



CHILD PROTECTION AND STAFF BEHAVIOUR POLICY

Repton School

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CHILD PROTECTION AND STAFF BEHAVIOUR POLICY

Statement of Intent

- I The safety and welfare of our pupils is our highest priority. All children without exception have the right to protection from abuse regardless of gender, ethnicity, disability, sexuality or beliefs. Our aim is to know everyone as an individual and to provide a secure and caring environment so that every pupil can learn in safety. No child or group of children will be treated any less favorably than others in being able to access services that meet their particular needs. At Repton, in line with KCSiE 2019 and WTSC 2018, a child centred approach is fundamental to safeguarding and promoting the welfare of every child. A child centred approach means keeping the child in focus when making decisions about their lives and working in partnership with them and their families. In all matters relating to Child Protection the School will follow the procedures laid down by the Derbyshire Safeguarding Children Board (DSCB) together with DfE guidance contained in Working Together to Safeguard Children (WTSC, July 2018) and Keeping Children Safe in Education (KCSiE, September 2019):

Guidance and publications to be used in conjunction with this policy

I.1 Keeping Children Safe in Education 2019

<https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

I.2 Working together to safeguard Children 2018

<https://www.gov.uk/government/publications/working-together-to-safeguardchildren--2>

Working together to safeguard Children 2018 - Strengthens existing legislation by placing new duties on key agencies in a local area. Specifically the three local safeguarding partners, which will replace the local Safeguarding Children Board – completion July 2019. Repton referrals will remain under DDSCP (Derby and Derbyshire Safeguarding Children Partnership) until advised otherwise.

- the local authority;
- a clinical commissioning group for an area, any part of which falls within the local authority;
- the chief officer of police for a police area, any part of which falls within the local authority area) to make arrangements to work together to safeguard and promote the welfare of local children including identifying and responding to their needs

This guidance applies.

- in its entirety, to all schools.
- to all children up to the age of 18 years whether living with their families, in state care, or living independently.
- WTSC should be complied with, unless exceptional circumstances arise.
- A new system of child death review partner arrangements is also being put into action

- LA areas must begin to transition from LSCBs to safeguarding partner and child death review partner arrangements from June 2018. The transition must be completed by 29 September 2019.

Other useful publications: What to do if you are worried a child is being abused; Information sharing; Disqualification under the Childcare Act 2006

<https://www.gov.uk/government/publications/what-to-do-if-youre-worried-a-child-is-beingabused--2>

<https://www.gov.uk/government/publications/safeguarding-practitioners-information-sharingadvice>

<https://www.farrer.co.uk/Global/Briefings/Disqualification%20by%20Association%20-%20DfE%20Guidance.pdf>

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/414345/disqual_stat-guidance_Feb_15_3_.pdf

<http://webarchive.nationalarchives.gov.uk/20130401151715/https://www.education.gov.uk/publications/standard/publicationdetail/page1/dcsf-00807-2008>

<https://www.gov.uk/government/publications/protecting-children-from-radicalisation-theprevent-duty>

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/828587/Keeping_children_safe_in_education_part_one.pdf

<https://www.equalityhumanrights.com/en> (EHRC June 2018)

Furthermore, we will follow the procedures set out by the DDSCP (formerly DSCB - Derbyshire Safeguarding Children's Board): <http://derbyshirescbs.proceduresonline.com/index.htm>

- 2 This policy is applicable to the whole school community however, we appreciate that pupils, in the context of a residential setting, may be particularly vulnerable and that there may be enhanced potential for abuse. This is emphasised in all our safeguarding training and staff must be sensitive to the needs of boarders in particular.
- 3 All members of staff have a duty to safeguard our pupils' welfare and provide a safe environment in which children can learn and must therefore familiarise and comply at all times with this policy. All School staff should be aware that safeguarding incidents can happen at any time and anywhere and are required to be alert to any possible concerns.
- 4 Where a child is suffering significant harm, or is likely to do so, action will be taken to protect that child. Action will also be taken to promote the welfare of a child in need of additional support, even if they are not suffering harm or are at immediate risk.
- 5 Safeguarding and promoting the welfare of children is everyone's responsibility. Everyone who comes into contact with children and their families and carers has a role to play in safeguarding children in identifying concerns, sharing information and taking prompt action so that the right help is provided at the right time. In order to fulfil this responsibility effectively, all professionals should make sure their approach is child-centred and aim to protect the child using national, local and school, child protection procedures;

6 This means that they should consider, at all times, what is in the best interests¹ of the child.

6.1 Children are clear about what they want from an effective safeguarding system. These asks from children should guide the behaviour of practitioners.

6.1.1	vigilance: to have adults notice when things are troubling them
2.1.1	understanding and action: to understand what is happening; to be heard and understood; and to have that understanding acted upon
2.1.2	stability: to be able to develop an ongoing stable relationship of trust with those helping them
2.1.3	respect: to be treated with the expectation that they are competent rather than not
2.1.4	information and engagement: to be informed about and involved in procedures, decisions, concerns and plans
2.1.5	explanation: to be informed of the outcome of assessments and decisions and reasons when their views have not met with a positive response
2.1.6	support: to be provided with support in their own right as well as a member of their family
2.1.7	advocacy: to be provided with advocacy to assist them in putting forward their views (special provision should be put in place to support children with specific difficulties. e.g. communication unaccompanied children, refugees, victims of modern slavery and /or trafficking)
2.1.8	protection: to be protected against all forms of abuse and discrimination and the right to special protection and help if a refugee

Children with special educational needs and disabilities

3 Children with special educational needs (SEN) and disabilities can face additional safeguarding challenges. This can include:

- Assumptions those indicators of possible abuse such as behaviour, mood and injury relate to the child’s disability without further exploration.
- Children with SEN and disabilities can be disproportionately impacted by things like bullying - without outwardly showing any signs.
- Communication barriers and difficulties in overcoming these barriers.

¹ Staff should never promise a child confidentiality – as this may ultimately not be in the best interests of the child.

Definition of Safeguarding

- 8 Safeguarding and promoting the welfare of children is defined in KCSiE as protecting children from maltreatment; preventing impairment of children’s health or development; ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and taking action to enable all children to have the best outcomes. Children includes everyone under the age of 18.

