school's Safeguarding and Child Protection policy is known, understood, and used appropriately by staff;
- ensure the school's Safeguarding and Child Protection Policy is reviewed annually (as a minimum) after the central review, the procedures and implementation are updated and reviewed regularly, and work with the proprietor/RSL regarding this;
- ensure the Safeguarding and Child Protection Policy is available publicly and parents are aware of the fact that referrals to children's Social Care or the Police about suspected abuse or neglect may be made and the role of the school in this;
- ensure that online safety training is provided as part of regular staff updates, including updating them around the school's filtering and monitoring systems and processes;
- link with the local Safeguarding Partners to make sure staff are aware of any training opportunities and the latest local policies on local safeguarding arrangements ;
- help promote and monitor educational outcomes of vulnerable children by sharing the information about the welfare, safeguarding and child protection issues that these children, including children with a Social Worker, are experiencing, or have experienced, with teachers and school leadership staff. Their role could include ensuring that the school, and their staff, know who these children are, understand their academic progress and attainment and maintain a culture of high aspirations for this cohort; supporting teaching staff to identify the challenges that children in this group might face and the additional academic support and adjustments that they could make to best support these children.
-

7.8 Availability

During term time the DSL (or a deputy) will always be available (during school hours) for staff in the school to discuss any safeguarding concerns. Whilst generally speaking the DSL (or deputy) will normally be available in person, the Headteacher will define what "available" means and whether in exceptional circumstances availability via work phone and/or Microsoft Teams. It is the responsibility of the Headteacher and DSL to arrange adequate and appropriate cover arrangements for any out of hours/out of term activities.

8 Responsibilities of the proprietor

Cognita is the proprietor of the school. As proprietor, Cognita will comply with all duties under legislation and will always take into account statutory guidance, ensuring that all policies, procedures and training are effective and comply with the law at the time.

It is the responsibility of the proprietor to:

- Ensure that all staff having contact with children read Part One of KCSIE;
- Ensure that all staff working in the school but not necessarily having direct contact with children read Annex A of KCSIE
- Ensure that all staff follow the requirements of this Safeguarding and Child Protection Policy and Procedure;
- Ensure relevant staff have due regard to the relevant data protection principles, which allow them to share (and withhold) personal information, as provided for in the Data Protection Act 2018 and the UK GDPR
- Ensure that mechanisms are in place to assist staff to understand and discharge their role and responsibilities, as set out in Part One of KCSIE;
- Designate a senior board member to take leadership responsibility for safeguarding arrangements;
- Ensure that all safeguarding arrangements take into account the procedures and practice of the local authority as part of the inter-agency procedures set up by the Safeguarding Partners;
- Ensure that appropriate policies and procedures are in place in order for appropriate action to be taken in a timely manner to safeguard and promote children's welfare;
- Ensure that each school works in line with local inter-agency procedures;
- Ensure that the Safeguarding and Child Protection Policy is updated annually and made available via the school website;
- Provide a Staff Code of Conduct and It Policy (including Acceptable Use and Digital Safety);
- Ensure that all responsibilities regarding Children Absent from Education using the Children Missing Education Statutory Guidance (Sep 2016) and Working Together to Improve Attendance (2024):
- Ensure that all schools follow the principles of the Prevent Duty, including the requirement to undertake an annual risk assessment
- Instruct schools to hold more than one emergency contact number for each child (and advise that these are reviewed regularly by schools);
- Ensure that schools hold names addresses, and telephone contacts for all those who have Parental Responsibility for a child on roll;
- Ensure that schools report to their local authority the removal of a child from the school roll in line with statutory and local authority guidance;
- Ensure that all schools monitor the attendance of all children, paying attention to those that have unexplained, persistent and/or prolonged absence,; go missing form

education; and/or those on sponsored visas (reporting any changes as per policy to the UKVI department);

- Ensure that all staff undergo safeguarding and child protection training (including online safety which, amongst other things, includes an understanding of the expectations, applicable roles and responsibilities in relation to filtering and monitoring) at induction – this must be in line with advice from Safeguarding Partners;
- Recognise the expertise staff build by undertaking safeguarding training and managing concerns on a daily basis;
- Ensure that appropriate filters and monitoring systems are in place to keep children safe online and that the DfE filtering and monitoring standards are met; and consider the number of and age range of their children, those who are potentially at greater risk of harm and how often they access the IT system along with the proportionality of costs versus safeguarding risks
- Ensure that they have the appropriate level of security protection procedures in place in order to safeguard their systems, staff and learners and review the effectiveness of these procedures periodically to keep up with evolving cyber-crime technologies.
- Ensure that children are taught about safeguarding, including online safety.

The proprietor ensures than an annual review of safeguarding arrangements is conducted. This includes a written report which is presented to the Cognita Board.

Members of the proprietorial team working in a governance and oversight role (e.g. the European Director of Education and General Manager of School Pods) will undertake a safeguarding induction when new to role and Advanced level training every 3 years. This training should equip them with the knowledge to provide strategic challenge to test and assure themselves that the safeguarding policies and procedures in place in schools are effective and support the delivery of a robust whole school approach to safeguarding.

Those with governance oversight e.g. The Board members, European Director of Education and GMs should also be aware of their obligations under the Human Rights Act 1998 and the Equality Act 2010 (including the Public Sector Equality Duty) and the local multi-agency safeguarding arrangements for the schools they support. They should also be aware of the obligations under the Data Protection Act 2018, and the UK General Data Protection Regulation (UK GDPR) requirements which place duties on organisations and individuals to process personal information fairly and lawfully and to keep the information they hold safe and secure.

Human Rights Act 1998

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. Under the HRA, it is unlawful for schools to act in a way that is incompatible with the Convention. The specific convention rights applying to schools are:

- Article 3: the right to freedom from inhuman and degrading treatment (an absolute right)
- Article 8: the right to respect for private and family life (a qualified right) includes a duty to protect individuals' physical and psychological integrity
- Article 14: requires that all of the rights and freedoms set out in the Act must be protected and applied without discrimination and

- Protocol 1, Article 2: protects the right to education.

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 2010
According to the Equality Act, schools **must** not unlawfully discriminate against pupils because of their sex, race, disability, religion or belief, gender reassignment, pregnancy and maternity, or sexual orientation (protected characteristics).
Whilst all of the above protections are important, in the context of safeguarding, this guidance, and the **legal duties** placed on schools in relation to safeguarding and promoting the welfare of children, those with governance oversight and proprietors should carefully consider how they are supporting their pupils and students with regard to particular protected characteristics - including disability, sex, sexual orientation, gender reassignment and race.

Provisions within the Equality Act allow schools to take positive action, where it can be shown that it is proportionate, to deal with particular disadvantages affecting pupils with a particular protected characteristic in order to meet their specific need, this includes the duty to make reasonable adjustments for disabled children and young people, including those with long -term conditions. A school could, for example, consider taking positive action to support girls if there was evidence that they were being disproportionately subjected to sexual violence or sexual harassment. 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). For further information Equality Act guidance | Equality and Human Rights Commission (equalityhumanrights.com).

See above for gender- questioning children and UK government guidance.

Public Sector Equality Duty
The Public Sector Equality Duty (PSED) is found within the Equality Act. The PSED places a general duty on schools to have, in the exercise of their functions, due regard to the need to eliminate unlawful discrimination, harassment and victimisation (and any other conduct prohibited under the Equality Act), to advance equality of opportunity and foster good relations between those who share a relevant protected characteristic and those who do not. The duty applies to all protected characteristics and means that whenever significant decisions are being made or policies developed, specific consideration must be given to the equality implications of these such as, for example, the need to eliminate unlawful behaviours that relate to them such as sexual violence and sexual harassment, misogyny/misandry and racism. This is one reason why good record-keeping and monitoring of all forms of abuse and harassment is essential.

9 Induction

At the point of induction, **all** new school employed staff, including those with governance oversight must be provided with, should read, and should be trained by the DSL(or delegated to the DDSL) in:

- KCSIE 2024 – Part One and Annex B (contact with children) and/or Annex A (no contact)
- The Safeguarding and Child Protection Policy and Procedure
- Online Safety (which, amongst other things, includes an understanding of the expectations, applicable roles, and responsibilities in relation to filtering and monitoring)

- Code of Conduct (including staff/pupil relationships and communications)
- IT Policy (including Digital Safety and Acceptable Use)
- Social Media Policy
- Children Absent from Education and Attendance Policy
- Anti-Bullying Policy
- Behaviour Policy; and
- Preventing Extremism and Radicalisation Policy.

At the point of induction, new staff must be informed of the names and role of the Designated Safeguarding Lead, Deputies and the RSL. They should also be informed of the names of their GM and Head of HR. Likewise, all agency/supply staff must be informed of those with these roles, and of the school processes for raising concerns about children or adults in the school. All new staff must be made aware that they are not to ever use their personal mobile phone/other personal devices when on the school site where children are present, and that they are required to wear the coloured lanyard for staff at all times when on the school site.

10 Training and Teaching

10.1 Training

All staff training (mandatory)

Annual Safeguarding Refresher

All staff employed in school **must** receive face to face **annual** safeguarding and child protection training from the DSL via the Safeguarding Refresher presentation (created centrally by the RSL), usually at the commencement of the academic year, in addition to any other presentation/information that the DSL has prepared for the school.
*This is mandatory and must be recorded on the school Training Log.

Basic Safeguarding Children training

All staff employed in school **must** complete their online basic Safeguarding Children awareness training when they newly start work in the school as part of their induction. This must be updated every three years or less.
*This is mandatory and must be recorded on the school Training Log.

NB: DSLs, DDSLs, and Headteachers are not required to undertake the above Basic training as they complete DSL/Advanced level training respectively.

Online Safety

All staff who have direct contact with children must complete the Online Safety training. This is centrally created by the RSL and self-served by the DSL/DDSL in school.
*This training is mandatory and must be recorded on the school Training Log

Updates

All staff will also receive additional safeguarding and child protection updates, including about online safety, regularly throughout the year. These are arranged and provided by the DSL/DDSLs, in order to provide staff with ongoing development, relevant skills and knowledge to safeguard children effectively, for example, learning about the topics in Annex B (KSCIE 2024). Format and content of any resources/presentations/training sessions can be decided by the school leadership team, with the DSL leading.

*These updates are mandatory, when arranged, must be recorded on the Training Log.

Many additional sessions have been created by the RSL ready for DSLs to self-serve in school as required. These are not mandatory but if undertaken, must be recorded on the school Training Log. Other non-mandatory training sessions/webinars arranged by the RSL, and accessible by all staff can also be recorded on the school Training Log.

Preventing Radicalisation
All school employed staff must complete online Prevent training every 3 years.
*This is mandatory and must be recorded on the school Training Log.

The DSL and Prevent Lead (only, although any staff member can access) will have additional Prevent training via the government online sessions (see Preventing Radicalisation Policy).
*This is mandatory and must be recorded on the school Training Log.

Female Genital Mutilation
All school employed staff who have contact with children must also complete online FGM training every 5 years.
*This is mandatory and must be recorded on the school Training Log.

Executive Headteachers, Headteachers, Principals, and Heads of School
Those in the above roles must complete Advanced Safeguarding training similar to the level of the DSLs every 3 years (this is currently through Cognita).
*This is mandatory and will be recorded on the school Training Log.

