



**“All equal, all different all achieving together”**

# **Safeguarding (Child Protection) Policy**

**Source documents:**

- Children Act (1989 and 2004 amendment)
- Education Act (2002 and 2011)
- Education and Inspection Act (2006)
- Working Together to Safeguard Children (2018)
- DFE Keeping Children Safe in Education (2019a and 2019b)
- The Academy Staffing (England) Regulations 2009
- Education (Independent Academy Standards) Regulations 2014
- Serious Crime Act (2015)
- Statutory Guidance on FGM
- The Rehabilitation of Offenders Act (1974)
- Safeguarding Vulnerable Groups Act (2006)
- Guidance on the Prevent Duty (under the Counter-Terrorism and Security Act 2015)
- Childcare (Disqualification) Regulations 2009 (and 2018 amendment)
- Childcare Act (2006)
- The National Minimum Standards for Residential Academies
- The Teacher Standards 2012
- <http://www.bristol.gov.uk/page/children-and-young-people/bristol-safeguarding-children-board-professionals>

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## 1. Introduction

Learn@ MAT is committed to providing an environment where children can develop in ways that will foster security, confidence and independence and where adults are clear about the procedures in place to ensure a child's welfare & safety. We believe that, "the welfare of the child is paramount", therefore protecting children is an intrinsic part of all we do as educators.

Safeguarding is defined as protecting children from maltreatment; preventing impairment of children and young people's health or development; ensuring that children and young people grow up in circumstances consistent with the provision of safe and effective care; and taking action to enable all children and young people to achieve their best possible outcomes.

Learn@ MAT is committed to safeguarding and promoting the welfare of children by:

- The provision of a safe environment in which young people can learn
- Fulfilling our statutory (legal) responsibilities to identify young people who may be in need of extra help or who are suffering, or are likely to suffer, significant harm
- Giving young people the opportunity to talk about any personal, academic or welfare concerns at all times, with any member of staff of their choosing.

All staff at Learn@ MAT have a role and responsibility to safeguard children and young people attending our Academy, irrespective of their role within the Academy by;

- Identifying concerns early and providing help for young people, to prevent concerns from escalating to a point where intervention would be needed via a statutory assessment under The Children Act 1989. In such cases, a single assessment should be undertaken by a lead professional who could be the Designated Safeguarding Lead, Special Educational Needs and Difficulties Co-ordinator (SENDCO), Doctor (GP), family support worker, health visitor or Academy nurse.
- Sharing appropriate information irrespective of whether this is reported by other young people, members of the public, parents or relatives of young people attending our Academy. The Designated Safeguarding Lead will determine what action if any will follow and record their decisions.
- Reading the most recent version of the standalone Department for Education (DFE) publication 'Keeping children safe in education: Information for all Academy and college staff' or 'Part One of Keeping Children Safe in Education.' (NB: the content is the same).

The Designated Safeguarding Lead in each Learn@ MAT setting will support staff in their safeguarding duties, including liaising with other services, like the Children's Services where there are concerns relating to the welfare of any of our young people.

### Equality Statement

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

## 2. Aims

The Trust aims to ensure that:

- Appropriate action is taken in a timely manner to safeguard and promote children's welfare
- All staff are aware of their statutory responsibilities with respect to safeguarding
- Staff are properly trained in recognising and reporting safeguarding issues

## 3. Statutory Responsibilities

All action taken by Learn@ MAT will be in accordance with:

- **Current legislation:** Children Act 1989 and 2004; Education Act 2002 and 2011 and Education and Inspection Act 2006 and all other sources highlighted at the start of this Policy.
- **Statutory guidance:**  
**Working Together to Safeguard Children**, which sets out the multiagency working arrangements to safeguard and promote the welfare of children and young people and protect them from harm; in addition, it sets out the statutory roles and responsibilities of Academies  
**Keeping Children Safe in Education (KCSIE)** is statutory guidance issued by the Department for Education which all Academies and colleges must have regard to when carrying out their duties to safeguard and promote the welfare of children. This is updated by the DfE each year and all staff, Academy Councils, Trustees and Members must have read the most up to date version of KCSIE referenced in our annual Staff Handbooks.
- **The Teacher Standards 2012** state that teachers, including head teachers, should safeguard children's wellbeing and maintain public trust in the teaching profession as part of their professional duties.
- **DBS checks and monitoring.** All new staff and governance members are enrolled on the on-line DBS updating service which alerts us to any change in an employee's DBS information. They are given 5 days to produce their up-to-date DBS to the Head Teacher (in the case of a Head Teacher to the CEO) who will decide if the new information needs to be disclosed to LADO and internal investigation/review. We are currently in the process of transferring all staff to this online system by 2021 and where they have not yet transferred, an Academy refers an employee for an updated check every three years.

In addition, the Academies must follow specific guidance and advice provided by the Department for Education (DfE) in relation to the wider safeguarding agenda e.g. behaviour, health and safety, bullying, e-safety and medical needs.

## 4. Roles and Responsibilities

### **The role of the Designated Safeguarding Lead (DSL)**

All individual Academies and Alternative Provisions (AP) within Learn@ MAT, in accordance with Keeping Children Safe in Education, has at least one Designated Safeguarding Lead (DSL) who is the Head Teacher or a senior member of staff, who undertakes lead responsibility for safeguarding within each setting. Details of DSL and Deputy DSL are available in each individual Academy Safeguarding Policy on their websites. Each Academy is responsible for providing accessible information of who their DSL is and in their absence their deputy. They will also provide information for 'out of hours' contact such as an e-mail address.

The broad areas of responsibility for the designated safeguarding lead are:

- To support and advise staff on matters of child welfare (including contributing to early help assessments) and safeguarding and to liaise with relevant agencies, including Children's Services and or Police where abuse and neglect are suspected.
- To fulfil statutory responsibilities in relation to children and young people subject to a child protection plan by attending child protection conferences and implementing the multiagency child protection plan.
- Inform the Head Teacher who will liaise with the Local Authority Designated Officer (LADO) where there are concerns about the conduct of, or an allegation is made against, a member of staff or volunteer at the Academy. The Head Teacher will also inform the Chief Executive Officer (CEO) of Learn@ MAT of such a concern and referral, who will support the Head Teacher in ensuring they manage the process appropriately, respecting the rights of all those involved and maintaining best Safeguarding practice and procedures.
- If there is an allegation against the Head then the Chair or Vice Chair of The Academy Council will liaise with the LADO with the guidance and support of the CEO for Learn@ MAT.
- To provide an annual report to the Academy Council on safeguarding and child protection activity within the Academy, including any referrals to LADO. The CEO will ensure that all LADO referrals are reported to the Safeguarding Lead Trustee for Learn@ MAT.
- During term time, the DSL will be available during Academy hours for staff to discuss any safeguarding issues or concerns.
- The DSL will be given time, training resources and support to fulfil their important roles fully and effectively.