Transparency

- 9 Copies of this policy, together with other relevant policies, are on our website and we hope that parents and guardians will always feel able to take up any issues or worries that they may have with the School. Allegations of child abuse or concerns about the welfare of any child will be dealt with consistently in accordance with this policy. Open communications are essential.

Safe Employment Practices

- 10 Repton School follows the Government's recommendations for the safer recruitment and employment of staff who work with children and acts at all times in compliance with the Independent School Standards Regulations. In addition to carrying out safe recruitment procedures, as set out in KCSiE, members of the teaching and support staff at the School (including part-time staff, temporary and supply staff, and visiting staff, such as musicians and sports coaches) are subject to the necessary statutory DfE/DBS. In addition, any other relevant checks deemed necessary before starting work, including an additional check to ensure that they are not prohibited from teaching. Please refer to the School's Staff Recruitment Policy for further details. All governors, volunteers, and contract staff who are akin to employees are also subject to the relevant statutory checks. Confirmation is obtained that appropriate Child Protection checks and procedures apply to any staff employed by another organisation and working with the School's pupils in Repton or on another site.

Early Help

- 11 Providing early help is more effective in promoting the welfare of children than reacting later. This may need the support from a wide range of local organisations and agencies. The DSL leads when early help is appropriate. (refer to WTSC 2018)
- 12 Staff should be aware of recognising the potential need for early help:

12.1 In particular in the following groups, but not exclusive to:

The child is showing signs of being drawn in to anti-social or criminal behaviour, including gang involvement and association with organised crime groups.
The child is at risk of modern slavery, trafficking or exploitation.
The child is showing early signs of abuse and/or neglect.
The child is at risk of being radicalised or exploited.
The child is a privately fostered child.
The child is in family circumstances presenting challenges for the child, such as drug and alcohol misuse, adult mental health issues and domestic abuse.
The child is misusing drugs or alcohol themselves.
Other groups see WTSC 2018- para 6

12.2 If a child may be a potential victim of modern slavery or trafficking a referral must be made to the National Referral Mechanism.

Governance and Management

13 Mrs Anne Hill is the liaison Governor for Child Protection issues.

14 The Governing Body is responsible for:

14.1	reviewing the procedures for and the efficiency with which the Child Protection duties have been discharged;
14.2	ensuring that any deficiencies or weaknesses in Child Protection arrangements are remedied without delay;
14.3	approving amendments to Child Protection arrangements in the light of changing Regulations or recommended best practice;
14.4	appointing a Designated Safeguarding Lead (DSL) who is a member of the Senior Management Team (SMT);
14.5	appointing a designated teacher to promote the educational achievement of children who are looked after and to ensure that this person has appropriate training.

15 The Governors:

15.1 carry out an annual review of the School's Child Protection Policy and procedures, looking specifically at content and compliance, procedurally and in policy framework. Including but not confined to;

- procedures to minimise the risk of peer on peer abuse;
- how allegations of peer on peer abuse will be recorded, investigated and dealt with;
- clear processes as to how victims, perpetrators and any other child affected by peer on peer abuse will be supported;
- a clear statement that abuse is abuse and should never be tolerated or passed off as “banter”, “just having a laugh” or “part of growing up”;
- recognition of the gendered nature of peer on peer abuse (i.e. that it is more likely that girls will be victims and boys perpetrators), but that all peer on peer abuse is unacceptable and will be taken seriously; and the different forms peer on peer abuse can take, such as sexual violence and sexual harassment.
- how the school responds to reports of sexual violence and sexual harassment; cross reference
- Pupil Behaviour Policy

- The department of Education searching screening and confiscation advice for schools.
- The UK Council for Child Internet Safety (UKCCIS) Education Group - advice for schools and colleges on responding to sexting incidents; and initiation/hazing type violence and rituals.

15.2 consider Child Protection at every Governing Body meeting as part of the Headmaster’s Report.

15.3 ensure that there are appropriate policies and procedures in place in order for appropriate action to be taken in a timely manner to safeguard and promote children’s welfare. Including:-

15.3.1 the importance of information sharing between professionals and ensure that the school contributes to inter-agency working in line with statutory guidance, working with social care, the police, health services and other services to promote the welfare of children and protect them from harm. This includes providing a co-ordinated offer of early help when additional needs of children are identified and contributing to inter-agency plans to provide additional support to children subject to child protection plans.

15.3.2 reference to the Data Protection Act 1998 which places duties on organisations and individuals to process personal information fairly and lawfully, it is not a barrier to sharing information where the failure to do so would result in a child being placed at risk of harm. Fears about sharing information **cannot** be allowed to stand in the way of the need to promote the welfare and protect the safety of children. (WTSC 2018 makes it clear that information may be shared without consent in certain circumstances and provides information on ‘myth- busting’ relating to sharing data).

15.3.3 safeguarding arrangements that take into account the procedures and practice of the local authority as part of the inter-agency safeguarding procedures set up by the DSCB.

15.3.4 GDPR cannot be allowed to stand in the way of safeguarding children. Discussions should be recorded in writing, and any communication with both the individual and the parents of the child/children agreed. Schools must consider carefully whether the circumstances of the case warrant suspension or whether alternative arrangements should be put in place.

16 Day-to-day responsibility for the management of Child Protection is delegated to Headmaster, Deputy Head Pastoral and Assistant Head Pastoral.

17 Designated Safeguarding Lead

- 17 As of 28th August 2019 the Deputy Head Pastoral, Mr Tom Naylor is the DSL. He has been fully trained for the demands of this role in Child Protection and inter-agency working. He is a member of the SMT. The Assistant Head Pastoral – Mrs Anna Parish - is the DSL's deputy and will lead on Child Protection issues in his absence. The deputy DSL has received the same Derbyshire led training as the DSL. Their contact details are at Annex A.
- 18 Both the DSL and his deputy regularly attend courses with child support agencies to ensure that they remain conversant with best practice, including DSL Training (July 2019), Annual Safeguarding Training (delivered by Debbie Peacock, DDSCP, September 2019) and DDSCP *Autumn Forum*. Their training meets the requirements of KCSiE and is refreshed at least every two years.
- 19 Whilst the activities of the designated safeguarding lead can be delegated to appropriately trained deputies, the ultimate lead responsibility for safeguarding and child protection remains with the designated safeguarding lead. This responsibility should not be delegated. The DSL and their deputies are most likely to have a complete safeguarding picture and will be the most appropriate individuals to advise on any safeguarding concerns.
- 20 The DSL maintains close links with DDSCP (Derby & Derbyshire Safeguarding Children Partnership).