They must also complete Safer Recruitment training every 2 years (currently via the NSPCC- see safer Recruitment Policy).
*This is mandatory and must be recorded on the school Training Log.

Please see above for training for the DSL and DDSL.
*All their training is mandatory and must be recorded on the school Training Log.

Looked After Children (including previously Looked After).
The Looked After Children Lead for the school will undertake training every 3 years; this is centrally arranged by the RSL.
*This training is mandatory and must be recorded on the school Training Log.

Non-Mandatory training
Drug and Alcohol Awareness
This training is arranged by the RSL and is non-mandatory (need-led assessment). It should be updated every 3 years.
*Should a staff member undertake this training, it should be added to the school Training Log.

Mental Health Awareness (Children)
This training is arranged by the RSL and is non-mandatory (need-led assessment). It should be updated every 3 years.
*Should a staff member undertake this training, it should be added to the school Training Log.

Agency/Supply teaching staff must show evidence of Basic Safeguarding training undertaken within 3 years, prior to attending the school for the first time, and must receive a Safeguarding Induction prior to first contact with children which includes the school's approach to online safety and managing incidents of sexual violence /harassment. The induction can be completed by the DSL or delegated to the DDSL.
*This is mandatory and should be recorded on the school Training Log.

Peripatetic teachers must show evidence of having undertaken Basic Safeguarding training within the last 3 years prior to attending the school for the first time and should receive a Safeguarding Induction prior to first contact with children which includes the school's approach to online safety and managing incidents of sexual violence /harassment. The induction can be completed by the DSL or delegated to the DDSL.
*This is mandatory and should be recorded on the school Training Log.

10.2 Third-party contractors
It is good practice for those employed as third-party contractors who work regularly in school with the opportunity for contact with pupils to have Basic Safeguarding training, at a level appropriate to their role. This training should be arranged by their employers.

10.3 Teaching Children about safeguarding
The school is committed to proactively teaching children about safeguarding, including online safety, as part of our approach to offering a broad and balanced curriculum. Through ongoing work with the children, we aim to build resilience so that every child knows that we are a 'telling school', and that speaking up about any concern is valued and actively promoted. This includes raising a concern about themselves or about another child(ren).

Safeguarding is taught through assemblies, PSHE lessons and posters around school. It is embedded into lessons where appropriate.

Relationships education is compulsory in all primary schools.
Our approach to this is delivery through our PSHE and Science Lessons

We actively promote the view that children should feel able to raise any concerns that they may have. This includes when they have a concern about another child. We take the following measures to ensure that children know how to raise a concern: frequent discussion in whole school assemblies, posters around school, information to parents via newsletters, discussion in Form time and PSHE lessons.

The following resources, plus many more listed in Annex B of KCSIE 2024, are available for the school when teaching about safeguarding:

DfE advice for schools: teaching online safety in schools

UK Council for Internet Safety (UKCIS) guidance: Education for a connected world

UKCIS guidance: Sharing nudes and semi-nudes: advice for education settings working with children and young people

The UKCIS external visitor's guidance helps schools to ensure the maximum impact of any online safety sessions delivered by external visitors

National Crime Agency's CEOP education programme: Thinkuknow

Public Health England: Every Mind Matters

11 Online Safety

11.1 Technology

Technology often provides the platform that may facilitate harm. All staff should be aware of the unique risks to children associated with online safety, and that technology is a significant component in many safeguarding and wellbeing issues. Whilst some tasks are able to be delegated to other members of the safeguarding team or other interested and knowledgeable staff, DSLs are responsible for overseeing online safety in schools (including understanding the filtering and monitoring systems and processes in place). They must raise awareness in the staff group accordingly, including but not limited to, filtering and monitoring systems, cyber-bullying, child sexual/criminal exploitation, radicalisation, sexually coerced exploitation, and sexual predation, including online grooming.

11.2 Areas of risk

There are four main areas of risk associated with technology and online safety:

Content: being exposed to illegal, inappropriate, or harmful material.
Contact: being subjected to harmful online interaction with other users.
Conduct: personal online behaviour that increases the likelihood of (or causes) harm; for example, the making, sending and receiving of explicit images, or online bullying.
Commercial: risks such as online gambling, inappropriate advertising, phishing, and or financial scams (including sexually coerced exploitation). If pupils, students or staff are at risk, please report it to the Anti-Phishing Working Group (https://apwg.org/), CEOP and/or the IWF.

More information around teaching online safety, can be found here

Governance and Central Support

Whilst considering their responsibility to safeguard and promote the welfare of children and provide them with a safe environment in which to learn (whatever their age and stage of development), those with governance oversight centrally and at the school will be doing all that they reasonably can to limit children's exposure to the above risks from the school's IT system (see IT Policy).

As part of this process, the school has appropriate filters and monitoring systems in place. These are reviewed centrally by the IT and cyber security departments who are responsible for ensuring schools have the appropriate level of security protection procedures in place in order to safeguard their systems, staff and learners. These teams review the effectiveness of these procedures annually to keep up with evolving cyber-crime technologies. The appropriateness of any filtering and monitoring systems will be informed in part, by the risk assessment required by the Prevent Duty (see Preventing Radicalisation and Extremism Policy).

Whilst it is essential schools ensure that appropriate filters and monitoring systems are in place, they should be careful that "over blocking" does not lead to unreasonable restrictions as to what children can be taught with regard to online teaching and safeguarding. The school will ensure that the leadership team and relevant staff have an awareness and understanding of the provisions in place and manage them effectively and know how to escalate concerns when identified. All staff should understand their role in preventing, identifying and responding to harm caused by its use.

Many children have unlimited and unrestricted access to the internet via mobile phone networks (i.e. 3G, 4G and 5G). This access means some children, whilst at school, sexually harass their peers via their mobile and smart technology, share indecent images: consensually and non-consensually (often via large chat groups), and view and share pornography and other harmful content. Schools will always work with parents to support them to address their child's online activity as needed. This is managed through lessons on online safety, PSHE lessons, discussion in form time and assemblies as well as providing information evenings for parents.

Additional information to support schools to keep their children safe online (including when they are online at home) is provided in Annex D of KCSIE (2024).

For a full and more detailed description of the school's filtering and monitoring systems, please see our IT Policy (including Digital Safety and Accessible Use). All staff must be familiar with this policy.

Parents/Carers

The school will use parental communications to reinforce the importance of children being safe online. Parents may be supported to understand what systems the school uses to filter and monitor online use. The school will update parents regularly about what their children are being asked to do online in school, including the sites they will asked to access, and with whom they may be interacting with online

Technology, and risks and harms related to it evolve and changes rapidly. The school must and will carry out an annual review of their approach to online safety, supported by an annual risk assessment that considers and reflects the risks their children face (using the 360 safe website OR the LGfL online safety audit)

11.3 Sharing of nudes/semi nudes imagery/videos (previously referred to as Youth Produced Sexual Imagery and/or 'sexting')

Whilst many professionals refer to the issue as 'sexting', there is no clear definition of 'sexting'. According to research, many professionals consider sexting to be 'sending or posting sexually suggestive images, including nude or semi-nude photographs, via mobiles or over the internet.' Yet, recent NSPCC research has revealed that when children are asked 'What does sexting mean to you?' they are more likely to interpret sexting as 'writing and sharing explicit messages with people they know.'[1] Similarly, a recent ChildLine survey has revealed that many parents think of sexting as flirty or sexual text messages, rather than images. The Ofsted review of sexual abuse in schools, undertaken in 2021, found that children are rarely using the term 'sexting'.

This policy only covers the sharing of sexual imagery by children. Possessing, creating, sharing and distributing sexual photos and videos of under-18s is illegal, and therefore causes the greatest complexity for schools (amongst other agencies) when responding. It also presents a range of risks which need careful management.
Staff must not ever view or forward illegal images of a child. Should they receive such, then they should notify the DSL immediately.

LGFL 'Undressed' provides 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.

For more guidance from UKCIS around sharing nudes/semi-nudes read here.

What types of incidents are covered by this policy?

Yes**:**

- A child creates and shares sexual imagery of themselves with another child (also under the age of 18).
- A child shares sexual imagery created by another child with another child (also under the age of 18) or an adult.
- A child is in possession of sexual imagery created by another child.

No:

- The sharing of sexual imagery of children by adults constitutes child sexual abuse and schools must always inform the Police if they hear this has occurred or find this content on a child/adult's device (or confirmed searches). Images/searches of this kind must not be deleted from a child or adult's phone.
- Children sharing pornography or exchanging sexual texts which do not contain imagery[2].
- Sexual imagery downloaded from the internet by a child[3].
- Sexual imagery downloaded from the internet by a child and shared with another child (also under the age of 18) or an adult[4].

[1] For the purposes of this policy, 'child', 'youth' and 'young person' refers to anyone under the age of 18; 'adult' refers to anyone aged 18 or over
[2] All such incidents should be responded to with reference to the school's Online Safety Policy, and in line with the school's Safeguarding Policy
[3] As above
[4] As above

11.4 Disclosure

All staff should understand, that even if there are no reports in their school it does not mean it is not happening, it may be the case that it is just not being reported. All members of staff (including non-teaching staff) should be aware of how to recognise and refer any disclosure of incidents involving the sharing of nudes/semi nudes, imagery/videos. This will be covered within staff training. Disclosure about can happen in a variety of ways. The child affected may inform a class teacher, the DSL in school, or any member of the school staff. They may report through an existing reporting structure, or a friend or parent may inform someone in school or a colleague or inform the Police directly. Any direct disclosure by a child should be taken very seriously. A child who discloses they are the subject of sexual imagery is likely to be embarrassed and worried about the consequences. It is likely that disclosure in school is a last resort, and they may have already tried to resolve the issue themselves. See above for the rising risks around sexually coerced exploitation.

11.5 Handling incidents

All incidents involving the sharing of nudes/semi-nude imagery/videos should be responded to in line with this policy. When an incident involving comes to a member of staff's attention:

- The incident should be referred to the DSL as soon as possible.
- The DSL should hold an initial review meeting with appropriate school staff.
- The DSL will follow the procedures and guidance set out in this guidance
- There should be interviews with the children involved to gather further information (if appropriate, seek advice from the RSL/external agency);
- Parents/carers of each child should be informed at an early stage and involved in the process (including any interviews with their child) unless there is good reason to believe that involving parents/carers would put the child at greater risk of harm and jeopardise any Police/Social Care investigation; and
- At any point in the process, if there is a concern that a child has been significantly harmed or is at risk of significant harm, a referral must be made to Children's Social Care and/or the Police immediately. In these situations, the parents/carers must be informed, unless to do so may heighten any risk to the child/others.

12 Private fostering

12.1 What is private fostering?

Private fostering is when a child or young person under 16 years old (or 18 if they have a disability) is looked after **for 28 days or more** by someone who is **not** a close relative, legal guardian, or person with parental responsibility. Close relatives *only* include parents, step-parents, aunts, uncles, and grandparents.

It is **not** private fostering if the child is 'looked after' by the Local Authority (also known as 'in foster care' and which includes placement in residential care, with an approved foster carer or a 'kinship' carer).

Private fostering occurs in *all* cultures, including British culture, and children may be privately fostered at any age.

Examples of private fostering situations include:

- children and young people living apart from their families for a variety of reasons e.g. a parent is ill, has had to temporarily move for work, or there has been conflict, separation or divorce;
- children whose parents work or study elsewhere in the UK or overseas;
- children sent to this country by their parents for education and health care;
- young people living with the family of a friend; and
- children on holiday exchanges.