#### **All staff**

- Should know and be aware of who the Designated Safeguarding Lead is and their deputies if they are not on site or available for consultation
- Should know who the Chair of the Academy Council and the Vice Chair of the Academy Council are and how they can be contacted
- Must access, read and understand this policy as part of their induction and revisit the policy at the annual whole Academy Trust safeguarding training held by Learn@ MAT
- Must read KCSIE: information for all Academy and college staff, or read Keeping Children Safe in Education Part One and Appendix 1 of this document in its most up to date version.
- Must be aware of and follow the Academy's procedures in order to identify those young people in need of early help and to take appropriate action where there are concerns for the welfare and protection of children and young people. Appendix 1 sets out the Learn@ MAT safeguarding structure procedure to be followed. Appendix 2 names the DSL in each Academy and Appendix 3 shows a copy of the Child Protection Concern reporting form.
- Must attend safeguarding training
- Must be aware of the signs of different types of abuse and neglect, as well as specific safeguarding issues, such as child sexual exploitation (CSE), female genital mutilation (FGM) and radicalisation (Prevent). (Appendix 4 clarifies these further for staff).
- Must adhere to the Academies Code of Conduct and the Behaviour Management Policy and Procedure
- Report any concerns about a child or young person immediately or as soon as practicable, on the same day, with the Designated Safeguarding Lead

In addition

- If a young person makes a disclosure, it is important that staff should listen first and then report this as soon as is practical, on the same day, to the Designated Safeguarding Lead. They should then make a contemporaneous record (on the approved Child Protection Concern Form) the date, approximate time, the disclosure as told to them, sign and date the record (when made).

(NB: records can be made, transmitted and stored electronically)

- Under no circumstances should a young person be asked to write down their concerns, disclosure or allegation made against a member of staff or volunteer at the Academy. In asking young people to make a written record important contextual information is often lost, especially if they have poor literacy skills, communication difficulties, or English is not their first language. An audio recording can be taken and/or written notes by the listener. This should be with the permission of the young person and that permission recorded at the time the recording begins.

### **The Academy Council**

The Academy Council (AC) will approve the Academy Safeguarding Policy at each annual review and hold the Head Teacher responsible for its implementation.

The AC will appoint a senior member as their Lead on Safeguarding (Link Counsellor) to monitor the effectiveness of this policy in conjunction with the AC. This is always a different person to the DSL.

The Chair of the AC will ask the CEO to act as 'case manager' in the event that an allegation of abuse is made against a Head Teacher (see Appendix 5). In the very serious situation of an allegation against the CEO of Learn@ MAT the Chair of the Board of Trustees will liaise with LADO and our Human Resources Adviser in managing such a case.

The AC will ensure at least one member of any recruitment process has completed the 'Safer Recruitment' training and that all Safeguarding processes are maintained throughout the recruitment process from advertisement to pre-appointment checks.

- To monitor the quality and impact of the Personal Social and Health Education and Relationships Education (for Primary pupils) and Relationships and Sex Education (for all Secondary pupils). (The Relationships Education, Relationships and Sex Education and Health Education (England) Regulations 2019).

### **The Head Teacher**

The Head Teacher is responsible for the implementation of this policy, including:

- Ensuring that staff (including temporary staff) and volunteers are informed of this policy as part of their induction
- Communicating this policy to parents/carers when their child joins the Academy and via the Academy website
- Ensuring that the DSL has appropriate time, funding, training and resources, and that there is always adequate cover if the DSL is absent
- Ensuring that all staff undertake appropriate safeguarding and child protection training and update this regularly

- Acting as the ‘case manager’ in the event of an allegation of abuse made against another member of staff or volunteer (see Appendix 5).
- To inform CEO of any safeguarding concerns which will involve third parties such as LADO, police and social care.
- To ensure that the curriculum offered and delivered at the Academy includes Personal Social and Health Education and Relationships Education (for Primary pupils) and Relationships and Sex Education (for all Secondary pupils). (The Relationships Education, Relationships and Sex Education and Health Education (England) Regulations 2019).

## The CEO

- To inform the Trustee Safeguarding Lead and the Chair of the Board of Trustees of any safeguarding concerns which have been reported to LADO.

## 5. Allegations of abuse made against teachers and other staff

- If you witness inappropriate professional conduct towards a child or young person or
  - a child or young person makes an allegation against a colleague then
- you must report this immediately to the Head Teacher or, in their absence, to the Designated Safeguarding Lead on site.

If an allegation is made against the Head Teacher then this must be reported immediately to the Chair of the AC and CEO, who will inform the Designated Lead Trustee and Chair of the Board of Trustees.

- Learn@ MAT Policy and procedure on the management of allegations is available on the Academy websites (See Appendix 5).

## 6. Boarding Academies and children’s homes

Children may be particularly vulnerable in residential settings and there are additional requirements for our residential special Academy.

All Academies that provide residential accommodation and/or are registered as children’s homes must comply with the relevant National Minimum Standards for their sector and work closely with the local authority and, where relevant, any local authorities that have placed their children there.

The relevant guidance for each sector is available on [www.gov.uk](http://www.gov.uk) and includes

- National Minimum Standards for Boarding Academies
- The National Minimum Standards for Residential Special Academies
- The National Minimum Standards for Accommodation of Students under 18 by Further Education Colleges
- The National Minimum Standards for Children’s Homes Boarding Academies and children’s homes

## 7. Specific Safeguarding issues

- A child going missing from education (CME) is a potential indicator of abuse or neglect. Staff should follow the Academy’s procedures for dealing with children that go missing from education, particularly on repeat occasions, to help identify the risk of abuse and neglect,

including sexual exploitation, and to help prevent the risks of their going missing in future. Initially concerns will be shared with the Attendance and Welfare Officer for that Academy, who will investigate the case in detail and in conjunction with the Local Authority(LA) officers for that child. If concerns remain following the home visit and review by the Attendance Officer then the Designated Safeguarding Lead will be informed and the concern will be escalated to the relevant LA officer.

- Female Genital Mutilation (FGM) comprises all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs. It is illegal in the UK and a form of child abuse with long-lasting harmful consequences. From October 2015 there will be a mandatory reporting duty on teachers and Academies to report to the police cases where they discover that an act of FGM appears to have been carried out. Concerns should be notified directly to the Designated Safeguarding Lead and always confirmed in writing by the person reporting their concerns on the Child protection concern form.

Protecting children from the risk of radicalisation is a part of Learn@ MAT's wider safeguarding duties. Radicalisation refers to the process by which a person comes to support terrorism and other forms of extremism and can happen in many different ways and specific background factors may contribute to susceptibility and vulnerability when combined with specific influences such as family, friends or online, and whereby specific extremist or terrorist groups may appear to provide an answer. The internet and the use of social media in particular has become a major factor in the radicalisation of young people. Concerns that a pupil may be at risk of radicalisation should be notified directly to the Designated Safeguarding Lead and always confirmed in writing by the person reporting their concerns on the Child protection concern form.

- Other specific risks to the welfare of children and young people include Child Sexual Exploitation, Domestic Violence etc., if at any point, there is significant concern, whatever the circumstances that a child or young person is suffering abuse, neglect or is at risk of immediate serious harm then a referral must be made to Children's Services in accordance with multiagency child protection procedures which can be accessed via the following hyperlink <http://www.bristol.gov.uk/page/children-and-young-people/bristol-safeguarding-children-board-professionals>

Anybody can make a referral. If the child's situation does not appear to be improving the staff member with concerns should press for re-consideration and consider the escalation of concerns policy <http://www.bristol.gov.uk/page/children-and-young-people/bristol-safeguarding-children-board-professionals>. Concerns should always lead to help for the child at some point e.g. via Early Help if they do not reach the threshold for Children's Services intervention

## 8. Types of abuse and neglect

Abuse and neglect are defined as the maltreatment of a child or young person whereby someone may abuse or neglect a child by inflicting harm, or by failing to prevent harm. They may be abused by an adult or adults or by another child or children.

