



# **Child Protection and Safeguarding Policy**

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## 1. Policy statement and principles

Our core safeguarding principles are:

- the school's responsibility to safeguard and promote the welfare of children is of paramount importance;
- safer children make more successful learners;
- this policy will be reviewed annually.

### Child protection statement

We recognise our moral and statutory responsibility to safeguard and promote the welfare of all pupils. We endeavour to provide a safe and welcoming environment where children are respected and valued. We are alert to the signs of abuse and neglect and follow our procedures to ensure that children receive effective support, protection and justice.

The procedures contained in this policy apply to all staff and governors and are consistent with those of the local safeguarding children board (LSCB).

### Policy principles

- Welfare of the child is paramount;
- All children, regardless of age, gender, ability, culture, race, language, religion or sexual identity, have equal rights to protection;
- All staff have an equal responsibility to act on any suspicion or disclosure that may suggest a child is at risk of harm;
- Pupils and staff involved in child protection issues will receive appropriate support.

### Policy aims

- To provide all staff with the necessary information to enable them to meet their child protection responsibilities;
- To ensure consistent good practice;
- To demonstrate the school's commitment with regard to child protection to pupils, parents and other partners.

### Terminology

**Safeguarding and promoting the welfare of children** refers to the process of protecting children from abuse or neglect, preventing the impairment of health or development, ensuring that children grow up in circumstances consistent with the provision of safe and effective care and undertaking that role so as to enable those children to have optimum life chances and to enter adulthood successfully.

**Child protection** refers to the processes undertaken to protect children who have been identified as suffering, or being at risk of suffering significant harm.

**Staff** refers to all those working for or on behalf of the school, full time or part time, in either a paid or voluntary capacity.

**Child** refers to all young people who have not yet reached their 18<sup>th</sup> birthday.

**Parent** refers to birth parents and other adults who are in a parenting role, for example step-parents, foster carers and adoptive parents.

## 2. The Education Act 2002

Section 175 of the Education Act 2002 requires local education authorities and the governors of maintained schools and further education (FE) colleges to make arrangements to ensure that their functions are carried out with a view to safeguarding and promoting the welfare of children.

## 3. Roles and responsibilities

### Key personnel:

**The Designated Senior Person for child protection is** Steve Richards

Contact details: email: [steve.richards@furzeplatt.net](mailto:steve.richards@furzeplatt.net) tel: 01628 625308 x126

**The Deputy Designated Person is** Jemma Barney

Tel: 01628 625308 x303

**The nominated safeguarding governor is** Diane Flood

Tel: 01628 625308

**The Headteacher is** Tanya White

Tel: 01628 625308

Due to their day-to-day contact with pupils, school staff are uniquely placed to observe changes in children's behaviour and the outward signs of abuse. Children may also turn to a trusted adult in school when they are in distress or at risk. It is vital that school staff are alert to the signs of abuse and understand the procedures for reporting their concerns.

As required by law, the school has a senior member of staff to coordinate child protection arrangements. The local authority maintains a list of all designated senior persons (DSPs) for child protection.

**The Governing Body** ensures that the school has:

- a DSP for child protection who is a member of the senior leadership team and who has undertaken training in inter-agency working, in addition to basic child protection training;
- a child protection policy and procedures that are consistent with LSCB requirements, reviewed annually and made available to parents on the school website;
- procedures for dealing with allegations of abuse made against members of staff including allegations made against the Headteacher;
- safer recruitment procedures that include the requirement for appropriate checks;
- a training strategy that ensures all staff, including the Headteacher, receive child protection training, with refresher training at three-yearly intervals; and the DSP receives refresher training at two-yearly intervals;
- arrangements to ensure that all temporary staff and volunteers are made aware of the school's child protection provision.

The Governing Body nominates a member (normally the Chair) to be responsible for liaising with the local authority and other agencies in the event of an allegation being made against the Headteacher.

An annual report will be submitted to the local authority about how the governing body's duties have been carried out. Any weaknesses will be rectified without delay.

**The Headteacher:**

- ensures that the child protection policy and procedures are implemented and followed by all staff;
- allocates sufficient time and resources to enable the DSP and deputy to carry out their roles effectively, including the assessment of pupils and attendance at strategy discussions and other necessary meetings;
- ensures that all staff feel able to raise concerns about poor or unsafe practice and that such concerns are handled sensitively and in accordance with the whistle blowing procedures;
- ensures that pupils' safety and welfare is addressed through the curriculum.