The broad areas of responsibility for the DSL are:

Managing Referrals	Training	Raising Awareness	Working with others	Induction Training
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20.1 Managing referrals:

- 20.1.1 The Headmaster / DSL will refer all cases of suspected abuse to Derbyshire Children's Social Care and:
- (a) The Local Authority Designated Officer (LADO) for child protection concerns in all cases which concern allegations against a member of staff
 - (b) Disclosure and Barring Service (cases where a person is dismissed or left due to risk/harm to a child); and/or
 - (c) Police (cases where a crime may have been committed).
- 20.1.2 Liaise with the Headmaster to inform him of issues, especially ongoing enquiries under section 47 of the Children Act 1989 and police investigations
- 20.1.3 Act as a source of support, advice and expertise to staff on matters of safety and safeguarding and when deciding whether to make a referral by liaising with relevant agencies
- 20.1.4 The DSL will consider whether it is appropriate to share any information with the new school or college in advance of a pupil leaving, in addition to the child

protection file to allow the new school or college to continue supporting a victim of abuse and have the appropriate support in place for the pupil’s arrival.

- 20.1.5 The DSL will also promote the educational achievement of children who have left care through adoption, special guardianship or child arrangement orders or who were adopted from state care outside England and Wales” in addition to LAC.
 - 20.1.6 DSL should be aware of any Care leaver, details of their LA personal advisor and liaise with them as necessary.
 - 20.1.7 The DSL can discharge the role with sufficient independence, particularly if an allegation were to be made against a family member The DSL will contact the LADO on any matter that the DSL considers cannot be dealt with properly internally
- 20.2 **Training:** The DSL and Deputy DSL will undertake appropriate training at least every two years in order to:
- 20.2.1 Understand the assessment process for providing and intervention, for example through locally agreed common and shared assessment processes such as early help² assessments
 - 20.2.2 Have a working knowledge of how local authorities conduct a child protection case conference and a child protection review conference and

be able to attend and contribute to these effectively when required to do so
 - 20.2.3 Ensure each member of staff has access to and understands the School’s Child Protection Policy and procedures, especially new and part time staff
 - 20.2.4 Be alert to the specific needs of children in need, those with special educational needs and young carers
 - 20.2.5 Be able to keep detailed, accurate, secure written records of concerns and referrals
 - 20.2.6 Obtain access to resources and attend any relevant or refresher training courses
 - 20.2.7 Encourage a culture of listening to children and taking account of their wishes and feelings, among all staff, in any measures the School may put in place to protect them
- 20.3 **Raising Awareness:** The DSL should ensure the School and local safeguarding policies are known and used appropriately
- 20.3.1 Ensure this Child Protection Policy is reviewed annually and the procedures and implementation are updated and reviewed regularly, and work with the Governing Body accordingly

² Early help – means to provide support as soon as a problem emerges at any point in a child’s life. Detailed information see Working together to safeguard children, Chapter 1.

20.3.2 Ensure the Child Protection Policy is available publicly and parents are aware of the fact that referrals about suspected abuse or neglect may be made and the role of the School in this

20.3.3 Link with the DDSCP to make sure staff are aware of training opportunities and the latest local policies on safeguarding

20.3.4 Where children leave the School, ensure their child protection file is copied for any new school or college as soon as possible but transferred separately from the main pupil file and a confirmation of receipt is obtained.

20.4 **Work with others:**

The DSL is expected to: act as a point of contact with the three safeguarding partners;

- liaise with the headteacher or principal to inform him or her of issues- especially ongoing enquiries under section 47 of the Children Act 1989 and police investigations;
- liaise with the "case manager" and the designated officer(s) at the local authority for child protection concerns in cases which concern a staff member;
- liaise with staff (especially pastoral support staff, school nurses, IT Technicians, and SENCOs or the named person with oversight for SEN in a college) on matters of safety and safeguarding (including online and digital safety) and when deciding whether to make a referral by liaising with relevant agencies.

21 **The DSL will also:**

- ✓ Organise training on Child Protection within the School;
- ✓ Keep appropriate records;
- ✓ Advise and support staff;
- ✓ Train and cascade information to assist staff including governors and volunteers to keep up to date in safeguarding
- ✓ Monitor and evaluate the effectiveness and the implementation of the School's Child Protection policy;
- ✓ Report at least once a year to the Governors on Child Protection matters.
- ✓ Challenge...any inaction by senior leaders; situations which do not improve; any failure to share full relevant information with external agencies.

22 The School's records on Child Protection are kept securely in the DSL's office and are separated from routine pupil records. Access is restricted to the DSL, Deputy DSLs and the Headmaster.

Induction and training

- 23 Every new member of staff, including part-timers, temporary, visiting and contract staff working in the School, receives appropriate induction training on their responsibilities in being alert to the signs of abuse, bullying, other sensitive issues including specific safeguarding issues, and on the procedures for recording and referring any concerns to the DSL or the Headmaster.
 - 23.1 On induction, staff are provided with training on the Behavioural policy, the safeguarding response to children who go missing from education, and the identity of the DSL and the deputy DSL.
 - 23.2 Staff are also trained in on line safety in conjunction with the Repton Code of Conduct. Child Protection training is also given to new volunteers.
 - 23.3 Staff are provided with a copy of
 - The Child protection and Staff behavioural policy (including children missing from education and whistle-blowing)
 - The Staff Code of Conduct
 - The role of the DSL and Deputies
 - Part I and Annex A of KCSiE (Sept 2019)
 - 23.4 Staff receive an explanation of
 - The Child protection and Staff behavioural policy
 - The Staff Code of Conduct
 - The pupil behavioural policy
 - The response to children missing in education
 - The role of the DSL and the Deputies
 - The schools approach to online safety
 - 23.5 Whole school training in Child Protection is provided for all staff / volunteers / employees of the School including the Headmaster.
 - 23.6 Everyone attends regular refresher training annually in line with advice from the DSCB.
 - 23.7 Training covers the content of this Child Protection Policy, the staff Code of Conduct, Whistleblowing policy and Part I of KCSiE including Annex A and the identity of the DSL. It further places emphasis on safeguarding being a Child centred approach and that it is ‘everyone’s responsibility, all the time’ to safeguard our pupils from abuse
 - 23.8 Training in Child Protection is an important part of the induction process. All new staff sign to confirm that they have read and understood Part I of KCSiE including Annex A.
 - 23.9 Training also promotes staff awareness of up-skirting, child sexual exploitation, female genital mutilation, peer on peer abuse including sexting, sexual violence and sexual harassment plus other examples as listed in Annex D.
 - 23.10 Staff are made aware of the signs, symptoms and indicators of such practices and are required to take action immediately if such a practice is suspected.