The following are the definitions of abuse and neglect as set out in Working Together to Safeguard Children (2018). However, the ultimate responsibility to assess and define the type of abuse a child or young person may be subject to, is that of the Police and Children's Services. Our responsibility is to understand what each category of abuse is and how this can impact on the welfare and development of our children and where we have concerns that a child or young person may be at

risk of abuse and neglect (one or more categories can apply) to take appropriate action as early as possible

<p><b>Physical abuse:</b> 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.</p>	<p><b>Neglect:</b> the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to: provide adequate food, clothing and shelter (including exclusion from home or abandonment); protect a child from physical and emotional harm or danger; ensure adequate supervision (including the use of inadequate care-givers); or ensure access to appropriate medical care or treatment.</p>
<p><b>Sexual abuse:</b> involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children</p>	<p><b>Emotional abuse:</b> the persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child's developmental capability as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, although it may occur alone.</p>

In addition to the above there are other areas of safeguarding that the Academy has a responsibility to address and these include

<p><b>Child Sexual Exploitation (CSE) and Trafficking</b> involves exploitative situations, contexts and relationships where young people receive something (for example food, accommodation, drugs, alcohol, gifts, money or in some cases simply affection) as a result of engaging in sexual activities. Sexual exploitation can take many forms ranging from the seemingly ‘consensual’ relationship where sex is exchanged for affection or gifts, to serious organised crime by gangs and groups. What marks out exploitation is an imbalance of power in the relationship. The perpetrator always holds some kind of power over the victim which increases as the exploitative relationship develops. Sexual exploitation involves varying degrees of coercion, intimidation or enticement, including unwanted pressure from peers to have sex, sexual bullying including cyberbullying and grooming. However, it also important to recognise that some young people who are being sexually exploited do not exhibit any external signs of this abuse.</p>	<p><b>Female Genital Mutilation (FGM)</b> Professionals in all agencies, and individuals and groups in relevant communities, need to be alert to the possibility of a girl being at risk of FGM, or already having suffered FGM. There are a range of potential indicators that a child or young person may be at risk of FGM, which individually may not indicate risk but if there are two or more indicators present this could signal a risk to the child or young person. Victims of FGM are likely to come from a community that is known to practise FGM. Professionals should note that girls at risk of FGM may not yet be aware of the practice or that it may be conducted on them, so sensitivity should always be shown when approaching the subject. This is a form of honour-based violence.</p>
<p><b>Peer on Peer Abuse</b> can take various forms and include serious bullying, relationship abuse, domestic violence, child sexual exploitation, harmful sexual behaviour, and/or gender based violence.</p> <p><b>All types of bullying including cyberbullying and sexting.</b> The Academies in Learn@ MAT have a separate Anti-Bullying policy accessible on the Academy website. We work in partnership with Stand Against Racist Incidents (SARI) to tackle all forms of hate crime.</p>	<p><b>Forced marriage</b> is not the same as an arranged marriage, as it involves coercion and force and is not a marriage based on free choice. It affects both males and females. As with FGM above this is part of ‘Honour –Based violence’, which is defined as violence in the context of preserving ‘honour’ often within a wider network of family or community pressure and can include multiple perpetrators. Staff are aware of these complex issues in regard to potential ‘honour-based violence’ immediate direct communication is made with First Response (social care) by the DSL rather than the family.</p>
<p><b>Domestic violence, Gender-based violence/violence against women and girls (VAWG) and teenage relationship abuse</b> involves any incident or pattern of incidents of controlling, coercive, threatening behavior, violence or abuse between those who are, or have been in relationships or family members regardless of gender or sexuality and is</p>	<p><b>Gangs and youth violence.</b> All staff are aware of the indicators of a young person being at risk of involvement in serious crime. Such as unusual absences from school., a change of friendships or relationships, with older individuals or groups, significant decline in performance, signs of self-harm or a significant change in well-being. Unexplained gifts or new possessions could also indicate that children have been approached by, or are</p>

<p>applicable to teenagers engaged in abusive relationships</p>	<p>involved with individuals associated with criminal networks or gangs. Teachers and designated staff have a range of powers in relation to discipline to tackle problems, including violence, in the Academy environment. Such powers cover disciplinary actions, the power to restrain violent young people, and the power to search young people for prohibited items. All our Academies request and expect referring LA's, schools and agencies to inform them at consultation stage of any known involvement a young person may have in gangs. We require our local community police officers to keep us up to date on all relevant information regarding our young people and their involvement in gangs and/or youth violence.</p>
<p><b>Drugs.</b> As part of our Academy's duty to promote young people's wellbeing, we have a role to play in preventing drug misuse as part of our pastoral responsibilities (health and wellbeing/Healthy Academies) and to support the Government's drug strategy (2010) to provide information, advice and support to young people via the curriculum</p>	<p><b>Fabricated or induced illness.</b> This supplementary guidance Safeguarding Children in whom Illness is Fabricated or Induced (2008) sets out a national framework within which agencies and professionals at local level – individually and jointly – draw up and agree upon their own more detailed ways of working together where illness may be being fabricated or induced in a child by a carer who has parenting responsibilities for them</p>
<p><b>Child and Adolescent Mental Health.</b> Good mental health and resilience are fundamental to our physical health, our relationships, education and to achieving our potential. Learn@ MAT has a designated 'Mental Health Lead' at each Academy and an overarching MAT Lead Practitioner who ensures a comprehensive and effective strategy for Mental Health and Wellbeing is in place across Learn' MAT. We engage respected specialists to advise and support us in ensuring the welfare of our young people and our staff is given paramount importance.</p>	<p><b>Faith abuse.</b> The National Action Plan to Tackle Child Abuse Linked to Faith or Belief is intended to help raise awareness of the issue of child abuse linked to faith or belief and to encourage practical steps to be taken to prevent such abuse. We have adopted the Bristol policy in regard to the Spiritual and Cultural Religious Education programme (SaCRE) and deliver knowledge and understanding of faiths across the World alongside a comprehensive Personal, Social and Health Education programme (PSHE).</p>
<p><b>Radicalisation:</b> The Academy is aware of its responsibilities under the Counter Terrorism and Security Act 2015, specifically Section 26, and the Prevent Strategy to safeguard young people who are at risk of radicalisation by identifying and risk assessing individual who may be drawn into terrorism, violent or non-violent extremism. We provide a safe environment for our young people to explore, understand and discuss sensitive topics including terrorism and extremist ideology. We</p>	<p><b>Private Fostering</b> is essentially when arrangements are made privately for the care of a child under the age of 16 (under 18, if disabled) by someone other than a parent or close relative with the intention that it should last for 28 days or more. A relative, under the Children Act 1989, is a grandparent, brother, sister, uncle or aunt (whether of the full or half blood or by marriage) or step-parent. A private foster carer may be a friend of the family, the parent of a friend of the child, or someone previously unknown to the child's family who is</p>

<p>use the curriculum and pastoral support to educate our young people and to enable them to challenge these ideas. Staff are aware of the risk posed by other students and adults who may have been radicalised and the impact of radicalisation via social media. Staff have received appropriate training and have the knowledge and confidence to identify young people at risk of being drawn into terrorism and extremism and challenge extremist ideals. Our IT filters are regularly reviewed in order to prevent access to terrorist and extremist materials on line at the Academy.</p>	<p>willing to privately foster a child. The period for which the child is cared for and accommodated by the private foster carer should be continuous, but that continuity is not broken by the occasional short break.</p> <p>Learn@ MAT has a responsibility to refer to Children's Services any private fostering arrangement. Children's Services will undertake an assessment to ensure the needs and welfare of the child or young person is being met and that adults caring for them have access to advice and support.</p>
<p><b>Upskirting:</b> this is a criminal offence and is defined as, 'taking a picture under a person's clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm.' (DFE, 2019a). Such incidents will be reported to the Head Teacher and dealt with under disciplinary procedures as well as being reported through the DSL to the appropriate level of social care. Immediate care and support will be provided to the victim and their family from our specialist support team.</p>	<p><b>Child Criminal Exploitation:</b> County Lines is a specific type of gang involvement and drug related crime. All staff are aware of the associated risks and understand the measures in place to monitor and counteract these issues locally, and who to refer concerns to. These local services have been set up as part of the Home Office strategy to 'prevent youth violence and gang involvement and its criminal exploitation of children and vulnerable adults: county lines guidance.'(DFE, 2019a).</p>

## 9. Confidentiality

All aspects of Child protection concerns, allegations, records and referrals must be dealt with in a professional and confidential manner. It is imperative that all concerns are passed on in a timely and efficient way which ensures a child's safety is of paramount concern in our actions. A formal electronic process is in place across all our Academies, (C-Poms – Child Protection online monitoring system), which ensures accurate records are maintained and shared securely. The Learn@ MAT GDPR practices and policy reinforce the need for timely but secure information sharing in regard to Safeguarding.