**The Designated Senior Person (DSP):**

- is appropriately trained;
- acts as a source of support and expertise to the school community;
- has an understanding of LSCB procedures;
- keeps written records of all concerns, ensuring that such records are stored securely and flagged on, but kept separate from, the pupil's general file;
- refers cases of suspected abuse to children's social care or police as appropriate;
- notifies children's social care if a child with a child protection plan is absent for more than two days without explanation;
- ensures that when a pupil with a child protection plan leaves the school, their information is passed to their new school and the pupil's social worker is informed;
- attends and/or contributes to child protection conferences;
- coordinates the school's contribution to child protection plans;
- develops effective links with relevant statutory and voluntary agencies;
- ensures that all staff sign to indicate that they have read and understood the child protection policy;
- ensures that the child protection policy is updated annually;
- liaises with the nominated governor and headteacher (where the role is not carried out by the Headteacher) as appropriate;
- keeps a record of staff attendance at child protection training;
- will make the child protection policy available to parents.

**The Deputy Designated Person(s)** is appropriately trained and, in the absence of the designated person, carries out those functions necessary to ensure the ongoing safety and protection of pupils. In the event of the long-term absence of the designated person, the deputy will assume all of the functions above.

#### **4. Good practice guidelines**

To meet and maintain our responsibilities towards pupils we need to agree standards of good practice. Good practice applies to all staff and includes:

- treating all pupils with respect;
- setting a good example by conducting ourselves appropriately;
- involving pupils in decisions that affect them;
- encouraging positive and safe behaviour among pupils;
- being a good listener;

- being alert to changes in pupils' behaviour;
- recognising that challenging behaviour may be an indicator of abuse; reading and understanding the school's Child Protection and Safeguarding Policy and guidance documents on wider safeguarding issues, for example bullying, physical contact and information-sharing;
- asking the pupil's permission before doing anything for them of a physical nature, such as assisting with dressing, physical support during PE or administering first aid;
- maintaining appropriate standards of conversation and interaction with and between pupils and avoiding the use of sexualised or derogatory language;
- being aware that the personal and family circumstances and lifestyles of some pupils lead to an increased risk of abuse.

## **5. Abuse of trust**

All school staff are aware that inappropriate behaviour towards pupils is unacceptable and that their conduct towards pupils must be beyond reproach.

In addition, staff should understand that, under the Sexual Offences Act 2003, it is an offence for a person over the age of 18 to have a sexual relationship with a person under the age of 18, where that person is in a position of trust, even if the relationship is consensual. This means that any sexual activity between a member of the school staff and a pupil under 18 may be a criminal offence, even if that pupil is over the age of consent.

## **6. Children who may be particularly vulnerable**

Some children may have an increased risk of abuse. It is important to understand that this increase in risk is due more to societal attitudes and assumptions, and child protection procedures that fail to acknowledge children's diverse circumstances, rather than the individual child's personality, impairment or circumstances. Many factors can contribute to an increase in risk, including prejudice and discrimination, isolation, social exclusion, communication issues and a reluctance on the part of some adults to accept that abuse can occur.

To ensure that all of our pupils receive equal protection, we will give special consideration to children who are:

- disabled or have special educational needs;
- living in a domestic abuse situation;
- affected by parental substance misuse;
- asylum seekers;
- living away from home;
- vulnerable to being bullied, or engaging in bullying;
- living in temporary accommodation;
- live transient lifestyles;
- living in chaotic and unsupportive home situations;
- vulnerable to discrimination and maltreatment on the grounds of race, ethnicity, religion or sexuality;
- involved directly or indirectly in prostitution or child trafficking;
- do not have English as a first language.

## 7. Support for those involved in a child protection issue

Child abuse is devastating for the child and can also result in distress and anxiety for staff who become involved.

We will support pupils, their families, and staff by:

- taking all suspicions and disclosures seriously;
- nominating a link person (DSP) who will keep all parties informed and be the central point of contact;
- nominating separate link people for the child and member of staff, where a member of staff is the subject of an allegation made by a pupil, to avoid any conflict of interest;
- responding sympathetically to any request from pupils or staff for time out to deal with distress or anxiety;
- maintaining confidentiality and sharing information on a need-to-know basis only with relevant individuals and agencies;
- storing records securely;
- offering details of helplines, counselling or other avenues of external support;
- following the procedures laid down in our whistleblowing, complaints and disciplinary procedures;
- co-operating fully with relevant statutory agencies.