- 23.11 All staff are required to confirm that they have read and understood Part I of the KCSiE, Annex A and the Child Protection Policy. Existing staff are updated appropriately (e.g. via email or staff meetings) as required but at least annually. This is to assist staff in their understanding and to help them discharge their role and responsibilities as set out in part one of KCSiE (September 2019). This is to help all staff to have a clear understanding regarding abuse and neglect in all forms; including how to identify, respond and report. This includes knowledge of the process for allegations against professionals. All Staff, including Governors and Volunteers should feel confident that they can report all matters of Safeguarding in School where the information will be dealt with swiftly and securely, following the correct procedures with the safety and wellbeing of the children in mind at all times.
- 23.12 All Governors receive and confirm they have read a copy of Part I of KCSiE including Annex A.

What is Child Abuse?

- 24 Abuse, neglect and safeguarding issues are rarely standalone events that can be covered by one definition or label. In most cases, multiple issues will overlap with one another.

Different categories of child abuse are defined in KCSiE:

Abuse	Physical Abuse	Emotional Abuse	Sexual Abuse	Neglect
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- 24.1 **Abuse:** a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others. Abuse can take place wholly online, or technology may be used to facilitate offline abuse. Children may be abused by an adult or adults or by another child or children
- 24.2 **Physical abuse:** a form of abuse, which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.
- 24.3 **Emotional abuse:** the persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child's developmental capability as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the illtreatment 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.
- 24.4 **Sexual abuse:** involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse. Sexual abuse can take place online, and technology can be used to facilitate offline abuse. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children. The sexual abuse of children by other children is a specific safeguarding issue in education
- 24.5 **Neglect:** the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born,

neglect may involve a parent or carer failing to: provide adequate food, clothing and shelter (including exclusion from home or abandonment); protect a child from physical and emotional harm or danger; ensure adequate supervision (including the use of inadequate caregivers); or ensure access

to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child’s basic emotional needs.

Peer on Peer Abuse

- 25 **Peer on Peer Abuse;** All peer on peer abuse is unacceptable and will be taken seriously although there is recognition of the gendered nature of peer on per abuse (i.e. that it is more likely that girls will be the victims and boys the perpetrators.

- 25.1 Different forms of peer on peer abuse can take place.
- 25.1.1 sexual violence and sexual harassment.
 - 25.1.2 physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm;
 - 25.1.3 sexting (also known as youth produced sexual imagery)

Contextual Safeguarding:

- 26 Assessments of children should consider the wider environmental factors affecting the child’s life that may pose a threat to their safety and/or welfare.
- 26.1 Where possible houseparents’ and staff are asked to provide as much contextual information as possible as part of the referral process.
- 26.2 Further information on Contextual Safeguarding and Assessment frameworks:
- <https://contextualsafeguarding.org.uk/about/what-is-contextual-safeguarding>
- <https://www.gov.uk/government/publications/working-together-to-safeguardchildren--2>
- 26.3 To date, Repton does not have any Looked After Children LAC, Privately Fostered Children or Children staying with host families (homestay) or previously looked after children. If there is a change in status then the policy will alter to respond to the needs of this vulnerable group of children.
- 27 It is essential that all staff are alert to signs to look out for and the individual triggers to be aware of when considering the risks of potential safeguarding concerns such as travelling to/from conflict zones, FGM and forced marriage.
- 28 Staff must also be aware of the following forms of abuse, as outlined in Part I, KCSiE:
- 28.1 **Child Sexual Exploitation:** Child sexual exploitation (CSE) 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.

Sexual violence and sexual harassment:

28.2 Peer-on-peer abuse is any form of physical, sexual, emotional and financial abuse, and coercive control, between children. Peer-on-peer abuse is one of the most significant risks facing our children today. Sexual violence and sexual harassment are two specific forms.

28.2.1 Staff should be aware of sexual violence and sexual harassment with regards to peer-on-peer abuse – see Annex E (Whole School Policy Sexual Violence and Sexual Harassment between children, Whole School Staff training Michaelmas 2018)

28.2.2 Staff should be aware of how to investigate, report and support victims and perpetrators of sexual violence and/or sexual harassment– see Annex E and covered in Whole School Staff training Michaelmas 2019)

28.2.3 Further information provided <https://www.gov.uk/government/publications/sexual-violence-and-sexualharassment-between-children-in-schools-and-colleges>

28.3 Female Genital Mutilation:

28.3.1 Female Genital Mutilation (FGM): 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.

28.3.2 All staff with teaching responsibilities have **a specific legal duty to act** with regards to concerns about female genital mutilation (FGM), but all staff should speak to the DSL where there are concerns.

28.3.3 There is 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.

28.3.4 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.

28.3.5 Warning signs that FGM may be about to take place, or may have already taken place, can be found on pages 11-12 of the Multi-Agency Practice Guidelines.

28.3.6 Staff should activate local safeguarding procedures, using existing national and local protocols for multi-agency liaison with police and children’s social care.

28.3.7 If a member of staff discovers that an act of FGM appears to have been carried out on a girl who is aged under 18, there is a statutory duty upon that individual to report it to the police.

www.gov.uk/government/publications/mandatory-reporting-of-female-genital-mutilation-procedural-information www.gov.uk/government/publications/services-for-women-and-girls-with-fgm

www.nspcc.org.uk/preventing-abuse/child-abuse-and-neglect/female-genital-mutilation-fgm/

www.gov.uk/government/publications/female-genital-mutilation-resource-pack/female-genital-mutilation-resource-pack

28.4. Further information on so- called ‘honour based’ violence

28.4.1 So-called ‘honour-based’ violence (HBV) encompasses crimes, which have been committed to protect or defend the honour of the family and/or the community, including Female Genital Mutilation (FGM), forced marriage, and practices such as breast ironing. All forms of so-called HBV are abuse (regardless of the motivation) and should be handled and escalated as such. If in any doubts staff should speak to the designated safeguarding lead. Professionals in all agencies, and individuals and groups in relevant communities, need to be alert to the possibility of a child being at risk of HBV, or already having suffered HBV.