People become private foster carers for all sorts of reasons. Private foster carers can be a family friend, or someone who is willing to care for the child of a family they do not know, for example host families supplied by a Guardianship Organisation. If a host family is going to be caring for a child for 28 days or longer, they are classed as private foster carers and the Local Authority must be notified.

12.2 Why does your Local Authority Children's Services need to know?

By law, the Local Authority must be informed about all private fostering situations. The child's parents, private foster carers, and anyone else involved in the arrangement or who becomes aware of the arrangement, e.g. guardianship agencies, schools or health professionals are *legally required* to inform Children's Services. Children's Services have a legal duty[5] to make sure all private fostering arrangements are safe for the child.

Once informed of the arrangement, they will check the suitability of private foster carers, make regular visits to the child, and ensure advice, help and support is available when needed. Where a member of staff becomes aware that a pupil may be in a private fostering arrangement, they should raise this with the DSL. Where Children's Social Care are not already aware of the circumstances, the DSL should make a referral to them, after making enquiries with the family about the arrangement.

12.3 Timescales for informing the Local Authority

The child is not yet living with the private foster carers	Within 6 weeks beforehand
The child will move in with the private foster carers within 6 weeks	Immediately
The child is already living with the private foster carers.	Immediately

13 Looked After Children (and Previously Looked After Children)

The most common reason for children becoming looked after is as a result of abuse, neglect and/or exploitation. A child who is being 'looked after' by their Local Authority is usually known as a 'Child in Care' or a 'Looked After Child'. They might be living with foster parents or at home with their parents under an Interim Care Order (Children Act 1989) granted to Social Care, or in residential children's homes, or other residential settings like schools or secure units.

A child who is *adopted* is **not** a Looked After Child. Occasionally, in rare circumstances, children are placed into Local Authority foster care under an Interim Care Order when an adoption breaks down and the adoptive parents relinquish the child. Once a Full Care Order is agreed, the child remains on long term foster care. The previously adoptive parents may or may not have continued contact with the child, depending on the situation and the emotional impact on the child.

In any situation involving care proceedings, an Interim Care Order (under section 31 of the Children Act 1989) will remain in place until those proceedings are concluded (within 26 weeks in most authorities). At the conclusion of care proceedings in any situation, the child will either stay in long term foster care (under a Full Care Order granted to the local authority under section 38, Children Act 1989) until they reach the age of 18 years, return to their parents (usually under a Supervision Order), reside with other family members/friends (usually under a Special Guardianship Order), or in some cases be adopted, when an Adoption Order is granted. In all of the latter situations, it is often usual for parents to have

[5] Section 67(1) of the Children Act 1989 amended by the children Act 2004) and the Children (Private Arrangements for Fostering) Regulations 2005

agreed supervised contact arrangements with their child, most commonly one, twice or three times per year, unless there is risk posed to the child. Some parents are granted non-direct written contact; this is often referred to a 'letterbox contact'.

A child may also have been placed in local authority arranged care **voluntarily** by their parents who are struggling to manage their children's behaviour 'beyond parental control', or meet their child's needs due to their own illnesses or disabilities (under section 20, Children Act 1989). In these cases, rehabilitation will always be the aim, but if this is not possible, the Local Authority will apply for an Interim Care Order and finally a Full Care Order. Usually, these parents will have continued contact with their child throughout proceedings, and often after they have concluded

As a result of their experiences both before and during care, Looked After Children are at greater risk than their peers; they are, for example, four times more likely than their peers to have a mental health difficulty. Providing a secure, caring environment in school and enabling such children to develop strong, trusting, and stable relationships with professionals is critical to their immediate and longer term safety and wellbeing. A previously looked after child (whether in care temporarily or longer term into adoption) also potentially remains vulnerable and all staff should have the skills, knowledge and understanding to keep previously looked after children safe. When dealing with looked after children and previously looked after children, it is important that all agencies work together and prompt action is taken when necessary to safeguard these children, who are a particularly vulnerable group.

Cognita ensures that the Designated Teacher for Looked After Children receives training, including on the reasons why children become looked after, their legal status, the support that staff can provide to keep such children safe and the ways in which they can maximise educational stability for Looked After Children (see above).

The Designated Teacher for Looked After Children (and 'previously' Looked After Children), in collaboration with the DSL is responsible for:

a) ensuring that any looked after child are adequately supported by staff in school
b) has contact details of the child's social worker and the name and contact details of the Virtual School Head for children in care
c) ensures that relevant staff members have sufficient information about the child's looked after legal status and care arrangements;
d) works with the Virtual School Head to discuss how staff can best support and promote the educational progress and achievement of Looked After Children and previously looked after children in the school and meet the needs in the looked after child's LAC Plan, and Personal Education Plan; and
e) attends Looked After Children reviews and other meetings they are required to attend.

Statutory guidance: Designated teacher for looked-after and previously looked after children contains further information on the role and responsibilities of the designated teacher.

14 Host families

14.1 When might this happen?

Schools often make arrangements for children to take part in exchange visits, either to other parts of the UK or abroad. Exchanges can benefit learning across a range of subjects. Foreign visits can enrich the languages curriculum and provide exciting opportunities for pupils to develop their confidence and expertise in the use of other languages.

14.2 What is the responsibility of the school?

Schools have a duty to safeguard and promote children's welfare as outlined in this policy. This extends to considering their safety and how best to minimise risk of harm to those children during any exchange visit the school arranges, and when organising for the care and accommodation of a child with a host family (known as homestays) as part of the exchange.

14.3 Suitability of adults in UK host families for homestay arranged by the school

When arranging a homestay, schools should consider the suitability of the adults in the respective families who will be responsible for the visiting child during the stay.

In circumstances where a school arranges for a visiting child to be provided with care and accommodation in the UK (including where they engage a company to make those arrangements) in the home of a family to which the child is not related (including where a person has parental responsibility for the visiting child), the responsible adults will be engaging in 'regulated activity' for the period of the stay. In such cases and where the school has the power to terminate such a homestay, the school would be the regulated activity provider.

A regulated activity provider commits a criminal offence if it knows, or has reason to believe that an individual is barred by the Disclosure and Barring Service (DBS) from engaging in regulated activity but allows that individual to carry out any form of regulated activity.

14.4 Private arrangements

Where the child's parent(s) or a student arranges their own homestay themselves, this would be a private arrangement, therefore the school would not be the regulated activity provider. Where it is a private arrangement, the school is not entitled to obtain a standard or enhanced DBS check.

14.5 Background checking for adults in homestay arrangements

When a school arranges a homestay, it should consider what intelligence/information will best inform its assessment of the suitability of the adults in those families who will be responsible for the visiting child during the stay. It will be for the school to use their professional judgement to decide what it considers will be most relevant. However, to help inform that assessment, schools should obtain, as a minimum, a DBS enhanced certificate with barred list information. This check will not only establish whether the adults are barred from engaging in regulated activity relating to children, but where criminal record information is disclosed, it will also allow the school to consider, alongside all other intelligence that it has obtained, whether the adult would be a suitable host for a child.

14.6 Volunteer DBS check

DBS enhanced certificates with barred list information for volunteer roles can be obtained free of charge. In respect of an adult who provides UK homestay and receives no remuneration in respect of the stay or where schools reimburse families only for expenses incurred, to enable a DBS application to be considered as a volunteer role, the 'Position Applied For' field will need to make clear that the position is unpaid.

In addition to those engaging in regulated activity, schools are free to decide whether they consider it necessary to obtain a DBS enhanced certificate in respect of anyone aged 16 or over in the household where the child will be staying.

14.7 Suitability of adults in host families abroad

It is not possible for schools to obtain criminal information from the DBS about adults who provide homestays abroad. Schools should liaise with partner 'host' schools abroad, to establish a shared understanding of, and agreement to, the arrangements in place for the

visit. They should use their professional judgement to satisfy themselves that the arrangements are appropriate and sufficient to safeguard effectively every child who will take part in the exchange. Parents must be aware and provide written confirmation of any agreed arrangement. Schools are free to decide whether they consider it necessary to contact the relevant foreign embassy or High Commission of the country in question to discuss what checks may be possible in respect of those providing homestay outside of the UK.

The school must produce a written risk assessment outlining the approach taken and indicating the reasons for specific decisions. This must include any safeguarding considerations, and individual risk assessments must be created for all vulnerable children (those with a safeguarding (including mental health), SEND, and/or medical need)

14.8 During the visit

Pupils must be made aware and understand who to contact during a homestay should an emergency occur, or a situation arise which makes them feel uncomfortable.

14.9 Additional action for extended homestays

Where a period of UK homestay lasts 28 days or more, for a child aged under 16 years of age (under 18 years of age if the child has disabilities), this may amount to Private Fostering under the Children Act (1989). In these cases, the school must notify the local authority of the arrangements. Private fostering legislation places a duty on local authorities to satisfy themselves that the welfare of a child who is being, or proposed to be, privately fostered in their area is being or will be satisfactorily safeguarded and promoted. By notifying the local authority, the school and college will be assisting the local authority in discharging its duty. See section on Private Fostering.

14.10 Sponsored International students (Tier 4 child visas)

Cognita acts as a sponsor for international students who have Tier 4 visas. The United Kingdom Visas and Immigration (UKVI) has a duty to ensure that all sponsors discharge their responsibility to act in accordance with the immigration rules. As a school we are responsible for ensuring that these students are appropriately cared for and that any safeguarding concerns are addressed.

Prior to the child arriving into the school, it will be important for the DSL to have knowledge of the child's circumstances, including who has parental responsibility, the child's care arrangements and contact details for the carer/Private Foster carer in the UK.

Responsibility for each sponsored student starts from the moment the Cognita International Recruitment Team assigns the Confirmation of Acceptance for Studies (CAS), i.e. before the student leaves their home country and enrolls at the school. The DSL should be aware of the child's travel arrangements to the UK.

If the child fails to arrive as expected, the school should report this as a matter of urgency to the Cognita International Recruitment Team, who is responsible for checking the child has arrived safely on the day of travel and prior to their first day of school. Cognita are responsible from the moment the child arrives in the UK. The school needs to complete the enrolment checklist (Appendix F in the UKVI handbook) and upload it to the student's file on the appropriate MS Team. If the student does not arrive when expected at the school, the school must notify the International Recruitment Team immediately. If the student does not arrive within ten working days of the enrolment period, the IRT, in collaboration with the school, must report this to UKVI.

Once the child has arrived safely in the UK and the school, the UKVI School Champion, in collaboration with the DSL, will aim to ensure that their needs are met, including pastoral

need, and they will liaise with the child's parents and carers for the ongoing needs of the child.

With regards to safeguarding this potentially vulnerable group of students, any absences or lack of engagement in study/social activities displayed by them, including failure to return to school after a holiday or break, must be escalated initially to the Regional Safeguarding Lead on the day it occurs. The RSL will escalate the concerns to the Cognita International Recruitment Team (IRT) as needed (but no later than 5 working days after the event); the latter is obliged to report the child to the UKVI if the child has ten consecutive unauthorised absences.