## 8. Complaints procedure

Our complaints procedure will be followed where a pupil or parent raises a concern about poor practice towards a pupil that initially does not reach the threshold for child protection action.

Complaints from staff are dealt with under the school's complaints and disciplinary and grievance procedures which can be found in our **School Complaints** policy and **Disciplinary and Grievance** policy.

## 9. If you have concerns about a colleague

Staff who are concerned about the conduct of a colleague towards a pupil are undoubtedly placed in a very difficult situation. They may worry that they have misunderstood the situation and they will wonder whether a report could jeopardise their colleague's career. All staff must remember that the welfare of the child is paramount. The **Raising Concerns at Work (Whistleblowing)** policy enables staff to raise concerns or allegations in confidence and for a sensitive enquiry to take place.

All concerns of poor practice or possible child abuse by colleagues should be reported to the headteacher. Complaints about the headteacher should be reported to the Chair of Governors.

## 10. Staff who are the subject of an allegation

When an allegation is made against a member of staff, set procedures must be followed. It is rare for a child to make an entirely false or malicious allegation, although misunderstandings and misinterpretations of events do happen.

A child may also make an allegation against an innocent party because they are too afraid to name the real perpetrator. Even so, we must accept that some professionals do pose a serious risk to pupils and we must act on every allegation. Staff who are the subject of an allegation have the right to have their case dealt with fairly, quickly and consistently and to be kept informed of its progress. Suspension is not mandatory, nor is it automatic but, in some cases, staff may be suspended where this is deemed to be the best way to ensure that children are protected.

Allegations against staff should be reported to the Headteacher. Allegations against the Headteacher should be reported to the Chair of Governors (see Appendix 2.)

## **11. Staff training**

It is important that all staff have training to enable them to recognise the possible signs of abuse and neglect and to know what to do if they have a concern.

New staff and governors will receive training during their induction. All staff, including the Headteacher (unless the Headteacher is the DSP) and governors will receive training that is updated at least every three years and the DSP will receive training updated at least every two years, including training in inter-agency procedures. Supply staff and other visiting staff will be given the school's Supply Staff Handbook.

## **12. Safer recruitment**

Our school endeavours to ensure that we do our utmost to employ 'safe' staff by following the guidance in Safeguarding Children and Safer Recruitment in Education (pp20-54) together with the local authority and the school's individual procedures.

Safer recruitment means that all applicants will:

- complete an application form;
- provide two referees, including at least one who can comment on the applicant's suitability to work with children;
- provide evidence of identity and qualifications;
- be checked through the Disclosure and Barring Service (DBS) as appropriate to their role;
- be interviewed. At least one member of any interview panel will have completed Safer Recruitment training.

All new members of staff will undergo an induction that includes familiarisation with the school's Child Protection policy and identification of their child protection training needs.

All staff sign to confirm they have received a copy of the Child Protection policy.

## **13. Extended school and off-site arrangements**

Where extended school activities are provided by and managed by the school, our own child protection policy and procedures apply. If other organisations provide services or activities on our site we will check that they have appropriate procedures in place, including safer recruitment procedures.

When our pupils attend off-site activities, we will check that effective child protection arrangements are in place.



## 14. Photography and images

The vast majority of people who take or view photographs or videos of children do so for entirely innocent, understandable and acceptable reasons. Sadly, some people abuse children through taking or using images, so we must ensure that we have some safeguards in place.

To protect pupils we will:

- seek their consent for photographs to be taken or published (for example, on our website or in newspapers or publications)
- seek parental consent
- ensure pupils are appropriately dressed
- encourage pupils to tell us if they are worried about any photographs that are taken of them.

## 15.e-Safety

Mobile phones and computers are a source of fun, entertainment, communication and education. However, we know that some adults and young people will use these technologies to harm children. The harm might range from sending hurtful or abusive texts and emails, to enticing children to engage in sexually harmful conversations online, webcam filming, photography or face-to-face meetings. The school's **Internet Safety policy** explains how we try to keep pupils safe in school. Cyber-bullying by pupils, via texts and emails, will be treated as seriously as any other type of bullying and will be managed through our anti-bullying procedures.