Information must only be shared on a 'need to know' basis, but you do not need consent to share information if a child is suffering, or at risk of serious harm.

Staff should never promise a child that they will not tell anyone about an allegation, as this may not be in the child's best interests.

Confidentiality is also addressed in this policy with respect to record-keeping in section 14, and allegations of abuse against staff in appendix 5.

## **10. Recognising abuse and taking action**

Staff, volunteers, Academy Councillors, Trustees and Members must follow the procedures set out below in the event of a safeguarding issue.

### **10.1 If a child is in immediate danger**

Make a referral to children's social worker immediately if a child is in immediate danger or at risk of harm and already known to Social Services. Anyone can make a referral.

Bristol City Council First Response Team Telephone Number: 0117 903 6444

Bristol City Council First Response Team (Out of Hours) Telephone Number: 01454 615165

Pass on immediately to the DSL who will make a 'First Response' referral for any new case/concern through the locally agreed procedures using the appropriate portal.

Tell the DSL (see section 4) as soon as possible if you make a referral directly.

Further information on who and how to make local referrals is available on:

<https://www.gov.uk/report-child-abuse-to-local-council>

### **10.2 If a child makes a disclosure to you**

If a child discloses a safeguarding issue to you, you should:

- Listen to and believe them. Allow them time to talk freely and do not ask leading questions
- Stay calm and do not show that you are shocked or upset
- Tell the child they have done the right thing in telling you. Do not tell them they should have told you sooner
- Explain what will happen next and that you will have to pass this information on. Do not promise to keep it a secret
- Write up your conversation as soon as possible in the child's own words. Stick to the facts, and do not put your own judgement on it
- Sign and date the write-up and pass it on to the DSL. Alternatively, if appropriate, make a referral to children's social care and/or the police directly (see 10.1), and tell the DSL as soon as possible that you have done so

### **10.3 If you discover that 'Honour –based violence' including FGM has taken place or a pupil is at risk of such violence as FGM**

The Department for Education's Keeping Children Safe in Education explains that FGM comprises "all procedures involving partial or total removal of the external female genitalia, or other injury to the female genital organs".

FGM is illegal in the UK and a form of child abuse with long-lasting, harmful consequences. It is also known as 'female genital cutting', 'circumcision' or 'initiation'.

Possible indicators that a pupil has already been subjected to FGM, and factors that suggest a pupil may be at risk, are set out in appendix 4.

Any teacher who discovers that an act of FGM appears to have been carried out on a pupil under 18 must immediately report this to the police, personally. This is a statutory duty, and teachers will face disciplinary sanctions for failing to meet it.

The duty above does not apply in cases where a pupil is *at risk* of FGM or FGM is suspected but is not known to have been carried out. Staff should not examine young people.

Any other member of staff who discovers that an act of FGM appears to have been carried out on a pupil under 18 must speak to the DSL and follow our local safeguarding procedures.

Any member of staff who suspects a pupil is *at risk* of FGM or discovers that a pupil age 18 or over appears to have been a victim of FGM, must speak to the DSL and follow our local safeguarding procedures. All DSL's will have had up to date training in local referral procedures.

#### **10.4 If you have concerns about a child (as opposed to a child being in immediate danger)**

Appendix 1 illustrates the procedure to follow if you have concerns about a child's welfare and the child is not in immediate danger.

Where possible, speak to the DSL first to agree a course of action. Alternatively, make a referral to local authority children's social care directly (see 'Referral' below).

You can also contact the charity NSPCC on 0808 800 5000 if you need advice on the appropriate action.

#### **Early help**

If early help is appropriate, the DSL will support you in liaising with other agencies and setting up an inter-agency assessment as appropriate.

The DSL will keep the case under constant review and the Academy will consider a referral to local authority children's social care if the situation does not seem to be improving. Timelines of interventions will be monitored and reviewed.

#### **Referral**

If it is appropriate to refer the case to local authority children's social care or the police, the DSL will make the referral or support you to do so.

If you make a referral directly (see section 10.1), you must tell the DSL as soon as possible.

The local authority will make a decision within 1 working day of a referral about what course of action to take and will let the person who made the referral know the outcome. The DSL or person who made the referral must follow up with the local authority if this information is not made available, and ensure outcomes are properly recorded.

If the child's situation does not seem to be improving after the referral, the DSL or person who made the referral must contact the local authority and make sure the case is reconsidered to ensure the concerns have been addressed and the child's situation improves.

## **10.5 If you have concerns about extremism**

If a child is not at immediate risk of harm, where possible, speak to the DSL first to agree a course of action. Alternatively, make a referral to local authority children's social care directly if appropriate (see 'Referral' above).

Where there is a concern, the DSL will consider the level of risk and decide which agency to make a referral to. This could include [Channel](#), the government's programme for identifying and supporting individuals at risk of being drawn into terrorism, or the local authority children's social care team.

The Department for Education also has a dedicated telephone helpline, 020 7340 7264, that Academy staff, Academy Councillors, Trustees and Members can call to raise concerns about extremism with respect to a pupil. You can also email [counter.extremism@education.gov.uk](mailto:counter.extremism@education.gov.uk). Note that this is not for use in emergency situations.

In an emergency, call 999 or the confidential anti-terrorist hotline on 0800 789 321 if you:

- Think someone is in immediate danger
- Think someone may be planning to travel to join an extremist group
- See or hear something that may be terrorist-related

## **10.6 Concerns about a staff member or volunteer**

If you have concerns about a member of staff or volunteer, speak to the Head Teacher. If you have concerns about the Head Teacher, speak to the Chair of the Academy Council.

You can also discuss any concerns about any staff member or volunteer with the Head Teacher.

The Head Teacher/Chair of the Academy Council/DSL will then follow the procedures set out in appendix 5, if appropriate.

## **10.7 Allegations of abuse made against other young people**

We recognise that children are capable of abusing their peers. Abuse will never be tolerated or passed off as "banter" or "part of growing up".