It is the school's responsibility to **always** know where these children are residing and/or travelling during breaks. In order to have clear visibility of children who are being sponsored on a visa by the school, a formal meeting with the child's parent/guardians/carers will be arranged if a sponsored child's attendance falls lower than 92% and again if it falls below 82%. A record must and will be made of this meeting and agreed action points to improve the child's attendance. If a sponsored child's attendance ever falls below 80%, Cognita will be required to withdraw sponsorship of their visa and they will need to leave the UK. It is a requirement of the UK Visas & Immigration (part of the Home Office), that schools demonstrate how they track attendance of this group of potentially vulnerable children. Their attendance should be an agenda point on all safeguarding related meetings.

Changes in circumstances must also be reported immediately to the IRT. These can include:

a. a change in where a student studies;
b. a change in the student's course;
c. a change in a student's registered address;
d. a change in whom the student lives with (e.g. from parent to private foster care); or
e. any other circumstance that suggests that they are breaking the conditions of their permission to stay in the UK.

Schools should be proactive in determining whether there has been any change in a sponsored international student's circumstances. The school should liaise with the parent(s)/guardians of all sponsored international students every term to check whether:

a. the student and their parent/guardian's address has changed; or
b. the student's childcare arrangements have changed (e.g. moved from living with their parents to a private foster care arrangement).
c. Whether or not the child/family have any travel plans, including dates and locations.

Templates are available in the UKVI handbook.

15 Child on child abuse

All staff should be alert to the risk of child-on-child abuse and understand their role in preventing, identifying, and responding to it. All staff should understand, that even if there are no reports in their school of child on child abuse it does not mean it is not happening, it may be the case that it is just not being reported. Staff should know that children are capable of abusing their peers and other children, and that abuse can occur in intimate personal relationships between peers and other children. They should never dismiss abusive behaviour as a normal part of growing up, 'banter' or 'just having a laugh' and should not develop high thresholds before taking action. Abuse is abuse, exploitation is exploitation, and child on child abuse must be taken as seriously as abuse, neglect and/or exploitation by an adult.

15. 1 What is child on child abuse?

Child on child abuse is any form of abuse/exploitation perpetrated by a child towards another child. It can take many different forms, including, but not limited to:

- serious bullying (including cyber-bullying)[6]
- relationship abuse[7]
- domestic violence[8]
- child sexual exploitation[9]
- youth and serious youth violence[10]
- 'upskirting' (see below),
- harmful sexual behaviour[11] (see below)
- gender-based violence[12]
- 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;
- 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 (including sexual comments, remarks, jokes and online sexual harassment, which may be standalone or part of a broader pattern of abuse)
- consensual and non-consensual sharing of nudes and semi nudes images and or videos (previously known as sexting or youth produced sexual imagery);
- sexually coerced exploitation (see above in online safety section)

These categories of abuse rarely take place in isolation and often indicate wider safeguarding concerns. For example, a teenage girl may be in a sexually exploitative relationship with a teenage boy who is himself being physically abused by a family member or by older boys. Equally, while children who abuse may have power over those who they are abusing, they

[6] Please see the school's Anti-Bullying Policy.

[7] https://www.disrespectnobody.co.uk/relationship-abuse/what-is-relationship-abuse/

[8] This type of abuse relates to abuse between children aged 16 and 17 who are or have been intimate partners or family members. The abuse includes but is not limited to psychological, physical, sexual, financial and emotional.

[9] This is a form of sexual abuse where children are sexually exploited for money, power or status. This abuse can be perpetrated by other children or by adults. It can involve violent, humiliating and degrading sexual assaults. In some cases, children are persuaded or forced into exchanging sexual activity for money, drugs, gifts, affection or status. Consent cannot be given, even where a child may believe they are voluntarily engaging in sexual activity with the person who is exploiting them. Child sexual exploitation does not always involve physical contact and can happen online.

[10] Serious youth violence is any of the most serious offences where the victim is aged 19 or below, including murder, manslaughter, rape, wounding with intent and causing grievous bodily harm. Youth violence also includes assault with injury offences.

[11] This is any sexual behaviour by a child or young person which is outside of developmentally "normative" parameters. This can (but does not always) include abusive behaviour such as sexual assaults.

[12] This is violence that is directed against one gender as a result of their gender.

may be simultaneously powerless to others. Staff should be aware that there may be multiple perpetrators and/or victims, and not consider that only one child abuses another in isolation.

Sharing nudes/semi nudes via imagery/videos can, but does not always, constitute abusive behaviour (see above). All incidents should be responded to in accordance with this policy.

15.2 Protected Characteristics

Child on child abuse is often motivated by prejudice against particular groups, for example, on grounds of race, religion, gender, sexual orientation, gender identity, special educational needs and/or disability, or because a child is looked after, is adopted or has caring responsibilities. It might be motivated by actual differences between children, or perceived differences. All incidents of child-on-child abuse, both physical, verbal, and emotional, on the basis of **protected characteristics** is taken extremely seriously.

15.3 What role does gender questioning and sexual orientation play?

Children of all genders and sexual orientations can both perpetrate and be the victim of child-on-child abuse, but this often manifests itself differently; some may seem to be at greater risk of sexual assault and/or exploitation, whereas others seem to be at greater risk of physical gang-related violence and serious youth violence. The fact that a child or a young person may be LGBTQ+ or having/perceived as gender questioning/transitioning is not in itself an inherent risk factor for harm. However, these children can be targeted by other children (see above). 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 lack a trusted adult with whom they can be open. The school will endeavour to reduce the additional barriers faced and provide a safe space for this group of vulnerable children to speak out or share their concerns with trusted members of staff.

Kate Bodle is St Mary's Preparatpry School's LGBTQ+ /EDI Champion.

15.4 When does behaviour become abusive/exploitative?

It can be difficult to distinguish between abusive and/or exploitative behaviour, which should be dealt with in accordance with the procedure set out below, and behaviour which does not constitute abuse and/or exploitation.

Factors which may indicate that behaviour is abusive and/or exploitative include:

a) where it is repeated over time and/or where the perpetrator (s) intended to cause serious harm;
b) where there is an element of coercion or pre-planning; and
c) where there is an imbalance of power, for example, as a result of age, size, social status or wealth.

This list is not exhaustive, and staff should always use their professional judgment and discuss any concerns with the DSL, who in turn should seek guidance from the RSL where needed.

15.5 How can staff identify victims of child-on-child abuse?

Identifying child on child abuse can be achieved by being alert to changes in children's well-being and to general signs of abuse and/or exploitation. Signs that a child(ren) may be suffering from child-on-child abuse overlap with those relating to other types of abuse, neglect and/or exploitation – see indicators , earlier in this document.

Signs can include, but are not limited to:

a. unexplained, persistent and/or prolonged absence from school

b. disengaging from classes, or struggling to carry out school related tasks to the standard staff would ordinarily expect from the individual child i.e. a change
c. physical injuries (often with inconsistent accounts)
d. having difficulties with their mental health and/or emotional wellbeing
e. becoming withdrawn, shy, experiencing headaches, stomach aches, anxiety, panic attacks, suffering from nightmares or lack of sleep or sleeping too much
f. new (or increased) access to drugs and/or alcohol use
g. changes in appearance and/or starting to act in a way that is not appropriate for the child's age including sexualised behaviours
h. change in health needs, including sexually transmitted infections and unwanted pregnancy
i. changes in social groups,
j. avoidance of certain areas of school or community
k. reluctance to go home

This list is not exhaustive and the presence of one or more of these signs does not necessarily indicate child on child abuse and/or sexually coerced exploitation.

15.6 Are some children particularly susceptible/vulnerable to abusing/exploiting others or being abused/exploited by another child?

Any child can be affected by child-on-child abuse and/or exploitation and staff should be alert to signs of such abuse and/or exploitation amongst all children. Research suggests that:

a) Child on child abuse is more prevalent amongst children aged 10 and older, although it also affects younger children, including by way of harmful sexual behaviour.
b) Children who are particularly vulnerable to abuse /exploitation or to abusing/exploitating others include those who have (i) witnessed or experienced abuse, exploitation or violence themselves; (ii) suffered from the loss of a close family member or friend (recent or historical); or (iii) experienced considerable disruption in their lives.
c) as stated above, children with protected characteristics, but especially those with SEN/D and those who identify as LGBTQ+ or gender questioning/transitioning are particularly vulnerable to both abuse, and/or exploitation, and child on child abuse, often in the form of bullying (both direct and online).

15.7 How prevalent is child on child abuse?

Recent research suggests that child on child abuse is the most common forms of abuse affecting children in the UK and has increased in the last 5 years, with many incidents in schools *nationally* occurring on site. All staff should therefore understand, that **even if there are no reports in school it does not mean it is not happening, it may be the case that it is just not being reported.** Staff should therefore assume that child on child abuse is occurring, be vigilant at all times, and act accordingly.

15.8 What should staff do if they suspect either that a child(ren) may be being abused/exploited, or that a child(ren) may be abusing/exploiting others?

If a member of staff thinks for whatever reason that a child(ren) may be at risk of abuse/exploitation from another child or young person, or a group of perpetrators, or that a child(ren) may be abusing/exploiting others, the member of staff should report their concern **verbally** to the DSL **without delay** in accordance with this policy, recording their concern in writing after this. If a child(ren), whether they are the alleged victim or perpetrator is in immediate danger, or at risk of harm, a referral to Children's Social Care and/or the Police must be made immediately. Both perpetrators and victims must have a referral. Parents/carers must be informed of all situations and referrals, unless to do so would heighten risk to the child/others.

15.9 How will the DSL respond to concerns of child on child abuse?

In some situations, a child will make a direct disclosure of child-on-child abuse, or their peers may report something has occurred. Alternatively, a staff member may raise a concern having witnessed or been told about an incident by a child/parent. The DSL will discuss the behaviour with the member of staff raising the concern and will in all situations, take any immediate steps to ensure the safety of the victim(s) or any other child(ren) including the perpetrator. Where the DSL considers or suspects that the behaviour might constitute abuse and/or exploitation, Children's Social Care will be contacted immediately. The DSL will discuss the incident with Children's Social Care and agree on a course of action, which may include (a) taking any steps to ensure the safety and wellbeing of any children affected; (b) further investigation; (c) referral to other agencies such as the Police (where a crime may have been committed), CAMHS, a specialist harmful sexual behaviour team, and/or youth offending services (or a combination of multiple referrals at the same time).

Any response should be decided in conjunction with Children's Social Care and other relevant agencies who will direct and advise once a referral has been received and accepted, and should investigate the incident and the wider context and assess and mitigate the risk posed by the perpetrator(s) to the victim(s) and to other children.