Chatrooms and social networking sites are the more obvious sources of inappropriate and harmful behaviour and pupils do not have access to these during the school day. We will take seriously issues that arise from their use out of school, but may advise that the school is not the appropriate agency to deal with such issues.

## 16. Protecting children from radicalisation

Protecting children from the risk of radicalisation forms part of our wider safeguarding duties. The school must demonstrate both a general understanding of the risks affecting children and young people in the area and a specific understanding of how to identify individual children who may be at risk of radicalisation. All staff will receive training in understanding and implementing the PREVENT duty.

The DSP will be responsible for staff training and making referrals if and when necessary.

## 17. Recognising abuse

To ensure that our pupils are protected from harm, we need to understand what types of behaviour constitute abuse and neglect.

Abuse and neglect are forms of maltreatment. Somebody may abuse or neglect a child by inflicting harm, for example by hitting them, or by failing to act to prevent harm, for example by leaving a small child home alone, or leaving knives or matches within reach of an unattended toddler.

**There are four categories of abuse: physical abuse, emotional abuse, sexual abuse and neglect.**

### **Physical abuse**

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

### **Emotional abuse**

Emotional abuse is the persistent emotional maltreatment of a child, such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate or valued only for meeting the needs of another person. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying, causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. It may feature age – or developmentally – inappropriate expectations being imposed on children. These may include interactions that are beyond the child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction.

Some level of emotional abuse is involved in all types of maltreatment of a child, although it may occur alone.

### **Sexual abuse**

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, including prostitution, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative or non-penetrative acts. They may include non-contact activities, such as involving children in looking at, or in the production of, pornographic material or watching sexual activities, or encouraging children to behave in sexually inappropriate ways.

### **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 or development. Neglect may occur during pregnancy as a result of maternal substance misuse. Once a child is born, neglect may involve a parent or carer failing to provide adequate food and clothing or shelter, including exclusion from home or abandonment; failing to protect a child from physical and emotional harm or danger; failure to ensure adequate supervision, including the use of inadequate care-takers; or the failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

Definitions taken from *Working Together to Safeguard Children* (HM Government, 2006).

### **Bullying**

While bullying between children is not a separate category of abuse and neglect, it is a very serious issue that can cause considerable anxiety and distress.

All incidences of bullying should be reported and will be managed through our anti-bullying procedures. All pupils and parents receive a copy of the anti-bullying procedures on joining the school and the subject of bullying is addressed at regular intervals in the

personal, social and health education (PSHE) curriculum. If the bullying is particularly serious, or the anti-bullying procedures are deemed to be ineffective, the Headteacher and the DSP will consider implementing child protection procedures. To allow or condone bullying may lead to action taken under child protection procedures.

### **Indicators of abuse – what you might see**

Physical signs define some types of abuse, for example, bruising, bleeding or broken bones resulting from physical or sexual abuse, or injuries sustained while a child has been inadequately supervised. The identification of physical signs is complicated, as children may go to great lengths to hide injuries, often because they are ashamed or embarrassed, or their abuser has threatened further violence or trauma if they 'tell'. It is also quite difficult for anyone without medical training to categorise injuries into accidental or deliberate with any degree of certainty. For these reasons it is vital that staff are also aware of the range of behavioural indicators of abuse and report any concerns to the designated senior person.

**It is the responsibility of staff to report their concerns. It is not their responsibility to investigate or decide whether a child has been abused.**

A child who is being abused or neglected may:

- have bruises, bleeding, burns, fractures or other injuries;
- show signs of pain or discomfort;
- keep arms and legs covered, even in warm weather;
- be concerned about changing for PE or swimming;
- look unkempt and uncared for;
- change their eating habits;
- have difficulty in making or sustaining friendships;
- appear fearful;
- be reckless with regard to their own or other's safety;
- self-harm;
- frequently miss school or arrive late;
- show signs of not wanting to go home;
- display a change in behaviour – from quiet to aggressive, or happy-go-lucky to withdrawn;
- challenge authority;
- become disinterested in their school work;
- be constantly tired or preoccupied;
- be wary of physical contact;
- be involved in, or particularly knowledgeable about drugs or alcohol;
- display sexual knowledge or behaviour beyond that normally expected for their age.