29.4.2 There is a range of potential indicators that a child may be at risk of HBV².

29.4.3 If staff have a concern regarding a child that might be at risk of HBV they should activate local safeguarding procedures, using existing national and local protocols for multi-agency liaison with police and children’s social care.

28.5 **Forced marriage** Forcing a person into a marriage is a crime in England and Wales. A forced marriage is one entered into without the full and free consent of one or both parties and where violence, threats or any other form of coercion is used to cause a person to enter into a marriage. Threats can be physical or emotional and psychological. A lack of full and free consent can be where a person does not consent or where they cannot consent (if they have learning disabilities, for example). Nevertheless, some communities use religion and culture as a way to coerce a person into marriage. 2

The Forced Marriage Unit has published Multi-agency guidelines, with pages 32-36 focusing on the role of schools and colleges. School and college staff can contact the Forced Marriage Unit if they need advice or information. Contact: 020 7008 0151 or email: fmu@fco.gov.uk. Guidance on the warning signs that FGM or forced marriage may be about to take place, or may have already taken place, can be found on pages 38-41 of the Multi agency statutory guidance on FGM (pages 59-61) and pages 13-14 of the Multiagency guidelines: Handling case of forced marriage.

Preventing Radicalisation: The Counter-Terrorism and Security Act 2015 places a duty on specified authorities, including local authorities and childcare, education and other children’s services providers, in the exercise of their functions, to have due regard to the need to prevent people from being drawn into terrorism; this is known as the Prevent duty.

- 29.1 Protecting children from the risk of radicalisation is part of the School's wider safeguarding duties, and is similar in nature to protecting children from other forms of harm and abuse. During the process of radicalisation, it is possible to intervene to prevent vulnerable people being radicalised.
- 29.2 Radicalisation refers to the process by which a person comes to support terrorism and forms of extremism. There is no single way of identifying an individual who is likely to be susceptible to an extremist ideology. It can happen in many different ways and settings. Specific background factors may contribute to vulnerability, which are often, combined with specific influences such as family, friends or online, and with specific needs for which an extremist or terrorist group 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.

As with managing other safeguarding risks, staff should be alert to changes in children's behaviour, which could indicate that they may be in need of help or protection. Staff should use their professional judgement in identifying children who might be at risk of radicalisation and act proportionately which may include making a referral to the **Channel** programme. Channel is a multi-agency approach to provide support to individuals who are at risk of being drawn into terrorist related activity. It is led by the West Midlands Police Counter-Terrorism Unit, and it aims to establish an effective multi-agency referral and intervention process to identify vulnerable individuals. The Channel process aims to provide support to individuals at risk of being drawn into violent extremism. It draws on existing collaboration between local authorities, the police, statutory partners (such as the education sector, social services, children's and youth services and offender management services) and the local community. It has three objectives: to identify individuals at risk of being drawn into violent extremism; to assess the nature and extent of that risk; to develop the most appropriate support for the individuals concerned.

- 29.3 Indicators of vulnerability to radicalisation are explained at Annex C.

The statutory Prevent guidance summarises the requirements on schools in terms of four general themes:

- 29.3.1 **Risk assessment:** The risk of children being drawn into terrorism, including support for extremist ideas that are part of terrorist ideology. Staff should be able to 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 and what to do to support them.
- 29.3.2 **Working in Partnership:** Safeguarding arrangements take into account the policies and procedures of DDSCP (formerly DSCB)
<https://derbyshirescb.org.uk/home.aspx>
- 29.3.3 **Prevent awareness training:** All staff receive appropriate training on their responsibilities and how to identify children at risk of being drawn into terrorism and to challenge extremist ideas. The DSL regularly undertakes Prevent awareness training to provide advice and support to other members of staff on protecting children from the risk of radicalisation.
- 29.3.4 **IT Policies:** Suitable filtering is in place to help ensure that pupils are safe from terrorist and extremist material when accessing the internet in schools. All

pupils’ sign up to the Acceptable Use Policy and are provided with education to teach them about staying safe, including online.

- 29.5 Please see the following for more guidance . The use of social media for on-line radicalisation

<https://www.gov.uk/government/publications/the-use-of-social-media-for-online-radicalisation>

- 29.6 The School will co-operate fully with any relevant local authority Channel panel, as required by the Counter Terrorism and Security Act 2015.

<https://www.gov.uk/government/publications/prevent-duty-guidance>.

The Regional Coordinator East Midlands is Sam Slack (sam.slack@education.gov.uk). The prevent duty departmental advice for schools and childminders

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/439598/prevent-duty-departmental-advice-v6.pdf

- 29.7 Procedure/Guidance/Reporting:

- 29.7.1 Any worry or concern/concern that a child or young person may be exposed to possible extremism, extremist ideology and or radicalisation needs to be treated as a safeguarding concern and follow the guidance provided in the above policy.
- 29.7.2 Referrals of vulnerable students / pupils are made into the Channel process, by the DSL, to provide early intervention to protect and divert people away from the risks they face and reduce vulnerability.
- 29.7.3 In this case the DSL also acts as the SPOC (Single point of Contact)

30 Private Fostering

Repton School is not involved in making arrangements for private fostering but a member of staff or volunteer becomes aware that a pupil may be in a private fostering arrangement, where a child under the age of 16 (or 18 if disabled) is provided with care and accommodation by someone to whom they are not related in that person's home, they should raise this in the first instance with the DSL. The DSL will notify the local authority of the circumstances, and the local authority will check that the arrangement is suitable and safe for the child.

30.1 If any member of staff or volunteer has any reason to believe that the third party is failing to undertake a statutory duty they should notify the police.

30.2 If direct arrangement of accommodation is made by the school for educational visits- home or away, including but not limited to sports visits, language exchanges, cultural exchanges, the school must request an enhanced DBS check (with barring information) for the host.