Most cases of young people hurting other young people will be dealt with under our Academy's Behaviour Policy, but this Child Protection and Safeguarding Policy will apply to any allegations that raise safeguarding concerns. This might include where the alleged behaviour:

- Is serious, and potentially a criminal offence
- Could put young people in the Academy at risk
- Is violent
- Involves young people being forced to use drugs or alcohol
- Involves sexual exploitation or sexual abuse, such as indecent exposure, sexual assault, or sexually inappropriate pictures or videos (including sexting)

If a pupil makes an allegation of abuse against another pupil:

- You must tell the DSL and record the allegation, but do not investigate it

- The DSL will contact the local authority children’s social care team and follow its advice, as well as the police if the allegation involves a potential criminal offence
- The DSL will put a risk assessment and support plan into place for all children involved – both the victim(s) and the child(ren) against whom the allegation has been made – with a named person they can talk to if needed
- The DSL will contact the children and adolescent mental health services (CAMHS), if appropriate

We will minimise the risk of peer-on-peer abuse by:

- Challenging any form of derogatory or sexualised language or behaviour
- Being vigilant to issues that particularly affect different genders – for example, sexualised or aggressive touching or grabbing towards female young people, and initiation or hazing type violence with respect to boys
- Ensuring our curriculum helps to educate young people about appropriate behaviour and consent
- Ensuring young people know they can talk to staff confidentially by 1:1 sessions with their key worker and/or Learning Mentor.
- Ensuring staff are trained to understand that a pupil harming a peer could be a sign that the child is being abused themselves, and that this would fall under the scope of this policy

## **11. Notifying parents**

Where appropriate, we will discuss any concerns about a child with the child’s parents. The DSL will normally do this in the event of a suspicion or disclosure.

Other staff will only talk to parents about any such concerns following consultation with the DSL.

If we believe that notifying the parents would increase the risk to the child, we will discuss this with the local authority children’s social care team before doing so.

In the case of allegations of abuse made against other children, we will normally notify the parents of all the children involved.

## **12. Mobile phones and cameras**

Staff are allowed to bring their personal phones into our Academies for their own use, but will limit such use to non-contact time when young people are not present. Staff members’ personal phones will remain in their bags or cupboards during contact time with young people.

Staff will not take pictures or recordings of young people on their personal phones or cameras.

We will follow the General Data Protection Regulation and Data Protection Act 2018 when taking and storing photos and recordings for use in the Academy.

Young people often enjoy the feedback of videos and photos of themselves and their learning and achievements. The Academies will provide Academy resources to do this and such images will be treated with respect, in line with the signed agreements made regularly with parents and the young person, following our policy on use of photographs and personal images. No personal images will

be shared publicly (web-site, Newspapers, TV, Twitter, Facebook or newsletters) without approval of the young person and their parent/carers in line with our Data Protection Policy.

## **13. Complaints and concerns about Academy safeguarding practices**

### **13.1 Complaints against staff**

Complaints against staff that are likely to require a child protection investigation will be handled in accordance with our procedures for dealing with allegations of abuse made against staff (see appendix 5).

### **13.2 Other complaints**

Please refer to the Learn@ MAT Complaints Procedure, available on our web-site.

### **13.3 Whistle-blowing**

Learn@ MAT follows a separate policy for whistle blowing which is available on our central web-site at, [www.learnmat.uk](http://www.learnmat.uk)

If you have any concerns of malpractice or wrong doing please follow the guidance in this policy. It is hoped that you would raise these concerns in the first instance with the Head Teacher of the specific Academy and if the concern is about the Head Teacher's practices then with the Chair of the Academy Council. In addition to these contacts you may also contact Peter Evans, Chief Executive Officer of Learn@ MAT, who has overall responsibility for all the Academies within the Trust.

All concerns raised through the Whistleblowing Policy will be dealt with in complete confidence without reference to the source of any concern raised. To achieve the best practices and outcomes for all our young people we need a professional ethos of trust and confidence, which can only be achieved by openness in raising concerns and confidentiality and trust in dealing with them.

## **14. Record-keeping**

We will hold records in line with our records retention schedule. We use the C-Poms system of recording, reporting and monitoring child protection.

All safeguarding concerns, discussions, decisions made and the reasons for those decisions, must be recorded in writing. If you are in any doubt about whether to record something, discuss it with the DSL.

Non-confidential records will be easily accessible and available. Confidential information and records will be held securely and only available to those who have a right or professional need to see them.

Safeguarding records relating to individual children will be retained for a reasonable period of time after they have left the Academy. (See Data Protection Policy).

All our Academies use the C-Poms electronic system of recording information and sharing information securely, with password protection.

The Academy passes on relevant records to any Academy a young person is moving on to through secure means in line with our Data Protection Policy.

Records are kept up to the 25<sup>th</sup> birthday of a young person and then are reviewed to determine if further retention is required dependent on any ongoing concerns or enquiries. Otherwise they may be disposed of securely at this point.

In addition:

- Appendix 5 sets out our policy on record-keeping with respect to allegations of abuse made against staff

## **15. Training**

### **15.1 All staff**

All staff members will undertake safeguarding and child protection training at induction, as well as learning about our whistle-blowing procedures, to ensure they understand the Academy's safeguarding systems and their responsibilities, and can identify signs of possible abuse or neglect. This training will be regularly updated and will be in line with advice from our local safeguarding children board.

All staff will have training on the government's anti-radicalisation strategy, Prevent, to enable them to identify children at risk of being drawn into terrorism, other forms of extremism and to challenge extremist ideas.

Staff will also receive regular safeguarding and child protection updates (for example, through emails, e-bulletins and staff meetings) as required, but at least annually. This will include all key updates to statutory guidance for schools in England.

Volunteers will receive appropriate training, if applicable.

### **15.2 The DSL**

The nominated DSL (s) will undertake child protection and safeguarding training at least every 2 years.

In addition, they will update their knowledge and skills at regular intervals and at least annually (for example, through e-bulletins, meeting other DSLs, or taking time to read and digest safeguarding developments).

They will also undertake Prevent awareness training.

### **15.3 Academy Councillors, Trustees and Members**

All Academy Councillors receive training about safeguarding, to make sure they have the knowledge and information needed to perform their functions and understand their responsibilities.

All Academy Councillors, Trustees and Members are subject to enhanced DBS checks and Section 128 checks. Any person on the Section 128 list will not be permitted to join our Multi-Academy Trust. These checks are maintained throughout the period a person remains a member of our governance team, and if their situation changes they will be removed from our organisation.

## 15.4 Recruitment – interview/appointment panels

At least one person on any interview/appointment panel for a post at the MAT/Academy will have undertaken safer recruitment training. This will cover, as a minimum, the contents of the Department for Education’s statutory guidance, KCSIE, and be in line with local safeguarding procedures.