Individual indicators will rarely, in isolation, provide conclusive evidence of abuse. They should be viewed as part of a jigsaw, and each small piece of information will help the DSP to decide how to proceed.

**It is very important that staff report their concerns – they do not need 'absolute proof' that the child is at risk.**

## Identifying cases of female genital mutilation (FGM)

There are many different types of abuse but there are some that staff may be initially less aware of. Female genital mutilation (FGM) is a surprisingly common form of abuse in the UK, and the school does have measures in place to safeguard against this type of abuse. Any indications that FGM is a risk, is imminent, or has already taken place will be dealt with under the child protection procedures outlined in this policy. In support of this provision, the school will do everything that it can to ensure that:

- the school is an 'open environment', where students feel able to discuss issues that they may be facing;
- the designated senior person (DSP) is aware of the issues surrounding FGM;
- materials explaining FGM and the issues that surround it are available for staff and students;
- advice and signposts are available for accessing additional help, e.g. the NSPCC's helpline, ChildLine services, and appropriate black and ethnic minority women's groups;
- girls have access to a private telephone, should they wish to use it;
- training about FGM is incorporated in the school's safeguarding training.

If there is a disclosure of abuse of this kind, or staff are concerned for any other reason, they are advised:

- not to reveal to anyone other than the DSP that their enquires might be related to FGM, as this could increase risk to the pupil;
- not to engage initially with the pupil's parents or family, or others within the community;
- to alert the school's DSP to their concerns. This member of staff will then relay concerns to social care, who will inform the police if they need assistance. If a pupil has disclosed that they are at risk in this way, the case will still be referred to social care even if it is against the pupil's wishes.

### Impact of abuse

The impact of child abuse should not be underestimated. Many children do recover well and go on to lead healthy, happy and productive lives, although most adult survivors agree that the emotional scars remain, however well buried. For some children, full recovery is beyond their reach, and the rest of their childhood and their adulthood may be characterised by anxiety or depression, self-harm, eating disorders, alcohol and substance misuse, unequal and destructive relationships and long-term medical or psychiatric difficulties.

The school will do everything in its power to reduce the impact of abuse as far as is possible during the time that the child is in our care. The action points for this will vary from child to child depending on the type of abuse, their age, circumstances and personal development.

## 18. Confidentiality and sharing information

All staff will understand that child protection issues warrant a high level of confidentiality, not only out of respect for the pupil and staff involved but also to ensure that being released into the public domain does not compromise evidence.

Staff should only discuss concerns with the designated senior person, Headteacher or Chair of Governors (depending on who is the subject of the concern). That person will then decide who else needs to have the information and they will disseminate it on a 'need-to-know' basis.

Child protection information will be stored and handled in line with Data Protection Act 1998 principles. Information is:

- processed for limited purposes;
  - adequate, relevant and not excessive;
  - accurate;
  - kept no longer than necessary;
- 
- processed in accordance with the data subject's rights;
  - secure.

Record of concern forms and other written information will be stored in a locked facility and any electronic information will be password protected and only made available to relevant individuals.

Every effort will be made to prevent unauthorised access, and sensitive information should not be stored on laptop computers, which, by the nature of their portability, could be lost or stolen. If it is necessary to store child protection information on portable media, such as a CD or flash drive, these items will also be kept in locked storage. Child protection information will be stored separately from the pupil's school file and the school file will be 'tagged' to indicate that separate information is held.

Child protection records are normally exempt from the disclosure provisions of the Data Protection Act, which means that children and parents do not have an automatic right to see them. If any member of staff receives a request from a pupil or parent to see child protection records, they will refer the request to the Headteacher or DSP.

The Data Protection Act does not prevent school staff from sharing information with relevant agencies, where that information may help to protect a child.

The school's policy on confidentiality and information-sharing is available to parents and pupils on request.

## APPENDIX 1

### Taking action – what staff should do

Key points for staff to remember for taking action are:

- in an emergency take the action necessary to help the child, for example, call 999;
- report your concern to the DSP by the end of the day;
- do not promise confidentiality to the child;
- do not start your own investigation;
- share information on a need-to-know basis only – do not discuss the issue with colleagues, friends or family;
- complete a record of concern;
- seek support for yourself if you are distressed.