30.3 Reference to safeguarding support is provided in the EV Risk Assessment for all school overnight accommodation at education centres , e.g. FSC centres or similar.

30.4 Host families in other countries cannot be checked in the same way by local authorities as we are at Repton. Therefore, we work with partner schools abroad to ensure that similar assurances are undertaken prior to a visit. E.g. contact the relevant foreign embassy or High Commission of the country in question and find out if similar checks can be done in that country.

31 **Symptoms of Stress and Distress:** An abused child will usually show signs of stress and distress, among which are those listed below. It must be remembered that many of these may have nothing to do with abuse, but are worth consideration in trying to understand the pupil's behaviour. (more information can be accessed from <http://www.nspcc.org.uk/>)

A fall-off in school performance	Excessively affectionate or sexual behaviour towards adults or other children	Disturbed sleep
Aggressive or hostile behaviour	Regression to more immature forms of behaviour	A change in eating patterns
Difficulties in relationship with peers	Self-harming or suicidal behaviour	Going missing from education or home

- 32 **The use of ‘reasonable force’ in schools and colleges:** There are circumstances when it is appropriate for staff in schools and colleges to use reasonable force to safeguard children and young people.
- 32.1 The term ‘reasonable force’ covers the broad range of actions used by staff that involve a degree of physical contact to control or restrain children. This can range from guiding a child to safety by the arm, to more extreme circumstances such as breaking up a fight or where a young person needs to be restrained to prevent violence or injury. ‘Reasonable’ in these circumstances means ‘using no more force than is needed’. The use of force may involve either passive physical contact, such as standing between pupils or blocking a pupil’s path, or active physical contact such as leading a pupil by the arm out of the classroom.
- 32.2 When using reasonable force in response to risks presented by incidents involving children with SEN or disabilities or with medical conditions, staff should, where possible, consider the risks carefully recognise the additional vulnerability of these groups. Staff should also consider their duties under the Equality Act 2010 in relation to making reasonable adjustments, non-discrimination and their Public Sector Equality Duty. Where appropriate, the School plans positive and proactive behaviour support, drawing up individual behaviour plans for more vulnerable children, and agreeing them with parents/guardians. This attempts to reduce the occurrence of challenging behaviour and the need to use reasonable force.
- 32.3 Further information: <https://www.gov.uk/government/publications/use-of-reasonableforce-in-schools> and <https://www.aoc.co.uk/>

Duties of Staff

33 In accordance with the Teachers’ Standards 2012, all teachers, including the Headmaster, should safeguard children’s wellbeing and maintain public trust in the teaching profession as part of their professional duties.

34 **All** staff have a duty to:

34.1	be alert to signs of abuse;
34.2	be aware of relationships in boarding and the potential dangers of bullying, sexual relationships, alcohol and drug misuse leading to abuse by peers
34.3	be aware of the different avenues for the pupil to seek or be sign posted to early help, including but not restricted to , The School San , the School Chaplain , The School Counsellor , The Independent Listener
34.4	be aware that behaviours linked to the likes of drug taking, alcohol abuse, truanting and sexting put children in danger.
34.5	take immediate action in the pupil’s best interest by reporting any evidence of abuse and only involving those who need to be involved when a child tells them he/she is being abused or neglected.
34.6	share information with the DSL to support early identification and assessment of emerging problems and needs.
34.7	be aware of the process for making referrals to Children’s Social Care and for the Statuary Assessments under the Children Act 1989. know the role of the DSL and the School’s Child Protection procedures;
Also... Being aware of the Derby and Derbyshire Safeguarding Procedures, http://derbyshirescbs.proceduresonline.com/index.htm and ensuring these procedures are followed;	

35 enquire about the progress of individual cases in which they are/have been involved and thereafter accept their restricted role as the case becomes the province of other agencies;

36 take no action, which might prejudice any investigation by an external authority such as the police, Derbyshire Children’s Social Care or the LADO.

37 Key staff should be aware that they may be asked to support social workers to take decisions about individual children. Whilst the data Protection Act 1998 places duties on organisations and individuals to process personal information fairly and lawfully, it is not a barrier to sharing information where the failure to do so would result in a child being placed at risk of harm. Fears

about sharing information cannot be allowed to stand in the way of the need to promote the welfare and protect the safety of children.

Procedures for Dealing with Allegations or Concerns about a Child

- 38 If staff have any concerns about a child’s welfare, you should act on them **immediately and inform the DSL**. The School treats the safeguarding of the pupils in its care as the highest priority and recognises the important role it has to play in the recognition and referral of children who may be at risk. All our staff are made aware of their duty to safeguard and promote the welfare of children in the School’s care, in particular an awareness of relationships in boarding and the potential for abuse by peers. Staff members are alerted to the particular potential vulnerabilities of looked-after children.
- 39 Every member of staff, including part-timers, temporary, visiting, contract and volunteer staff working in the School is required to report instances of actual or suspected child abuse or neglect to the DSL or the Headmaster. This includes alleged abuse by one or more pupils against another pupil.
- 40 All staff should recognise that children are capable of abusing their peers. Different forms of peer on peer abuse can take, but abuse is abuse and should never be tolerated or passed off as “banter” or “part of growing up”. This is most likely to include, but not limited to the problems around sexting; bullying (including cyber bullying); peer pressure, gender based violence/sexual assaults; pupils being sexually touched/assaulted; initiation/hazing type violence.
- 41 Allegations of peer on peer abuse will be recorded investigated and dealt with as per INTI form. Clear processes as to how victims, perpetrators and any other child affected by peer on peer abuse will be supported are outlines in the [Pupil Behaviour Management Policy](#) - March 2018.
- Further information from Child Exploitation Online Protection Centre (CEOP) provides updated sexting guidance: and Searching screening and confiscation advice for schools.
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/674416/Searching_screening_and_confiscation.pdf
 - The UK Council for Child Internet Safety (UKCCIS) Education Group has published advice for schools and colleges on responding to sexting incidents and initiation/hazing type violence and rituals.
<https://www.gov.uk/government/groups/uk-council-for-child-internetsafety-ukccis>
- 42 The School’s child protection procedures are not intended to prevent any person from making an immediate referral to Children’s Social Care if there is a risk of immediate serious harm to a child. If staff members are unsure, they should always speak to the DSL. If another person makes a referral, they should inform the DSL as soon as possible. In exceptional circumstances, such as in an emergency, or if a child is in immediate danger, at risk of immediate harm, or a there is a genuine concern that appropriate action has not been taken by senior staff (including the Headmaster), any person, including members of staff in accordance with the Whistleblowing Policy, can speak directly to Children’s Social Care and or to the police immediately; details of whistleblowing contacts are at Annex A.
- 43 All staff and volunteers should feel able to raise concerns about poor or unsafe practice and potential failures of the school safeguarding regime and that such concern will be taken seriously by the Senior Leadership Team. On becoming aware of an alleged, actual or suspected case of child abuse or neglect the member of staff should:

- 43.1 listen to the child, to provide re-assurance and to record the child's statements, but not to probe, interrogate or put words into the child's mouth or ask outright whether s/he or others have suffered abuse.
- 43.2 limit questioning to the minimum necessary for clarification;
- 43.3 avoid leading questions;
- 43.4 refrain from giving any inappropriate guarantees of confidentiality; instead the child should be told that the matter will be referred in confidence to the appropriate people in positions of responsibility;
- 43.5 remember that the priority is to protect the pupil. The matter should be taken seriously and staff must never think abuse is impossible in the School, or that an accusation against someone they know well and trust is bound to be wrong. They should listen but must not judge, and should reassure the pupil that s/he has done the right thing in speaking to an adult. As soon as it is apparent that a pupil is likely to be informing the member of staff about abuse of any type, they must make it quite clear to the pupil that they cannot offer confidentiality and that they will have to tell others. Only those with a need to know should be informed; staff must not speak to anyone about whom allegations are made. Staff should not attempt to carry out an investigation themselves. If the child comes back to talk at a later stage s/he should be advised that the member of staff cannot comment or advise but can listen;
- 43.6 make and submit an accurate written record (to include the time, date, place and people who were present as well as what was said);
- 43.7 another member of staff must be present when interviewing pupils relating to serious incidents, and systematic notes of the interview should be taken (see 43.6 above);
- 43.8 immediately inform the DSL, the deputy DSL, and/or the Headmaster, except
- 43.9 where the allegation(s) concern the DSL or a member of staff, the report should go directly to the Headmaster.
- 43.10 If, after a referral the child's situation does not appear to be improving, the DSL or the person who made the referral should press for re-consideration to ensure their concerns have been addressed and the child's situation has improved.

Step-by-step action: Repton - A basic Guide

Pupil making a disclosure
You must not ensure confidentiality
Ask if the pupil would be more comfortable with another member of staff present. Keep yourself safe at all times
Record information from pupil – name, time of disclosure, other notes. Sign notation – pupil and teacher
Ensure comfort and safety of pupil disclosing information
Ensure the safety of the pupil within the School Immediately contact the Police if it is an allegation of serious harm
Initial contact: thn@repton.org.uk (DSL) / afp@repton.org.uk (Deputy DSL) or headmaster@repton.org.uk (if the allegation is against a member of staff) or the Chairman of the Governing Body (if the allegation is about the Headmaster or the Headmaster is absent, without informing the Headmaster)
Send notes through to THN (or Headmaster if the allegation is against a member of staff)
THN and AFP* will liaise and refer matter to the appropriate agencies (no issue is expected to be solely dealt with by one individual)
THN* will seek advice from the Local Authority Child Protection Manager on the best course of action
THN* will inform Children's Social Care / Call Derbyshire, Starting Point within 24 hours if a referral is required
THN* will seek open communication with Children's Social Care Keep the Local Authority Child Protection Manager informed
*Note - Any individual can contact Call Derbyshire, Starting Point / Police at any time to gain support, liaise or refer matters to the appropriate agencies

- 44 When there are safeguarding concerns (as opposed to a child being in immediate danger) about a pupil there should be a conversation with the DSL to agree a course of action, although any staff member can make a referral to children’s social care. The DSL will refer to Derbyshire Children’s Social Care safeguarding procedures, and consult and share all the information with the appropriate Local Authority Child Protection Manager, who can provide appropriate advice and support as to next steps and referral routes.

<https://derbyshirescbs.proceduresonline.com/>

- 45 If the safeguarding concerns involve a professional person, the School will consult and share all available information with the Derbyshire LADO and follow his advice.
- 46 If there is abuse by one or more pupils against another pupil, then reference should be made to the Anti-Bullying Policy. Allegations should be reported to the DSL (who is also the Deputy Head Pastoral). Where there are allegations of serious abuse by one pupil against another, it must be referred to an external agency, such as Derbyshire Children’s Social Care or the police. All children involved, whether perpetrator or victim, should be treated as being ‘at risk’; support will be offered and a risk management plan put in place to ensure the safety of the pupils concerned.
- 47 The DSL will report safeguarding concerns to the Headmaster, or in his absence, the Chairman of Governors. Where there is reasonable cause to suspect that a child is suffering, or likely to suffer significant harm, a referral to Derbyshire Children’s Social Care it is important that the safeguarding concern is reported immediately. The DSL and/or the Headmaster should liaise closely with and act on the advice of Derbyshire Children’s Social Care and must ensure that all information pertinent to the case is communicated as the failure to pass on a critical piece of information could materially affect the advice given. In response, the LA should make a decision, within one working day of a referral being made, about the course of action it is taking and should let the referrer know the outcome.
- 48 The School will, with informed advice from an external safeguarding agency (such as Derbyshire Children’s Social Care or the police), follow relevant statutory guidance concerning working with and sharing information from parents regarding their child’s alleged involvement in serious incidents of pupil-on-pupil abuse. Unless an external agency advises to the contrary, parents will be told about safeguarding incidents/issues at the earliest opportunity and the relevant information will be shared with them. However, the School may make a referral to DDSCP without parental consent. When sharing information and providing support, the School will treat victims and perpetrators equally.
- 49 Borderline cases will be discussed with Derbyshire Children’s Social Care without identifying the individuals concerned in the first instance. Derbyshire Children’s Social Care will advise whether an allegation or concern meets the relevant threshold. Derbyshire Children’s Social Care and the Headmaster will decide in the circumstances what further steps should be taken. This could involve informing parents and calling the police

https://www.proceduresonline.com/derbyshire/scbs/user_controlled_lcms_area/uploaded_files/DS%20CBs%20Thresholds%20Document%20FINAL%20Nov%202017.pdf

- 50 The DSL and the Headmaster will ensure that staff do not discourage pupils from making complaints. The police and Children’s Social Care are well versed in providing appropriate support and their work must not be hindered.