A written Safeguarding Risk Assessment must be completed after initial practical steps are completed. This must be shared and co-constructed with the children involved, their parents and the safeguarding team. Any risk assessment will be regularly reviewed.
The risk and needs assessment (including for a report of sexual harassment and sexual violence) must consider for each child involved, whatever their role (victim/perpetrator):

- the victim, their individual needs, their protection and support
- whether there may have been other victims and/or perpetrators
- the alleged perpetrator(s) individual needs, their protection and support
- all the other children who have not been directly involved but whom may be at potential risk, (and, if appropriate, adult students and staff) at the school, especially any actions that are appropriate to protect them from the alleged perpetrator(s), or from future harms, and
- the time and location of the incident, and any action required to make the location safer (see below)

Next steps:

- 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. NB: Consideration will be given to suspending the pupil at this point if for operational reasons, the children cannot be separated/the risk is too high for either the victim, the perpetrator or other children
- The school 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).
- consider that the abuse may indicate wider safeguarding concerns for any of the children involved;
- treat all children (whether perpetrator or victim) as being at risk - while the perpetrator may pose a significant risk of harm to other children, they may also have considerable unmet needs and be at risk of harm themselves;
- take into account the complexity of child on child abuse and of children's experiences and consider the interplay between power, choice and consent. While children may appear to be making choices, if those choices are limited, they are not consenting;

- take appropriate action in respect of the perpetrator – any action should address the abuse, the causes of it, attitudes underlying it and the support that may be needed if the perpetrator is at risk. Factors to consider include: the risk the perpetrator(s) poses and will continue to pose to other children, their own unmet needs, the severity of the abuse and the causes of it. Disciplinary action i.e. sanctions, in line with the Behaviour Policy may be appropriate, including (a) to ensure that the perpetrator takes responsibility for and realises the seriousness of his or her behaviour; (b) to demonstrate to the perpetrator and others that abuse can never be tolerated; and (c) to ensure the safety and wellbeing of the victim and other children in the school. Permanent exclusion will only be considered as a last resort and only where necessary to ensure the safety and wellbeing of the victim(s) and other children in the school;
- provide on-going support to victim(s) including by (a) ensuring their immediate safety; (b) responding promptly and appropriately to the abuse; (c) assessing and addressing any unmet needs; (d) following the procedures set out in this Safeguarding Policy (including where the child is in need of early help or statutory intervention); (e) monitoring the child's wellbeing closely and ensuring that s/he receives on-going support from all relevant staff members within the school; (f) engaging with the child's parents and any external agencies to ensure that the child's needs are met in the long-term; and
- consider the lessons that can be learnt from the abuse and put in place measures to reduce the risk of such abuse recurring. This may include, for example: gender and equalities work, work around school safety, security and supervision, awareness raising for staff, students and parents about a particular form of abuse, training for staff on handling certain types of incidents or abuse.

15.10 How does the school raise awareness of, and reduce the risk, of child-on-child abuse?

Staff are trained on the nature, prevalence, and effect of child-on-child abuse, and how to prevent, identify and respond to it. The school actively seeks to prevent all forms of child-on-child abuse by educating students and staff, challenging the attitudes that underlie such abuse, encouraging a culture of tolerance and respect amongst all members of the school community, and responding to all cases of child-on-child abuse and any cases of bullying or cyber-bullying promptly, fairly and appropriately.

Children are educated about the nature and prevalence of child-on-child abuse via RE and RSE; they are told what to do if they witness or are victims of such abuse, the effect that it can have on the victims and the possible reasons for it, including vulnerability of the perpetrator. They are regularly informed about the school's approach to such issues, including its zero-tolerance policy towards all forms of bullying and child on child abuse, including sexual violence and sexual harassment (see below).

16 Sexual Violence and Sexual Harassment between Children

Child on child abuse can include two specific forms, known as Sexual Violence and Sexual Harassment.

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.

Children who are victims of sexual violence and sexual harassment wherever and however it happens, may 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.

It is important that schools consider sexual harassment in broad terms. Sexual harassment creates a culture that, if not challenged, can normalise inappropriate behaviours and provide an environment that may lead to sexual violence.

Any response to sexual harassment and/or sexual violence should fall within, and be consistent with, the school's wider approach to child-on-child abuse (see above) whether the concerns of child-on-child sexual violence and sexual harassment, including those that have happened outside of the school premises, and/or online. Where the report includes an online element, staff should be 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.

Staff must NEVER view or forward illegal images of a child. Should they receive such, then they should notify the DSL immediately. In some cases, it may be more appropriate to confiscate any devices to preserve any evidence and hand them to the police for inspection and subsequent removal. This will be the decision of the Police.

16.1 Sexual Violence includes sexual offences which fall under the Sexual Offences Act (2003):

Rape: A person (A) commits an offence of rape if: he intentionally penetrates the vagina, anus or mouth of another person (B) with his penis, B does not consent to the penetration and A does not reasonably believe that B consents.

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

Sexual Assault: A person (A) commits an offence of sexual assault if: s/he intentionally touches another person (B), the touching is sexual, B does not consent to the touching and A does not reasonably believe that B consents. (Schools should be aware that sexual assault covers a very wide range of behaviour so a single act of kissing someone without consent or touching someone's bottom/breasts/genitalia without consent, can still constitute sexual assault.)

All staff should be aware of the indicators which may signal children are at risk from or are involved with serious violent crime. These may include;

- increased absence from school
- a change in friendships or relationships with older individuals or groups
- a significant decline in performance
- signs of self-harm or a significant change in wellbeing, or
- signs of assault or unexplained injuries

Unexplained gifts or new possessions could also indicate that children have been approached by, or are involved with, individuals associated with criminal networks or gangs and may be at risk of criminal exploitation.

16.2 Sexual Harassment refers to 'unwanted conduct of a sexual nature'.
This can occur *online* (including, but not limited to non-consensual sharing of images, making sexual comments on social media) and *offline* (including but not limited to making sexual comments, sexual taunting or 'jokes' and physical contact, for example, brushing against someone deliberately or interfering with their clothes).

16.3 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, and/ or alarm. It is a criminal offence. Anyone of any gender, or sexual orientation can be a victim or perpetrator.

16. 4 Who perpetrates sexual violence and/or harassment

Sexual Violence and Sexual Harassment can:

- occur between any two children, or a group of children against one individual or group;
- be perpetrated by a child of any age against a child of any age;
- be perpetrated by a child of any sexual orientation against a child of any sexual orientation;
- include behaviour that exist on an often-progressive continuum and may overlap;
- be online and offline (physical or verbal)
- can take place within intimate personal relationships between children

Any report of sexual violence or sexual harassment must be taken seriously, and 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. However, staff must always have an open mind.

Children with Special Educational Needs (SEN) are potentially more vulnerable, and there may be barriers in recognising abuse in this group of children. In addition, children who are perceived by their peers to be LGBTQ+ or identify themselves as LGBTQ+ and similarly those who are gender questioning may potentially be more vulnerable (see above).

Sexual violence and sexual harassment can happen anywhere, and all staff working in the school are advised to maintain an attitude of 'it could happen here', assume that it is happening, and act accordingly.

All staff should understand, that even if there are no reports in their school it does not mean it is not happening, it may be the case that it is just not being reported.

Staff should consider the importance of understanding intra familial harms and any necessary support for siblings following incidents involving sexual harassment and/or violence.

16.5 Handling incidents involving sexual violence and/or sexual harassment

All staff must be trained to manage a report or SV and/or SH. Local authority policies will dictate exactly how reports should be managed. However, effective safeguarding practice includes:

- if possible, managing reports with two members of staff present, (preferably one of them being the DSL/DDSL)
- careful management and handling of reports that include an online element.

It may be appropriate to make notes during the discussion with any child (ren) involved (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 eventually (after immediate actions are taken) **only recording the facts** as the child presents them.

Schools should be aware that notes of such reports could become part of a statutory assessment by local authority children's social care and/or part of a criminal investigation by the Police.

The basic safeguarding principle is:

- if a child is at risk of harm, is in immediate danger, or has been harmed, a referral must be made to local authority children's social care, and
- rape, assault by penetration and sexual assaults, and upskirting are crimes and must be reported to the Police.

Parents or carers must and will normally be informed of their child's disclosure and subsequent referrals to external agencies (unless this would put the victim at greater risk).

There are four likely scenarios that schools will need to manage:

1. Internally:
   For example, for one-off incidents of sexual harassment (dependant on what has occurred , and whether there have been any previous incidents)), the school may take the view that the children concerned are not in need of early help nor 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, including why certain decisions have not been made must be recorded (written or electronic).

2. Those requiring Early Help:
   In line with the 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 (see above section 5). Early help can be particularly useful to address non-violent Harmful Sexual Behaviours (HSB) and may prevent escalation of sexual violence. All concerns, discussions, decisions, and reasons for decisions, including why certain decisions have not been made must be recorded (written or electronic).

3. Those where Social Care will need to be informed and involved:
   Where a child has been harmed, is at risk of harm, or is in immediate danger, but a criminal offence may not have been committed, schools must make a referral to local children's Social Care. At the point of referral schools will generally inform parents or carers, unless there are compelling reasons not to (if informing a 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, Social Care will then make enquiries to determine whether any of the children involved are in need of protection or other services. Schools should not wait for the outcome (or even the start) of a Social Care investigation before protecting the victim and other children in the school. All concerns, discussions, decisions, and reasons for decisions, including why certain decisions have not been made must be recorded (written or electronic).

4. Those where a criminal offence is likely to have occurred and the Police will be needed:

The DSL will lead the school's response to any incident where there is evidence that a criminal offence has occurred or is likely to occur. However, schools are not alone in dealing with sexual violence and sexual harassment. Local authority children's Social Care and the Police will be important partners where it is thought that a crime might have been committed. Referrals to the Police will often be a natural progression of making a referral to Social Care and will generally run in parallel. All concerns, discussions, decisions, and reasons for decisions, including why certain decisions have not been made must be recorded (written or electronic).

It is important for the DSL to explain to any child involved that the law is in place to protect all children and young people rather than criminalise them, and this should be explained in a way that avoids alarming or distressing them.

Where a report of rape, assault by penetration or sexual assault is made, or upskirting, the starting point is that this must 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 following advice may help schools decide when to engage the Police and what to expect of them when they do:

When to call the Police:

Please also above regarding the need to have an 'Appropriate Adult present when Police are communicating with a vulnerable child as part of any criminal investigation under PACE.

At this stage, schools 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. The school must record all their actions clearly and advice taken from external agencies. Please refer to KCSIE 2024 for information regarding bail conditions.

Voice of the child

Ultimately, the DSL will need to balance the victim's wishes against their duty to protect the victim and other children The victim may ask the school not to tell anyone about the sexual violence or sexual harassment. If the DSL/DDSL decide to go ahead and make a referral to local authority children's social care and/or a report to the Police against the victim's wishes, this should be handled extremely carefully. There are no easy or definitive answers when a victim makes this request. The reasons should be explained to the victim and appropriate specialist support should be offered.

Schools should do all they reasonably can to protect the anonymity of any children involved in any report of sexual violence or sexual harassment. Amongst other things, this will mean carefully considering, based on the nature of the report, which staff should know about the report and any support that will be put in place for the children involved.

16.5 Our approach to Sexual Violence and Sexual Harassment

The school will apply the principles set out in the above document when considering its approach to sexual violence and sexual harassment between children. In this school we will:

- not accept or tolerate sexual violence and sexual harassment, or upskirting
- not downplay or consider that these types of behaviours are 'banter', an 'inevitable part of growing up' or hold the view that 'boys will be boys', knowing that to do so may

normalise inappropriate behaviours may create an unsafe culture where children feel less able to come forward with concerns;

- encourage early intervention to avoid potential escalation;
- challenge inappropriate physical behaviour (potentially criminal in nature), such as grabbing bottoms, breasts and genitalia, pulling down trousers, flicking bras and lifting up skirts;
- challenge inappropriate verbal behaviour, such as making sexist comments, innuendo or taunting;
- align with their Behaviour Policy with regards to imposing sanctions for inappropriate behaviour, including sexual harassment and/or sexual violence;
- embed training and education on these issues within a strong pastoral system;
- adopt a planned *and sequenced* RSE programme across the whole curriculum including age-appropriate content around: consent, gender roles, stereotyping and equality, healthy relationships, and power imbalances in relationships;
- develop and encourage forums that enable children to talk about issues openly;
- have clear and accessible systems in place for children to confidently report abuse, knowing their concerns will be treated seriously;
- act in the best interests of all children involved, reassure victims that they are being taken seriously and that they will be supported and kept safe. A victim will never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment;
- manage any disclosure, either from the child who has suffered abuse or from other children, giving the victim(s) 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 duty and responsibilities to protect them and other children;
- carry out a risk and needs assessment for children affected by sexual violence or sexual harassment, including both the victim and alleged perpetrator- this may be informed by risk assessments completed/advice by external services;
- engage with both the victim's and the alleged perpetrator's parents or carers when there has been a report of sexual violence The exception to this rule is if there is a reason to believe informing a parent or carer will put a child at additional risk.