### If you suspect a pupil is at risk of harm

There will be occasions when staff may suspect that a pupil may be at risk, but have no 'real' evidence. The pupil's behaviour may have changed, their artwork could be bizarre, they may write stories or poetry that reveal confusion or distress, or physical but inconclusive signs may have been noticed. In these circumstances, staff will try to give the pupil the opportunity to talk. The signs they have noticed may be due to a variety of factors, for example, a parent has moved out, a pet has died, a grandparent is very ill. It is fine for staff to ask the pupil if they are OK or if they can help in any way.

Staff should use the **student note form** to record these early concerns. If the pupil does begin to reveal that they are being harmed, staff should follow the advice below. Following an initial conversation with the pupil, if the member of staff remains concerned, they should discuss their concerns with the DSP.

### If a pupil discloses to you

It takes a lot of courage for a child to disclose that they are being abused. They may feel ashamed, particularly if the abuse is sexual; their abuser may have threatened what will happen if they tell; they may have lost all trust in adults; or they may believe, or have been told, that the abuse is their own fault.

If a pupil talks to a member of staff about any risks to their safety or wellbeing, **the staff member will need to let the pupil know that they must pass the information on** – staff are not allowed to keep secrets. The point at which they tell the pupil this is a matter for professional judgement. If they jump in immediately the pupil may think that they do not want to listen, if left until the very end of the conversation, the pupil may feel that they have been misled into revealing more than they would have otherwise.

During their conversations with the pupils staff will:

- allow them to speak freely;
- remain calm and collected – the pupil may stop talking if they feel they are upsetting their listener;
- give reassuring nods or words of comfort – 'I'm so sorry this has happened', 'I want to help', 'This isn't your fault', 'You are doing the right thing in talking to me';
- not be afraid of silences – staff must remember how hard this must be for the pupil;
- under no circumstances ask investigative questions – such as how many times this has happened, whether it happens to siblings too, or what does the pupil's mother think about all this;

- tell the pupil that in order to help them, the member of staff must pass the information on;
- not automatically offer any physical touch as comfort. It may be anything but comforting to a child who has been abused;
- avoid admonishing the child for not disclosing earlier. Saying things such as 'I do wish you had told me about this when it started' or 'I can't believe what I'm hearing' may be interpreted by the child to mean that they have done something wrong;
- tell the pupil what will happen next. The pupil may agree to go to see the designated senior person. Otherwise it is the duty of the member of staff to inform the DSP of what has been discussed. If the pupil does agree to go and see the designated person, the staff member should inform the DSP that the child will be coming to see them at some point;
- report verbally to the DSP even if the child has promised to do it by themselves;
- write up their conversation as soon as possible on the record of concern form and hand it to the designated person;
- seek support if they feel distressed.

### **Notifying parents**

The school will normally seek to discuss any concerns about a pupil with their parents. This must be handled sensitively and the DSP will make contact with the parent in the event of a concern, suspicion or disclosure. However, if the school believes that notifying parents could increase the risk to the child or exacerbate the problem, advice will first be sought from children's social care.

### **Referral to children's social care**

The DSP will make a referral to children's social care if it is believed that a pupil is suffering or is at risk of suffering significant harm. The pupil (subject to their age and understanding) and the parents will be told that a referral is being made, unless to do so would increase the risk to the child.

### **Children with sexually harmful behaviour**

Children may be harmed by other children or young people. Staff will be aware of the harm caused by bullying and will use the school's **anti-bullying procedures** where necessary. However, there will be occasions when a pupil's behaviour warrants a response under child protection rather than anti-bullying procedures.

The care of children and young people with sexually harmful behaviour is complex and the school will work with other relevant agencies to maintain the safety of the whole school community. Young people who display such behaviour may be victims of abuse themselves and the child protection procedures will be followed for both victim and perpetrator.

### **Reporting directly to child protection agencies**

Staff will follow the reporting procedures outlined in this policy. However, they may also share information directly with children's social care, police or the NSPCC if:

- the situation is an emergency and the Designated Senior Person, their deputy, the Headteacher and the Chair of Governors are all unavailable,
- they are convinced that a direct report is the only way to ensure the pupil's safety.