## 16. Monitoring arrangements

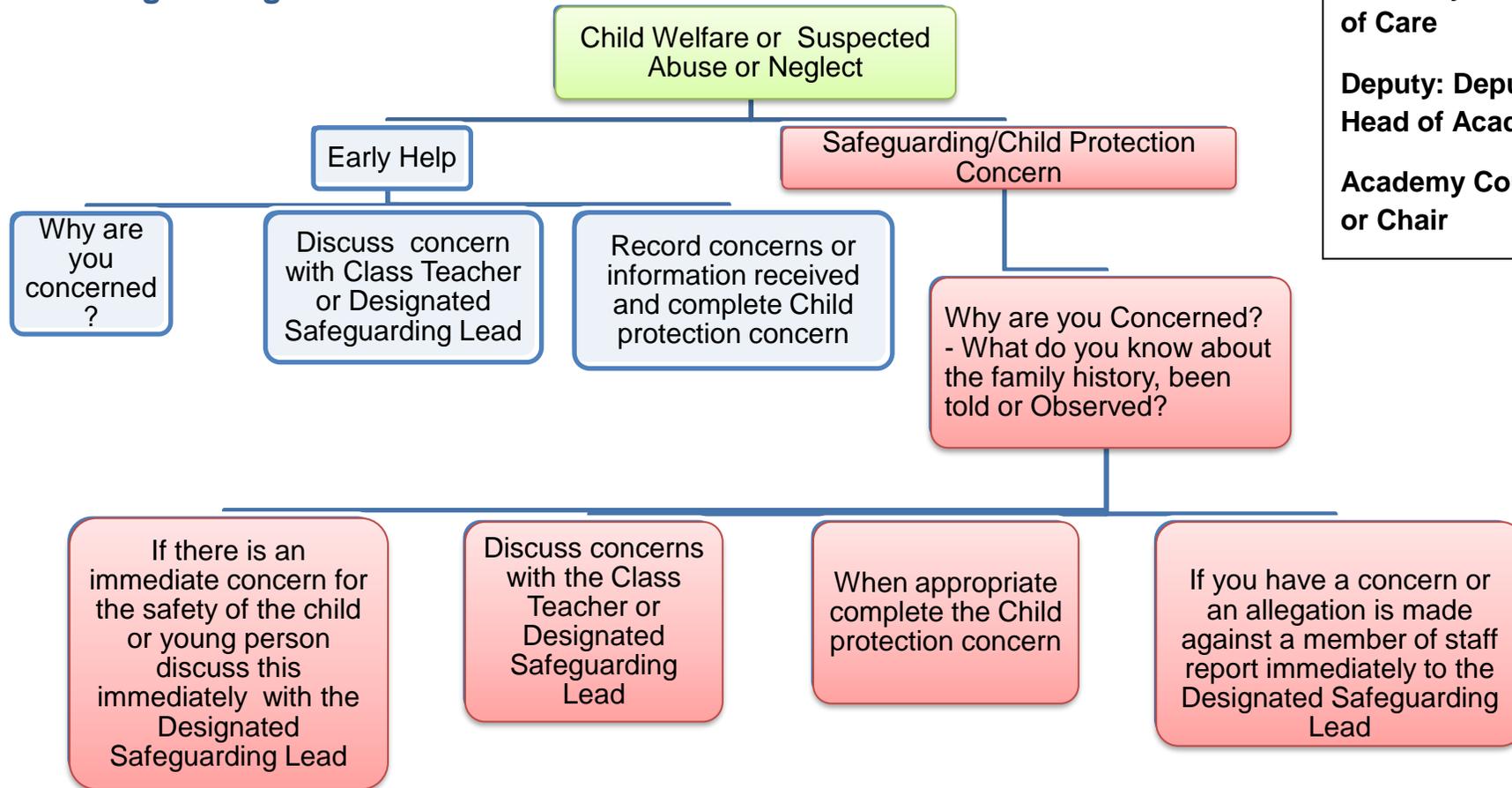
This policy will be reviewed **annually** by the CEO. At every review, it will be approved by the full Trust Board.

## 17. Links with other policies

This policy links to the following policies and procedures:

- Behaviour Policy
- Data Protection Policy
- Staff Code of Conduct
- Complaints Policy
- Whistleblowing Policy
- Health, Safety and Wellbeing Policy
- Attendance Policy
- E- safety Policy
- Sex and relationship education Policy

## Appendix 1: Safeguarding Procedure



**Designated Safeguarding Lead: Head Teacher of Academy or Deputy Head/Head of Care**

**Deputy: Deputy/Assistant Head of Academy**

**Academy Council: Named DSL or Chair**

All records should be dated and contain factual information, include date, context (who, what, when), identify the author and the date the record was made. If there is a specific disclosure or allegation do not ask children and young people to write the account – it is your responsibility to record what the child or young person has said - in their own words, and any parental explanation obtained

## Appendix 2: Designated Safeguarding Leads and Deputy Designated Safeguarding Leads

Trustees  
Eileen Flynn (DSL)

CEO  
Peter Evans

**Knowle DGE Academy**  
  
Darren Ewings  
(Head Teacher)  
  
Kate Lee-Wells  
(Deputy Head Teacher)

**Notton House Academy**  
  
Michelle Reysenn  
(Head Teacher)  
  
Louise Gardiner  
(Head of Care)

**Lansdown Park  
Academy**  
  
Nick Lee-Wells  
(Head Teacher)  
  
Andy Welsh  
(Deputy Head Teacher)

**St Matthias Academy**  
  
Fishponds  
Simon Quinn  
(Deputy Head)  
  
Caletta Jordan  
(Learning Mentor)  
  
Brentry  
Simon Kershaw  
(Assistant Head)

## Appendix 3: Child Protection Concern Reporting Form

### CONFIDENTIAL

If you feel a pupil is at risk of emotional, physical, sexual abuse or neglect, please fill in all details as fully as possible and pass the form to the Designated Safeguarding Lead.

Pupil's name:	
Class:	
Name of person completing form:	
Department:	

Details (as told by pupil, if applicable):

Incident witnessed by:	
Date of concern:	
Signed:	
Name (please print):	

Brief details of phone call to parents/ carers made by tutor:

Further action needed: Yes/ No

Social worker name/ office:	
Contacted by:	
Date:	
How social worker was contacted:	Date:
	Time:
	Method: Fax/ Phone/ Email

Any follow up action:

Head Teacher's comments:

These forms are no longer used by Learn@ MAT employees across our Academies as all have adopted the C-POMS on-line system for all staff to log concerns and related information to a concern and on-going case. Training and access codes are provided to all staff as part of their induction programme.

## Appendix 4: specific safeguarding issues

### Children missing from education

A child going missing from education is a potential indicator of abuse or neglect, and such children are at risk of being victims of harm, exploitation or radicalisation.

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

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

We will follow our procedures for unauthorised absence and for dealing with children who go missing from education, particularly on repeat occasions, to help identify the risk of abuse and neglect, including sexual exploitation, and to help prevent the risks of going missing in future. This includes informing the local authority if a child leaves the Academy without a new Academy being named, and adhering to requirements with respect to sharing information with the local authority, when applicable, when removing a child's name from the admission register at non-standard transition points. All our procedures in this regard are directed and monitored by our Attendance and Welfare Officer for Learn@ MAT. (See Attendance Policy).

Staff will be trained in signs to look out for and the individual triggers to be aware of when considering the risks of potential safeguarding concerns which may be related to being missing, such as travelling to conflict zones, FGM and forced marriage.

If a staff member suspects that a child is suffering from harm or neglect, we will follow local child protection procedures which include making reasonable enquiries. We will make an immediate referral to the local authority children's social care team, and the police, if the child is in immediate danger or at risk of harm.

### Child sexual exploitation

Child sexual exploitation (CSE) is a form of sexual abuse where children are sexually exploited for money, power or status.

This can involve violent, humiliating and degrading sexual assaults, but does not always involve physical contact and can happen online. For example, young people may be persuaded or forced to share sexually explicit images of themselves, have sexual conversations by text, or take part in sexual activities using a webcam.

Children or young people who are being sexually exploited may not understand that they are being abused. They often trust their abuser and may be tricked into believing they are in a loving, consensual relationship.

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

Indicators of sexual exploitation can include a child:

- Appearing with unexplained gifts or new possessions
- Associating with other young people involved in exploitation
- Having older boyfriends or girlfriends
- Suffering from sexually transmitted infections or becoming pregnant
- Displaying inappropriate sexualised behaviour
- Suffering from changes in emotional wellbeing
- Misusing drugs and/or alcohol
- Going missing for periods of time, or regularly coming home late
- Regularly missing Academy or education, or not taking part in education

### **Honour-based Violence: FGM**

The DSL will make sure that staff have access to appropriate training to equip them to be alert to children affected by FGM or at risk of FGM.

Section 7.3 of this policy sets out the procedures to be followed if a staff member discovers that an act of FGM appears to have been carried out or suspects that a pupil is at risk of FGM.