16.6 <u>Support and sanction for the perpetrator</u>

Taking disciplinary action and still providing appropriate support are not mutually exclusive actions. They can, and should, occur at the same time. Our approach will be to implement preventative and/or forward-looking action to safeguard the victim.

It may also be that the perpetrator requires safeguarding, especially where there are concerns that a perpetrator themselves may have been a victim of abuse. It is important that the perpetrator(s) is/are also given the correct support to try to stop them re-offending and to address any underlying trauma that may be causing this behaviour. Addressing inappropriate behaviour can be an important intervention that helps prevent problematic, abusive and/or violent behaviour in the future.

The school may sanction (in line with the Behaviour Policy), any pupils whose conduct falls below the standard which could be reasonably expected of them, and disciplinary action may be taken whilst other investigations by the Police and/or local authority children's social care are ongoing. The fact that another body is investigating or has investigated an incident does not in itself prevent a school from coming to its own conclusion, on the balance of probabilities, about what happened, and imposing a penalty accordingly. This is a matter for the school and will be carefully considered on a case-by-case basis.

That said, the school will consider if, by taking any action, it would prejudice an investigation and/or any subsequent prosecution. Careful liaison with the Police and/or local authority children's social care will help the school make a determination. It will also be important to consider whether there are circumstances that make it unreasonable or irrational for the school to reach its own view about what happened while an independent investigation is considering the same facts.

16.7 Resources

The HSB toolkit The Lucy Faithfull Foundation is designed for parents, carers, family members and professionals, to help everyone play their part in keeping children safe. It has links to useful information, resources, and support as well as practical tips to prevent harmful sexual behaviour and provide safe environments for families.

The Preventing harmful sexual behaviour in children - Stop It Now provides a guide for parents, carers and professionals to help everyone do their part in keeping children safe, they also run a free confidential helpline.

The Anti-Bullying Alliance has developed guidance and training for schools about Sexual and Sexist bullying.

Schools should also consider the potential impact of social media in facilitating the spreading of rumours and exposing victims' identities. The principles described in Childnet's cyberbullying guidance could be helpful.

Additional information on confidentiality and information sharing is available at Safeguarding Practitioners Information Sharing Advice

17 Signposting to further information

Annex B of KCSIE contains further guidance on a range of specific safeguarding issues, some of which are above. This section must be read by all staff that work directly with children and those with governance oversight for the school.

Any person that has a concern about a child within the school must follow the procedures outlined within this document.

If staff have any concerns about a child's welfare and/or safety, they must act on them immediately. Where a child is suffering, or is likely to suffer from harm, it is important that a referral to Children's Social Care (and if appropriate the Police) is made immediately.

Annex B of KCSIE contains guidance on the following issues:

- Child abduction and community safety incidents
- Children and the court system
- Children missing from education
- Children with family members in prison
- Child Criminal Exploitation (CCE)
- Child Sexual Exploitation (CSE)
- County lines
- Modern Slavery and the National Referral Mechanism
- Cybercrime
- Domestic abuse

- Homelessness
- Honour-based abuse
- FGM
- Forced Marriage
- Preventing radicalisation
- The Prevent duty
- Channel
- Child on child abuse
- Sexual violence and sexual harassment between children in schools
- Upskirting

This part of the policy now will explain two situations where there are concerns about an **adult's** behaviour:

- Concerns that **do not** meet the harms threshold – referred to as 'low level concerns'; and
- Allegations that may meet the 'harms threshold'. This part of the policy is about managing behaviour that might indicate a person may pose a risk of harm if they continue to work in their present position, or in any capacity with children in the school.

18 Safeguarding concerns and allegations made about staff, including supply teachers, volunteers and contractors

Part One -Low Level Concern Policy (including self-reporting)

The safety and wellbeing of children in our school is dependent on the vigilance of all our staff and their prompt communication to the DSL or Headteacher of any concerns, no matter how small, about any conduct by an adult which causes them to doubt that adult's suitability to work with or have access to children. All references in this section to "adult" should be interpreted as meaning any adult (defined above), staff members, agency/supply staff, peris, contractors, volunteers, and visitors, unless otherwise stated. The school is conscious of its duty of care to pupils and will always act, including if alerted to the possibility of abuse arising from situations or persons outside the school setting.

The notification and prompt handling of all concerns about adults, including those raised by individuals about themselves, is fundamental to safeguarding children. It helps to identify and prevent abuse and to protect adults against misunderstandings or misinterpretations. It also encourages openness, trust and transparency and it clarifies expected behaviours. Those raising concerns or reporting allegations in good faith will always be supported, and adults in respect of whom concerns, or allegations have been raised will not suffer any detriment unless the concern or allegation is found to be substantiated.

We are a 'telling' organisation.
If you are concerned about the behaviour or actions of any adult…
speak to the DSL or Headteacher
You can also talk to your Regional Safeguarding Lead, your General Manager, or the Head of HR

18.1 Code of Conduct

All staff must behave responsibly and professionally in all dealings with children and specifically with pupils for whom they have a duty of care. All staff must follow the procedures

set out in our 'Staff Code of Conduct'. Staff should always avoid behaviour which might be misinterpreted by others. As a result of their knowledge, position and/or the authority invested in their role, all adults working with children and young people are in positions of trust in relation to the young people in their care. A relationship between a member of staff and a pupil cannot be a relationship between equals. There is potential for exploitation and harm of vulnerable young people and all members of staff have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification. Staff should note that it is an offence for a person aged 18 or over and in a position of trust to touch a child in a sexual way or have a sexual relationship with a child, even if the relationship is consensual. A position of trust could arise even if the member of staff does not teach the child.

Cognita does not ever permit the use of personal devices such as mobile phones and cameras, including the wearing of Smartwatches by staff where children are present. The school has a specific Early Years Policy for The Use of Mobile Phones and Devices that recognises and manages the risks by a means appropriate to the setting. Please see the IT Policy for further information.

18.2 Low Level Concerns (including self-reporting)

The overarching aim of the school's Low Level Concern Policy is to facilitate a culture in which the clear values and expected behaviours which are set out in our Code of Conduct are lived, constantly monitored, and reinforced by all staff. In particular, the intention of this policy is to:

- maintain a culture of openness, trust and transparency in which staff are confident and clear about expected behaviours of themselves and their colleagues, the delineation of boundaries and reporting lines;
- ensure staff feel empowered to raise any low-level concern, whether about their own or a colleague's behaviour, where that behaviour might be construed as falling short of the standards set out in our Code of Conduct or other Cognita policy; and
- provide for responsive, sensitive and proportionate handling of such concerns when they are raised – maintaining on the one hand confidence that concerns when raised will be handled promptly and effectively whilst, on the other hand, protecting staff from false allegations or misunderstandings.

18.3 What is a low-level concern, including those that are self-reports?

Self-reporting	Low level concerns about an adult
From time to time an individual may find him/herself in a situation which might appear compromising to others, or which could be misconstrued. Equally, an individual may for whatever reason have behaved in a manner which on reflection he/she considers falls below the standard set out in the Code of Conduct/other Cognita policy, falls below the expected professional standards, or breaches this policy. Self-reporting in these circumstances is encouraged as it demonstrates both awareness of the expected behavioural standards and self-awareness as to the individual's own actions or how they could be perceived. As such, the school sees self-reporting as an important means of maintaining a culture where everyone aspires to the highest standards of conduct and behaviour.	From time to time an individual may notice behaviour, statements, or actions in others which leave them concerned. These are behaviour or actions which fall short of a formal allegation of abuse. These tend to be behaviours which indicate that our Code of Conduct has not been met. Any such concerns can be dealt with as a low-level concern.

The term 'low-level' concern does not mean that it is insignificant, it means that the behaviour towards a child does not meet the threshold for an allegation (see below). 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 may have acted in a way that:

- is inconsistent with the staff Code of Conduct/other Cognita policy, including inappropriate conduct outside of work, and
- does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the Designated Officer.

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

- being over friendly with children;
- having favourites;
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door; or,
- using inappropriate sexualised, intimidating (including shouting or being verbally aggressive) or
- offensive language (including the belittling of children on their own or in front of peers).

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.

A Self-Report also falls under our Low-Level Concerns Policy and can be as described above.

Where a staff member wishes to work outside out of their contract with Cognita, they must first seek agreement with their Headteacher, and a written confirmation placed in their employee file.

18.4 What should I do if I have one?

Where a low-level concern (including self-reports) exists, it should be reported to the DSL or to the Headteacher/Principal as soon as reasonably possible in the same day as the incident (where the concern relates to a particular incident). If the DSL received the report, they must

inform the Headteacher/Principal of all the low-level concerns and in a timely fashion (within the day). If the DSL and Headteacher/Principal are unavailable, the staff member with the concern should contact their RSL and their Head of HR. There must be no delay. Where a low-level concern relates to a person employed by a supply agency or a contractor to work in the school, that concern should be shared with the DSL and/or Headteacher. Their employer will be notified about the concern by the DSL/Headteacher, so that any potential patterns of inappropriate behaviour can be identified.

18.5 How will my low-level concern be handled (including a self-report)?

The DSL will discuss all low-level concerns they receive with the Headteacher/Principal on the same day as the concern was raised. The Headteacher/Principal, in collaboration with the DSL, will, in the first instance, satisfy themselves that it is a low-level concern and should not be reclassified as an *allegation* and dealt with under the appropriate 'allegations' procedure (outlined later in this document). The circumstances in which a low-level concern might be reclassified as an allegation are where:

a) the threshold is met for an allegation (see below);
b) there is a pattern of low-level concerns which collectively amount to an allegation; or
c) there is other information which, when taken into account, leads to an allegation.

The Headteacher/Principal is the ultimate decision maker in respect of all low-level concerns; however it is safe and best practice that they consult with the DSL and take a more collaborative decision-making approach. Where the Headteacher/Principal is in any doubt whatsoever whether the LLC needs to be considered as an allegation, advice will be sought from the RSL and/or their HoHR. The Headteacher/Principal can also seek advice from the Designated Officer should the above colleagues be unavailable.

Having established that the concern is low level (and is not an allegation), the DSL or Headteacher/Principal as appropriate will first discuss it with the individual who has raised it and will take any other steps to investigate it as necessary. Most low-level concerns by their very nature are likely to be minor and will be dealt with by means of management guidance, training, etc. The person to which the low-level concern relates **must** be informed of any concern raised about them *once all risk has been identified and assessed*. The person who has raised the low-level concern about their colleague will remain anonymous.