## APPENDIX 2

### Managing allegations against staff and volunteers in schools

#### Initial Action

- The person who has received an allegation or witnessed an event will immediately inform the Headteacher and make a record
- In the event that an allegation is made against the Headteacher the matter will be reported to the Chair of Governors who will proceed as the 'Headteacher'
- The Headteacher will take steps, where necessary, to secure the immediate safety of children and any urgent medical needs
- The member of staff will not be approached at this stage unless it is necessary to address the **immediate** safety of children
- The Headteacher may need to clarify any information regarding the allegation, however, no person will be formally interviewed or asked to give a formal statement at this stage
- The Headteacher will consult with the Local Authority Designated Officer (LADO) (see below) in order to determine if it is appropriate for the allegation to be dealt with by the school or if there needs to be a meeting with social care and/or the police to consider if they should undertake an investigation
- Consideration will be given throughout to the support and information needs of pupils, parents and staff
- The Headteacher will inform the Chair of Governors of any allegation
- The Headteacher/Chair of Governors must report all allegations against staff and volunteers to the LADO (Local Authority Designated Officer)

**RBWM LADO: 01628 683194**

#### Allegations against staff and volunteers in school

##### What is an allegation against a member of staff or volunteer?

An allegation is defined as where:

it is alleged that a person working with children or young people (including a volunteer) has:

- 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 would pose a risk of harm if they work regularly or closely with children.

##### What procedures are followed when an allegation is made?

All allegations should be reported to the Headteacher (or Chair of Governors when the allegation is against the Headteacher) who should discuss this with the Local Authority Designated Officer (LADO) for allegations against staff/persons working with children. The LADO will consider whether a meeting should be held with Children's Social Care and the police to discuss if/how the allegation will be investigated. Local Safeguarding Children Board procedures will be followed.

##### What should I do if I am concerned about the behaviour of a colleague?

Staff and volunteers must bring concerns to the attention of their managers (in accordance with Whistleblowing policy.)



## **In an allegation is made against me will I be immediately suspended and prevented from having contact with colleagues?**

DfE Guidance *Dealing with allegations of abuse against teachers and other staff*, October 2012 states that:

Suspension should only be considered in all cases where:

- there is cause to suspect a child or other children and school are at risk of significant harm, or
- it is so serious that it might be grounds for dismissal.

The school will consider whether the result that would be achieved by suspension could be obtained by alternative arrangements. The power to suspend is vested in the Headteacher of the school, or the Governing Body of the school who are the employers of staff at the school.

As employers, we have a duty of care to employees. We should act to manage and minimise the stress inherent in the allegations process. Support for the individual is key to fulfilling this duty. Individuals should 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 Children's Social Care or the police. The individual should be advised to contact their trade union representative, if they have one, or a colleague for support. They should also be given access to welfare counselling.

The person who is the subject of the allegation should be kept informed of the progress of the case, and where appropriate, offered support. 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.

### **Actions on conclusion of the case**

Allegations are categorised as:

- a) **Substantiated:** there is sufficient identifiable evidence to prove the allegation;
- b) **False:** there is sufficient evidence to disprove the allegation;
- c) **Malicious:** there is clear evidence to prove there has been a deliberate act to deceive and the allegation is entirely false;
- d) **Unfounded:** there is no evidence or proper basis which supports the allegation being made. It might also indicate that the person making the allegation misinterpreted the incident or was mistaken about what they saw. Alternatively, they may not have been aware of all the circumstances;
- e) **Unsubstantiated:** this is not the same as a false allegation. It means that there is insufficient evidence to prove or disprove the allegation. The term, therefore, does not imply guilt or innocence.

If the allegation is substantiated and the person is dismissed or the school ceases to use the person's services, or the person resigns or otherwise ceases to provide his or her services, the LADO will discuss with the school and its personnel adviser whether a referral to the Disclosure and Barring Service (DBS) for consideration of inclusion on the barred lists or to the National College of Teaching and Leadership is required. There is a legal requirement for employers to make a referral to the DBS where they think that an individual has engaged in conduct (including inappropriate sexual conduct) that harmed (or is likely to harm) a child, or if a person otherwise poses a risk of harm to a child. Professional misconduct cases should be referred to the relevant regulatory body. The DBS will consider whether to bar the person from working in regulated activity, which will include work in schools and other educational establishments.

In cases where it is decided on the conclusion of the case that a person who has been suspended can return to work, the school will consider how best to facilitate that.