Indicators that FGM has already occurred include:

- A pupil confiding in a professional that FGM has taken place
- A mother/family member disclosing that FGM has been carried out
- A family/pupil already being known to social services in relation to other safeguarding issues
- A girl:
  - Having difficulty walking, sitting or standing, or looking uncomfortable
  - Finding it hard to sit still for long periods of time (where this was not a problem previously)
  - Spending longer than normal in the bathroom or toilet due to difficulties urinating
  - Having frequent urinary, menstrual or stomach problems
  - Avoiding physical exercise or missing PE
  - Being repeatedly absent from Academy, or absent for a prolonged period
  - Demonstrating increased emotional and psychological needs – for example, withdrawal or depression, or significant change in behaviour
  - Being reluctant to undergo any medical examinations
  - Asking for help, but not being explicit about the problem
  - Talking about pain or discomfort between her legs

Potential signs that a pupil may be at risk of FGM include:

- The girl's family having a history of practising FGM (this is the biggest risk factor to consider)
- FGM being known to be practised in the girl's community or country of origin
- A parent or family member expressing concern that FGM may be carried out
- A family not engaging with professionals (health, education or other) or already being known to social care in relation to other safeguarding issues
- A girl:
  - Having a mother, older sibling or cousin who has undergone FGM
  - Having limited level of integration within UK society
  - Confiding to a professional that she is to have a "special procedure" or to attend a special occasion to "become a woman"
  - Talking about a long holiday to her country of origin or another country where the practice is prevalent, or parents stating that they or a relative will take the girl out of the country for a prolonged period
  - Requesting help from a teacher or another adult because she is aware or suspects that she is at immediate risk of FGM
  - Talking about FGM in conversation – for example, a girl may tell other children about it (although it is important to take into account the context of the discussion)
  - Being unexpectedly absent from Academy
  - Having sections missing from her 'red book' (child health record) and/or attending a travel clinic or equivalent for vaccinations/anti-malarial medication

The above indicators and risk factors are not intended to be exhaustive.

### **Honour-based Violence: Forced marriage**

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

Staff will receive training around forced marriage and the presenting symptoms. We are aware of the 'one chance' rule, i.e. we may only have one chance to speak to the potential victim and only one chance to save them.

If a member of staff suspects that a pupil is being forced into marriage, they will speak to the pupil about their concerns in a secure and private place. They will then report this to the DSL.

The DSL will:

- Speak to the pupil about the concerns in a secure and private place
- Activate the local safeguarding procedures and refer the case to the local authority's designated officer
- Seek advice from the Forced Marriage Unit on 020 7008 0151 or [fm@fco.gov.uk](mailto:fm@fco.gov.uk)
- Refer the pupil to an education welfare officer, pastoral tutor, learning mentor, or Academy counsellor, as appropriate

## Preventing radicalisation

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

Academies have a duty to prevent children from being drawn into terrorism. The DSL will undertake Prevent awareness training and make sure that staff have access to appropriate training to equip them to identify children at risk.

We will assess the risk of children in our Academy being drawn into terrorism. This assessment will be based on an understanding of the potential risk in our local area, in collaboration with our local safeguarding children board and local police force.

We will ensure that suitable internet filtering is in place, and equip our young people to stay safe online in our Academies and at home.

There is no single way of identifying an individual who is likely to be susceptible to an extremist ideology. Radicalisation can occur quickly or over a long period.

Staff will be alert to changes in young people' behaviour.

The government website [Educate Against Hate](#) and charity [NSPCC](#) say that signs that a pupil is being radicalised can include:

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

Children who are at risk of radicalisation may have low self-esteem, or be victims of bullying or discrimination. It is important to note that these signs can also be part of normal teenage

behaviour – staff should have confidence in their instincts and seek advice if something feels wrong.

If staff are concerned about a pupil, they will follow our procedures set out in section 7.5 of this policy, including discussing their concerns with the DSL.

Staff should **always** take action if they are worried.

Further information on the Academy's measures to prevent radicalisation are set out in other Trust policies and procedures, including e-safety policy and behaviour policy.

### **Checking the identity and suitability of visitors**

All visitors will be required to verify their identity to the satisfaction of staff and to requested to leave their belongings, including their mobile phone(s), in a safe place during their visit if they are accessing spaces used by young people. Otherwise they are being escorted and supervised throughout their visit by a responsible employee.

If the visitor is unknown to the setting, we will check their credentials and reason for visiting before allowing them to enter the setting. Visitors should be ready to produce identification.

Visitors are expected to sign the visitors' book and wear a visitor's badge.

All visitors to our setting, including visiting speakers, will be accompanied by a member of staff at all times. We will not invite into the Academy any speaker who is known to disseminate extremist views, and will carry out appropriate checks to ensure that any individual or organisation using Academy facilities is not seeking to disseminate extremist views or radicalise young people or staff.

### **Non-collection of children**

If a child is not collected or no responsible adult is at home to receive them off Academy transport at the end of the session/day, we will:

Continue to try and make contact with parent(s)/carer(s) and emergency family contacts on our records; messages will be left on all phone contacts, e-mail addresses and by note if the child is on Academy transport;

We will not leave a child at an address not approved and agreed in advance with the parents, nor if there is no responsible adult (family member over 14yrs or approved family member/friend) there to meet them;

If the child's welfare is already of concern to the Academy and/or other agencies we will record all such late arrival by parents/approved persons on their personal record and a pattern of such behaviour will be discussed formally with parents/carers before being shared with Social Care and if relevant the Hope Virtual Academy (CiC).

If a child has had to be maintained in the extended care of the Academy for more than an hour a phone call to social care, early help will be made and if necessary, the child will be handed to their care for the evening/weekend. Such an occurrence is rare and will necessitate a full multi-agency case review meeting, at which the DSL will represent the Academy.

## **Upskirting:**

This is a criminal offence and is defined as, 'taking a picture under a person's clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm.' (DFE, 2019a). Such incidents will be reported to the Head Teacher and dealt with under disciplinary procedures as well as being reported through the DSL to the appropriate level of social care. Immediate care and support will be provided to the victim and their family from our specialist support team.

## **Gangs and youth violence.**

All staff are aware of the indicators of a young person being at risk of involvement in serious crime. Such as unusual absences from school., a change of friendships or relationships, with older individuals or groups, significant decline in performance, signs of self-harm or a significant change in well-being. 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. Teachers and designated staff have a range of powers in relation to discipline to tackle problems, including violence, in the Academy environment. Such powers cover disciplinary actions, the power to restrain violent young people, and the power to search young people for prohibited items. All our Academies request and expect referring LA's, schools and agencies to inform them at consultation stage of any known involvement a young person may have in gangs. We require our local community police officers to keep us up to date on all relevant information regarding our young people and their involvement in gangs and/or youth violence

County Lines: a specific type of gang involvement and drug related crime. All staff are aware of the associated risks and understand the measures in place to monitor and counteract these issues locally, and who to refer concerns to. These local services have been set up as part of the Home Office strategy to 'prevent youth violence and gang involvement and its criminal exploitation of children and vulnerable adults: county lines guidance.'(DFE, 2019a).

## **Missing young people**

Our procedures are designed to ensure that a missing child is found and returned to effective supervision as soon as possible. If a child goes missing, we will expect that Academy to follow their absconding policy and record all incidents for monitoring purposes.

## Appendix 5: allegations of abuse made against staff

This section of this policy applies to all cases in which it is alleged that a current member of staff or volunteer has:

- Behaved in a way that has harmed a child, or may have harmed a child, or
- 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 would pose a risk of harm to children

It applies regardless of whether the alleged abuse took place in the Academy. Allegations against a teacher who is no longer teaching and historical allegations of abuse will be referred to the police.

We will deal with any allegation of abuse against a member of staff or volunteer very quickly, in a fair and consistent way that provides effective child protection while also supporting the individual who is the subject of the allegation.