18.6 What records will be kept?

Where a low-level concern has been communicated, or a Self-Report raised by an individual about themselves, a confidential record will be kept in a school central file which logs all low-level concerns. When staff leave the school, any record of low-level concerns which are stored about them will be kept for a period of 10 years, and following this, reviewed as to whether or not that information needs to be kept. Consideration will be given to:

(a) whether some or all of the information contained within any record may have any reasonably likely value in terms of any potential historic employment or abuse claim so as to justify keeping it, in line with normal safeguarding records practice; or

(b) if, on balance, any record is not considered to have any reasonably likely value, still less actionable concern, and ought to be deleted accordingly

Retention is necessary to see whether any patterns of concerning, problematic or inappropriate behaviour can be identified Where a pattern of such behaviour is identified, the school should decide on a course of action, either through its disciplinary procedures or where a pattern of behaviour moves from a concern to meeting the harms threshold, in which case it should be referred to the Designated Officer.

No record will be made of the concern on the individual's personnel file unless either:
a) the concern (or group of concerns) has been reclassified as an allegation; or
b) the concern (or group of concerns) is sufficiently serious to result in formal action under the school's grievance, capability or disciplinary procedure.

Specifically, if a referral is made to the DO/other external agencies where the behaviour in question:
(i) had not originally been considered serious enough to consider a referral to the DO but merited consulting with and seeking advice from them;
(ii) is determined to meet the threshold of an allegation when considered with any other low-level concerns that have previously been raised about the same individual; or

then records relating to the behaviour will be placed and retained on the staff member's personnel file, whilst **also** being retained on the school central low-level concerns file.

18. 7 References

Low Level concerns should not be included in references unless they relate to issues which would normally be included in a reference, for example, misconduct or poor performance. It follows that a Low-Level concern which relates exclusively to safeguarding (and not to misconduct or poor performance) should not be referred to in a reference. However, where a low-level concern (or group of concerns) has met the allegations threshold for referral to the Designated Officer and found to be substantiated, it should be referred to in a reference (see below).

19 Safeguarding concerns and allegations made about staff, including supply teachers, volunteers, and contractors

Part Two- Allegations Policy

The purpose of this section of the policy is to outline how allegations against adults will be handled. Allegations will always be dealt with in accordance with statutory guidance provided in KCSIE.

19. 1 What is an allegation?

Allegations represent situations that might indicate a person may/would pose a risk of harm to children if they continue to work in regular or close contact with children in their present position, or in any capacity. This policy applies to all adults in the school if it is alleged that they have met one of the following four statements, often referred to as '**harm tests'**:

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

An allegation may be triggered by one specific incident or by a pattern of behaviour by the adult, or low-level concerns which when considered *collectively* amount to an allegation.

19.2 What should I do if I have an allegation?

Allegations about staff, agency staff, contractors, visitors, or volunteers should be reported to the Headteacher **immediately**.

The Headteacher will liaise with the Designated Officer of the Local Authority as set out below and inform the Pod General Manager, the HoHR, and the RSL.

The adult to whom the concern or allegation relates must not be informed at this early stage.

If the allegation is about the Headteacher, it must be referred to the Pod General manager, the HoHR and the RSL immediately, without informing the Headteacher. They will then liaise with the Designated Officer of the Local Authority as set out below.

19.3 Duties as an employer and an employee

This policy relates to members of staff, contractors, visitors, and volunteers who are currently working in any school, regardless of whether the school is where the alleged abuse took place.

Supply/Agency Staff/Hirers of school premises (see section 20)

This policy also refers to agency staff/supply staff/hirers of school premises (KCSIE 2024) (see below). In some circumstances, schools 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 schools are not the employer of supply teachers, they should ensure allegations are dealt with properly. In no circumstances should a school decide to cease to use a supply teacher due to safeguarding concerns, without finding out the facts and liaising with the local authority Designated Officer (LADO) to determine a suitable outcome.

Decisions will need to be made in discussion with the 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 in any enquiries from the LADO, Police and/or children's Social Care. The school will usually 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 school when working in the school. They 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 during the investigation. When using an agency, schools should 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.

Non recent allegations

Where an *adult* makes a non-recent allegation via the school that they were abused as a child by a current member of staff, the individual should be advised to report the allegation to the Police. The Headteacher must contact the RSL, HR and the MD as a priority.

Where an *adult* makes a non-recent allegation via the school that they were abused as a child by a former member of staff, the individual should similarly be advised to report the allegation to the Police. The Headteacher must contact the RSL, HR and the MD as a priority.

Non recent allegations against current /former staff made by a *child* must be reported to the LADO in line with the local authority's procedures for dealing with non-recent allegations. The LADO will coordinate with local authority children social care and the Police. Abuse can be reported no matter how long ago it happened.

19.4 Dealing with an allegation

The procedures for dealing with allegations need to be applied with common sense and judgement.

Many cases may well either not meet the criteria set out above or may do so without warranting consideration of either a Police investigation or enquiries by local authority Children's Social Care services.

Some rare allegations will be so serious they require immediate intervention by Children's Social Care services and/or the Police.

Initial Enquiries

Headteachers, after first liaising with the Regional Safeguarding Lead, HR (ER Manager/Head of HR in the UK), MD/GM (known as 'the group'), *may* need to gather some initial information to help them determine whether there is any foundation to the allegation before contacting the LADO. Schools should ensure they understand the local authority arrangements for managing allegations, including the contact details and what information the LADO will require when an allegation is made. This information can be found in local policy and procedural guidance provided by the LADO service. Before contacting the LADO, and after liaising with the group, schools should conduct these basic enquiries to establish the facts, being careful not to jeopardise any future Police investigation.

When to inform the individual of the allegation should be considered carefully on a case-by-case basis, with guidance as required from the 'group', the LADO, and if appropriate local authority children's social care and the Police. Unless agreed, the person to which the allegation has been made must not be informed or interviewed at this stage, so as not to jeopardise potential evidence gathering by external agencies.

Outcomes after initial enquiries

If, after the initial gathering of information it is decided by the above group of colleagues that the concerns **do not** meet threshold for an allegation (and therefore no contact with the LADO is required), but they are a concern around **conduct**, the Headteacher/Principal will be supported by HR in the steps thereafter, with the RSL supporting as needed.

If, after the initial information gathering stage, it is decided that the concerns **do** amount to a Safeguarding allegation that **does** meet threshold for contacting the LADO (at least for advice about whether a referral is needed), the Headteacher/Principal will do so (or the DSL in their absence or delegation), and will be supported by the RSL, and HR colleagues in steps thereafter.

Initial Discussion with Designated Officer

The purpose of an initial discussion is for the Designated Officer(s) and the case manager (school initially-Headteacher/DSL) to consider the nature, content and context of the allegation and agree a course of action. The Designated Officer(s) may ask the case manager to provide or obtain relevant additional information, such as previous history,

whether the child or their family have made similar allegations previously and about the individual's current contact with children. There may be situations when the case manager will want to involve the Police immediately, for example if the person is deemed to be an immediate risk to children or there is evidence of a possible criminal offence. Where there is no such evidence, the case manager should discuss the allegations with the Designated Officer(s) in order to help determine whether Police involvement is necessary.

The case manager should then consider with the Designated Officer(s) what action should follow both in respect of the individual and those who made the initial allegation.

Situations can arise where the DO is contacted, but advises that, whilst the matter does/does not reach threshold for a referral to them, it should be managed internally as a conduct issue. In these situations, the Headteacher/Principal will be supported by HR, with the RSL supporting as needed.

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

Registered Provision
Registered providers must inform Ofsted of any allegations of serious harm or abuse by any person living, working, or looking after children at the premises (whether the allegations relate to harm or abuse committed on the premises or elsewhere). Registered providers must also notify Ofsted of the action taken in respect of the allegations. These notifications must be made as soon as is reasonably practicable, but at the latest within 14 days of the allegations being made. A registered provider who, without reasonable excuse, fails to comply with this requirement, commits an offence.

Informing Parents
Parents or carers of the child or children involved will be told about the allegation as soon as possible if they do not already know of it. The case manager will seek advice from the group about when and how this communication will happen.

However, where a 'strategy discussion' is required (see WTSC), or the Police or Children's Social Care services need to be involved, the case manager will not inform the parents of the allegation until those agencies have been consulted and have agreed what information can be disclosed to the parents or carers.

Parents or carers will also be kept informed of the progress of the case and told the outcome where there is not a criminal prosecution, including the outcome of any disciplinary process (the school will seek support from HR about what can be shared). The deliberations of a disciplinary hearing, and the information taken into account in reaching a decision, cannot normally be disclosed, but the parents or carers of the child may be told the outcome in confidence, on the advice of HR only.

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

In cases where a child may have suffered significant harm, or there may be a criminal prosecution, Children's Social Care services, or the Police as appropriate, will consider what support the child or children involved may need.

Inter-agency Strategy Discussion
Where a referral to the LADO **has** met threshold, and where there is cause to suspect a child is suffering or is likely to suffer significant harm, a 'strategy discussion' will be convened by the Designated Officer or the Police in accordance with the statutory guidance Working Together to Safeguard Children. If the allegation is about physical contact, the 'strategy discussion' or initial evaluation with the Police will take into account that teachers and other school staff are entitled to use reasonable force to control or restrain children in certain circumstances, including dealing with disruptive behaviour (see Use of Reasonable Force, Screening, Searching and Confiscation Policy).

Where a 'strategy discussion' is needed, or Police or Children's Social Care services need to be involved, the case manager (school) will **not** inform the accused person until those agencies have been consulted and have agreed what information can be disclosed to the accused. The case manager should only inform the accused person about the allegation after consulting the Designated Officer(s) and actions have been decided. It is extremely important that the case manager provides the accused with as much information as possible at that time.

Where it is clear that an investigation by the Police or Children's Social Care services is unnecessary, or the 'strategy discussion' or initial evaluation decides that is the case, the Designated Officer(s) will discuss the next steps with the case manager. In those circumstances, the options open to the school depend on the nature and circumstances of the allegation and the evidence and information available. This will range from taking no further action to an internal school-based investigation (see below),

Internal school investigations
In some cases, whilst an investigation by the Police or Children's Social Care services is unnecessary, the school will be guided by the agencies that further enquiries will be needed to enable a decision about how to proceed. If so, the Designated Officer(s) will discuss with the case manager how and by whom the school investigation will be undertaken. The LADO's role is not to investigate the allegation, but to ensure that an appropriate investigation is carried out by the school. In straightforward cases, an internal school investigation will normally be undertaken by a senior member of school staff such aa the DSL. Where necessary, due to lack of resource or conflict of interest, the investigation may be undertaken by a senior leader from another Cognita school. Should the nature of the allegation be very complex, the allegation will require the RSL to investigate/ appoint an independent investigator. Any independent investigator will be appointed by HR in conjunction with the GM and RSL. The outcome of the investigation must be fed back to the LADO.

Where a safeguarding concern or allegation triggers another procedure, such as grievance or disciplinary, that procedure shall only be followed once the immediate safeguarding concern or allegation has been fully investigated.

19.5 Suspension of an employee
Cognita will consider carefully whether the circumstances of a case warrant a person being suspended from contact with children at the school or whether alternative arrangements can be put in place until the allegation or concern is resolved. All options to avoid suspension will be considered prior to taking that step.

The possible risk of harm to children posed by an accused person should be evaluated and managed in respect of the child(ren) involved in the allegations. In some rare cases, this will require the case manager to consider suspending the accused until the case is resolved. Suspension should not be an automatic response when an allegation is reported: all options to avoid suspension should be considered prior to taking that step.

If the case manager is concerned about the welfare of other children in the community or the teacher's family, those concerns should be reported to the Designated Officer(s), Children's Social Care or the Police as required. However, suspension is highly unlikely to be justified on the basis of such concerns alone.

Suspension will be considered only in a case where there is cause to suspect a child or other children at the school are at risk of harm or the case is so serious that it might be grounds for dismissal. However, a person should not be suspended automatically: the case manager will consider carefully whether the circumstances warrant suspension from contact with children at the school or until the allegation is resolved.

In cases where the school is made aware that the Secretary of State has made an interim prohibition order in respect of an individual who works at the school, immediate action will be taken to ensure the individual does not carry out work in contravention of the order, i.e. pending the findings of the TRA investigation, the individual must not carry out teaching work.

The case manager will also consider whether the result that would be achieved by immediate suspension could be obtained by alternative arrangements. In many cases an investigation can be resolved quickly and without the need for suspension. If the Designated Officer(s), Police and Children's Social Care services have no objections to the member of staff continuing to work during the investigation, the case manager will aim to be as inventive as possible to avoid suspension.

Based on assessment of risk, the following alternatives will 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 Cognita school.

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

Within Cognita, suspension requires the authorisation of the Director of HR//GM. A conversation with the case manager, Head of HR/ER Manager and Regional Safeguarding Lead will occur to reach a rounded decision about whether suspension is the correct course of action. If immediate suspension is considered necessary, the case manager must record

the rationale and justification for such a course of action. This must 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 dispatched within one working day, giving as much detail as appropriate for the reasons for the suspension. Cognita will make clear to the suspended employee where they can obtain support. The person will be informed at the point of their suspension who their named contact is within the organisation and will be given their contact details.

Children's Social Care services, the DO or the Police cannot require the case manager to suspend a member of staff or a volunteer, although the case manager will give appropriate weight to their advice. The power to suspend is vested in Cognita as proprietor of the school.

Where a 'strategy discussion' or initial evaluation concludes that there should be enquiries by Children's Social Care services and/or an investigation by the Police, the Designated Officer(s) should canvass Police and Children's Social Care services for views about whether the accused member of staff needs to be suspended from contact with children in order to inform the school consideration of suspension. Police involvement does not make it mandatory to suspend a member of staff; this decision will be taken on a case-by-case basis having undertaken a risk assessment.

19.6 Support for employees

Cognita has a duty of care to their employees. Cognita will provide effective support for anyone facing an allegation, and/or other members of staff involved in the process as witnesses, and will act to manage and minimise the stress inherent in the allegations process. It is essential that any allegation of abuse made against a teacher or other member of staff or volunteer is dealt with very quickly, in a fair and consistent way that provides effective protection for the child and, at the same time, supports the person who is the subject of the allegation and any witnesses. Support for the accused individual is vital to fulfilling this duty. Individuals will be informed of concerns or allegations as soon as possible and given an explanation of the likely course of action, unless there is an objection by the Children's Social Care services or the police. Cognita will provide the employee with a named contact if they are suspended. The individual will be advised to contact their trade union representative, if they have one, or a colleague for support. They will also be given access to an employee support service, provided by Cognita.

The case manager will appoint a named representative to keep the person who is the subject of the allegation informed of the progress of the case and consider what other support is appropriate for the individual and/or witnesses. Particular care needs to be taken when employees are suspended to ensure that they are kept informed of both the progress of their case and current work-related issues. Social contact with colleagues and friends should not be prevented unless there is evidence to suggest that such contact is likely to be prejudicial to the gathering and presentation of evidence.

19.7 Timescales

It is in everyone's interest to resolve cases as quickly as possible and ensure consistency with a fair and thorough investigation. All allegations will be investigated as a priority to avoid any delay. The time taken to investigate and resolve individual cases depends on a variety of factors, including the nature, seriousness, and complexity of the allegation.

For cases where it is clear immediately that the allegation is unsubstantiated or malicious, it is aimed that they will be resolved within one week. Any concerns about safeguarding will always be discussed with the Designated Officer.

19.8 Confidentiality

When an allegation is made, the school will make every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered. The Education Act (2002) introduced reporting restrictions preventing the publication of any material that may lead to the identification of a teacher in a school who has been accused by, or on behalf of, a pupil from the same school (where that identification would identify the teacher as the subject of the allegation). The reporting restrictions apply until the point that the accused person is charged with an offence, or until the Secretary of State or the General Teaching Council for Wales publishes information about an investigation or decision in a disciplinary case arising from the allegation. The reporting restrictions are disapplied if the individual to whom the restrictions apply effectively waives their right to anonymity by going public themselves or by giving their written consent for another to do so, or if a judge lifts restrictions in response to a request to do so. The provisions commenced on 1 October 2012.

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

In accordance with the Authorised Professional Practice published by the College of Policing in May 2017, the police will not normally provide any information to the press or media that might identify an individual who is under investigation, unless and until the person is charged with a criminal offence. (In exceptional cases where the police would like to depart from that rule, for example an appeal to trace a suspect, they must apply to a magistrates' court to request that reporting restrictions be lifted).

The case manager will take advice from the Designated Officer(s), Police and Children's Social Care services to agree the following:

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

19.9 Oversight and monitoring

The Designated Officer(s) has overall responsibility for oversight of the procedures for dealing with allegations, for resolving any inter-agency issues, and for liaison with Safeguarding Partners on the subject. The Designated Officer(s) will provide advice and guidance to the case manager, in addition to liaising with the police and other agencies and monitoring the progress of cases to ensure that they are dealt with as quickly as possible, consistent with a thorough and fair process. Reviews should be conducted at fortnightly or monthly intervals, depending on the complexity of the case.

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

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

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

19.10 Information sharing

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

Where the Police are involved, wherever possible, the employer will ask the Police to obtain consent from the individuals involved to share their statements and evidence for use in the employer disciplinary process. This will be done as their investigation proceeds and will enable the Police to share relevant information without delay at the conclusion of their investigation or any court case.

Children's Social Care services should adopt a similar procedure when making enquiries to determine whether the child or children named in the allegation are in need of protection or services, so that any information obtained in the course of those enquiries which is relevant to a disciplinary case can be passed to the employer without delay.

19.11 Following a criminal investigation or a prosecution

The Police should inform the employer and Designated Officer(s) immediately when a criminal investigation and any subsequent trial is complete, or if it is decided to close an investigation without charge, or not to continue to prosecute the case after the person has been charged. In those circumstances, the Designated Officer(s) should discuss with the case manager whether any further action, including disciplinary action, is appropriate and, if so, how to proceed. The information provided by the Police and/or Children's Social Care services should inform that decision. The options will depend on the circumstances of the case and the consideration will need to be given as to the result of the Police investigation or the trial, as well as the different standard of proof required in disciplinary and criminal proceedings.

19.12 Outcome of an allegation

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

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

19.13 On conclusion of a case

There is a legal requirement for employers [Cognita] to make a referral to the DBS where they think that an individual has engaged in conduct that harmed (or is likely to harm) a child; or if a person otherwise poses a risk of harm to a child. If an allegation is substantiated and the person is dismissed or the employer ceases to use the person's services, or the person

resigns or otherwise ceases to provide his or her services, Cognita will refer the case to the DBS for consideration of whether inclusion on the barred lists is required. In the case of a member of teaching staff at a school, the matter will be referred to the TRA to consider prohibiting the individual from teaching in relation to their professional misconduct.

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

19.14 Malicious or unsubstantiated allegations

If an allegation is determined to be unsubstantiated or malicious, the Designated Officer(s) will refer the matter to the Children's Social Care services to determine whether the child concerned is in need of services or may have been abused by someone else. If an allegation is shown to be deliberately invented or malicious, the Headteacher/Principal and proprietor will consider whether any disciplinary action is appropriate against the pupil or staff member who made it; or whether the police should be asked to consider if action might be appropriate against the person responsible, even if he or she were not a pupil.

19.15 Learning lessons

At the conclusion of a case in which an allegation is substantiated, the Designated Officer(s) will review the circumstances of the case with the case manager to determine whether there are any improvements to be made to the school's procedures or practice to help prevent similar events in the future. This will include issues arising from the decision to suspend the member of staff, the duration of the suspension and whether suspension was justified. Lessons will also be learnt from the use of suspension when the individual is subsequently reinstated. The Designated Officer(s) and case manager will consider how future investigations of a similar nature could be carried out without suspending the individual.

19.16 Resignations and 'settlement agreements'

If the accused person resigns, or ceases to provide their services, this will not prevent an allegation being followed up in accordance with the statutory guidance KCSIE. A referral to the DBS must be made if the criteria are met (see criteria in KCSIE). Cognita will also consider whether a referral to the TRA is appropriate (see criteria in KCSIE).

If the accused person resigns or their services cease to be used and the criteria are met, it will not be appropriate to reach a settlement/compromise agreement. Any settlement/compromise agreement that would prevent the proprietor from making a DBS referral even though the criteria for referral are met, is likely to result in a criminal offence being committed. This is because the proprietor would not be complying with its legal duty to make the referral.

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

disciplinary sanctions if a person's period of notice expires before the process is complete, but it is important to reach and record a conclusion wherever possible.

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

19.17 Record keeping

Details of allegations that are found to have been malicious will be removed from personnel records. However, for all other allegations, it is important that a clear and comprehensive summary of the allegation, details of how the allegation was followed up and resolved, and a note of any action taken and decisions reached, is kept on the confidential personnel file of the accused.

The purpose of the record is to enable accurate information to be given in response to any future request for a reference, where appropriate. It will provide clarification in cases where future DBS checks reveal information from the Police about an allegation that did not result in a criminal conviction and it will help to prevent unnecessary re-investigation if, as sometimes happens, an allegation re-surfaces after a period of time. The record will be retained at least until the accused has reached normal pension age or for a period of 10 years from the date of the allegation, if that is longer. The Information Commissioner has published guidance on employment records in its Employment Practices Code and supplementary guidance, which provides some practical advice on record retention.

19.18 References

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

20. Organisations or Individuals Letting School Premises

Schools have a duty to ensure that appropriate arrangements are in place to keep children safe when allowing outside organisations to use their facilities. If the activity is being run by the school, or overseen by the school, then this policy and the school's procedures apply. If not, and the school is renting out their space to an organisation or individual, then the school must seek assurance that the body concerned has appropriate safeguarding and child protection policies and procedures in place (including inspecting these as needed) **and** ensure that there are arrangements in place for the provider to liaise with the school on these matters where appropriate. This applies regardless of whether or not the children who attend any of these services or activities are children on the school roll. Guidance around keeping children safe in out of school settings can be found here. This document details the safeguarding arrangements that schools should expect these providers to have in place, and schools must check that any hirers have met this guidance.

Should the organisation wishing to use the school premises **not** have any safeguarding policies or procedures in place, then the organisation must not be allowed to let the facilities. The school should also 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.

Schools may receive an allegation relating to an incident that happened when an individual or organisation was hiring their school premises for the purposes of running activities for children (for example community groups, sports associations, or service providers that run extra-curricular activities). As with any safeguarding allegation, schools and should follow their safeguarding policies and procedures, including informing the local authority Designated Officer.

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