Our procedures for dealing with allegations will be applied with common sense and judgement.

### Suspension

Suspension will not be the default position, and will only be considered in cases where there is reason to suspect that a child or other children is/are at risk of harm, or the case is so serious that it might be grounds for dismissal. In such cases, we will only suspend an individual if we have considered all other options available and there is no reasonable alternative.

Based on an assessment of risk, we will consider alternatives such as:

- Redeployment within the Academy 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 the individual to alternative work in the Academy so that they do not have unsupervised access to children
- Moving the child or children to classes where they will not come into contact with the individual, making it clear that this is not a punishment and parents have been consulted
- Temporarily redeploying the individual to another role in a different location, for example to an alternative Academy or other work for Learn@ Trust.

### Definitions for outcomes 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 (this does not imply guilt or innocence)

### Procedure for dealing with allegations

In the event of an allegation that meets the criteria above, the Head Teacher (or CEO/Chair of the AC where the Head Teacher is the subject of the allegation) – the ‘case manager’ – will take the following steps:

- Immediately discuss the allegation with the designated officer at the local authority. This is to consider the nature, content and context of the allegation and agree a course of action, including whether further enquiries are necessary to enable a decision on how to proceed, and whether it is necessary to involve the police and/or children’s social care services. (The case manager may, on occasion, consider it necessary to involve the police *before* consulting the designated officer – for example, if the accused individual is deemed to be an immediate risk to children or there is evidence of a possible criminal offence. In such cases, the case manager will notify the designated officer as soon as practicably possible after contacting the police)
- Inform the accused individual of the concerns or allegations and likely course of action as soon as possible after speaking to the designated officer (and the police or children’s social care services, where necessary). Where the police and/or children’s social care services are involved, the case manager will only share such information with the individual as has been agreed with those agencies
- Where appropriate (in the circumstances described above), carefully consider whether suspension of the individual from contact with children at the Academy is justified or whether alternative arrangements such as those outlined above can be put in place. Advice will be sought from the designated officer, police and/or children’s social care services, as appropriate
- **If immediate suspension is considered necessary**, agree and record the rationale for this with the designated officer. The record will include information about the alternatives to suspension that have been considered, and why they were rejected. Written confirmation of the suspension will be provided to the individual facing the allegation or concern within 1 working day, and the individual will be given a named contact at the Academy and their contact details
- **If it is decided that no further action is to be taken** in regard to the subject of the allegation or concern, record this decision and the justification for it and agree with the designated officer what information should be put in writing to the individual and by whom, as well as what action should follow both in respect of the individual and those who made the initial allegation
- **If it is decided that further action is needed**, take steps as agreed with the designated officer to initiate the appropriate action in Academy and/or liaise with the police and/or children’s social care services as appropriate
- Provide effective support for the individual facing the allegation or concern, including appointing a named representative to keep them informed of the progress of the case and consider what other support is appropriate. (Such as who they can turn to for advice – trade union representatives, or a colleague, for example – and Learn@ MAT arrangements for welfare counselling or medical advice through our approved providers)
- Inform the parents or carers of the child/children involved about the allegation as soon as possible if they do not already know (following agreement with children’s social care services and/or the police, if applicable). The case manager will also inform the parents or carers of the requirement to maintain confidentiality about any allegations made against teachers (where this applies) while investigations are ongoing. Any parent or carer who wishes to have the confidentiality restrictions removed in respect of a teacher will be advised to seek legal advice

- Keep the parents or carers of the child/children involved informed of the progress of the case and the outcome, where there is not a criminal prosecution, including the outcome of any disciplinary process (in confidence)
- Make a referral to the DBS where it is thought that the individual facing the allegation or concern has engaged in conduct that harmed or is likely to harm a child, or if the individual otherwise poses a risk of harm to a child

If the Academy is made aware that the secretary of state has made an interim prohibition order in respect of an individual, we will immediately suspend that individual from teaching, pending the findings of the investigation by the National College for Teaching and Leadership.

Where the police are involved, wherever possible the Learn@ MAT Board will ask the police at the start of the investigation to obtain consent from the individuals involved to share their statements and evidence for use in the Academy's disciplinary process, should this be required at a later point.

### **Timescales**

- Any cases where it is clear immediately that the allegation is unsubstantiated or malicious will be resolved within 1 week
- If the nature of an allegation does not require formal disciplinary action, we will institute appropriate action within 3 working days
- If a disciplinary hearing is required and can be held without further investigation, we will hold this within 15 working days

### **Specific actions**

#### **Action following a criminal investigation or prosecution**

The case manager will discuss with the local authority's designated officer whether any further action, including disciplinary action, is appropriate and, if so, how to proceed, taking into account information provided by the police and/or children's social care services.

#### **Conclusion of a case where the allegation is substantiated**

If the allegation is substantiated and the individual is dismissed or the Academy ceases to use their services, or the individual resigns or otherwise ceases to provide their services, the case manager and the Academy's Human Resources adviser will discuss with the designated officer whether to make a referral to the DBS for consideration of whether inclusion on the barred lists is required.

If the individual concerned is a member of teaching staff, the case manager and personnel adviser will discuss with the designated officer whether to refer the matter to the NCTL to consider prohibiting the individual from teaching.

#### **Individuals returning to work after suspension**

If it is decided on the conclusion of a case that an individual who has been suspended can return to work, the case manager will consider how best to facilitate this.

The case manager will also consider how best to manage the individual's contact with the child or children who made the allegation, if they are still attending the Academy.

## **Unsubstantiated or malicious allegations**

If an allegation is shown to be deliberately invented, or malicious, the Head Teacher, or other appropriate person in the case of an allegation against the Head Teacher, will consider whether any disciplinary action is appropriate against the pupil(s) who made it, or whether the police should be asked to consider whether action against those who made the allegation might be appropriate, even if they are not a pupil.

## **Confidentiality**

The Academy will make every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered.

The case manager will take advice from the local authority's designated officer, police and children's social care services, as appropriate, to agree:

- Who needs to know about the allegation and what information can be shared
- How to manage speculation, leaks and gossip, including how to make parents or carers of a child/children involved aware of their obligations with respect to confidentiality
- What, if any, information can be reasonably given to the wider community to reduce speculation
- How to manage press interest if, and when, it arises

## **Record-keeping**

The case manager will maintain clear records about any case where the allegation or concern meets the criteria above and store them on the individual's confidential personnel file for the duration of the case. Such records will include:

- A clear and comprehensive summary of the allegation
- Details of how the allegation was followed up and resolved
- Notes of any action taken and decisions reached (and justification for these, as stated above)

If an allegation or concern is not found to have been malicious, the Academy/Trust will retain the records of the case on the individual's confidential personnel file, and provide a copy to the individual. We will retain these records at least until the individual has reached normal pension age, or for 10 years from the date of the allegation if that is longer.

The records of any allegation that is found to be malicious will be deleted from the individual's personnel file.

## **References**

When providing employer references, we will not refer to any allegation that has been proven false, unsubstantiated or malicious or any history of allegations where all such allegations have been proven to be false, unsubstantiated or malicious.

## **Learning lessons**

After any cases where the allegations are *substantiated*, we will review the circumstances of the case with the local authority's designated officer to determine whether there are any improvements

that we can make to the Academy's/Trust's procedures or practice to help prevent similar events in the future.

This will include consideration of (as applicable):

- Issues arising from the decision to suspend the member of staff
- The duration of the suspension
- Whether or not the suspension was justified
- The use of suspension when the individual is subsequently reinstated. We will consider how future investigations of a similar nature could be carried out without suspending the individual

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