- 51 Each child’s wishes and feelings are taken into account when determining what action to take and what services to provide to protect individual children. Systems are in place for the child to express their views and give feedback. Ultimately, this system operates with the best interests of any children involved. Contact details of the relevant agencies and individuals are at Annex A.
- 52 **Alternative Provision** Where a school places a pupil with an alternative provision provider, the school continues to be responsible for the safeguarding of that pupil, and should be satisfied that the provider meets the needs of the pupil. Schools should obtain written confirmation from the alternative provider that appropriate safeguarding checks have been carried out on individuals working at the establishment, i.e. those checks that the school would otherwise perform in respect of its own staff.

Children not at risk of significant harm but in need of support

- 53 When a pupil has not suffered and is not likely to suffer significant harm, but is in need of additional support from one or more agencies, there should be an inter-agency assessment using local processes, including use of the ‘Common Assessment framework (CAF’ and ‘Team around the Child (TAC)’.

Procedures for Dealing with Allegations of Abuse Against Staff

- 54 Allegations of abuse may be made against a member of staff, a volunteer, a Governor, a pupil, parent or other person connected to the School. Abuse allegations against staff will be dealt with according to the statutory guidance set out in Part 4 of KCSiE and section two of the DDSCP (formerly DSCB) procedures Allegations Against Professionals. It will be followed in respect of all cases in which it is alleged that a teacher or member of staff (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 may pose a risk of harm if they work regularly or closely with children.
 - Further information ; <https://www.gov.uk/guidance/making-barring-referrals-to-the-dbs#what-is-the-harm-test>
- 55 Staff and volunteers who hear an allegation of abuse against another member of staff or volunteer should immediately report the matter to the Headmaster, unless the Headmaster is the person against whom the allegation is made, in which case the allegation must be made to the Chairman of the Governors without the Headmaster being informed. In the Headmaster's absence, the allegation should be reported to the Chairman of Governors or the liaison Governor for Child Protection (contact details at Annex A).
- 56 In the case of serious harm, the Headmaster (or Chairman of Governors or liaison Governors for Child Protection as appropriate) should inform the police immediately the allegation is reported to him.
- 57 Where the allegation(s) concern the DSL the staff member should report the matter to the Headmaster, or, in his absence, to the Chairman of Governors or the liaison Governor for Child Protection.
- 58 In the event of an allegation being made against a member of staff, the Headmaster will immediately, and without further investigation, refer the matter to the LADO. It is essential that all information pertinent to the case be communicated to the LADO as the failure to pass on a critical piece of information could materially affect the advice given. Only if the allegation were trivial or demonstrably false would a referral not be warranted. The LADO's advice will be sought in borderline cases. Where it is clear that an investigation by the police or Children's Social Care services is unnecessary, the LADO's advice should be taken as to how the allegation should be dealt with; it is possible that the School will be allowed to investigate the allegation and deal with the member of staff in accordance the School's disciplinary procedure.
- 59 In the event of an allegation being against the Headmaster or a member of the Governing Body, the Chairman of Governors or, in his absence, the liaison Governor for Child Protection, should be contacted immediately to determine whether the details of the allegation are sufficient to warrant an investigation. If there is reason to suppose abuse could have occurred, s/he will immediately, without further investigation and without informing the Headmaster refer the matter to the LADO. In any case, any safeguarding allegation against the Headmaster or a member of the Governing Body can be referred directly to the LADO. Only if the allegation were trivial or demonstrably false would a referral not be warranted. The LADO's advice will be sought in borderline cases.

60 If the allegation concerns a member of staff or a volunteer he/she would normally be informed as soon as possible after the result of any initial investigation authorised or conducted by the LADO is known. Advice will always be sought from the LADO first, however. The individual should be advised to contact their trade union representative, if they have one. The School will normally appoint a member of staff to keep the person informed of the likely course of action and the progress of the case.

61 **Suspension.**

61.1 The possible risk of harm to children posed by an accused person should be evaluated and managed in respect of the child(ren) involved in the allegations. In some rare cases that will require the case manager to consider suspending the accused until the case is resolved. Suspension should not be an automatic response when an allegation is reported: all options to avoid suspension should be considered prior to taking that step. If the case manager is concerned about the welfare of other children in the community or the teacher's family, those concerns should be reported to the designated officer(s), children's social care or the police as required. But suspension is highly unlikely to be justified based on such concerns alone.

61.2 Suspension should be considered only in a case where there is cause to suspect a child or other children at the school or college is/are at risk of harm or the case is so serious that it might be grounds for dismissal. However, a person should not be suspended automatically: the case manager must consider carefully whether the circumstances warrant suspension from contact with children at the school or college or until the allegation is resolved, and may wish to seek advice from their personnel adviser and the designated officer(s). In cases where the school is made aware that the Secretary of State has made an interim prohibition order in respect of an individual who works at the school or sixth form college, immediate action should be taken to ensure the individual does not carry out work in contravention of the order, i.e. pending the findings of the TRA investigation, the individual must not carry out teaching work.

61.3 The case manager should also consider whether the result that would be achieved by immediate suspension could be obtained by alternative arrangements. In many cases, an investigation can be resolved quickly and without the need for suspension. If the designated officer(s), police and children's social care services have no objections to the member of staff continuing to work during the investigation, the case manager should be as inventive as possible to avoid suspension. Based on assessment of risk, the following alternatives should be considered by the case manager before suspending a member of staff:

- redeployment within the school or college so that the individual does not have direct contact with the child or children concerned;
- providing an assistant to be present when the individual has contact with children;
- redeploying to alternative work in the school or college so the individual does not have unsupervised access to children;
- moving the child or children to classes where they will not come into contact with the member of staff, making it clear that this is not a punishment and parents have been consulted;

- or temporarily redeploying the member of staff to another role in a different location, for example to an alternative school or college or work for the local authority or academy trust.

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

61.5 If immediate suspension is considered necessary, the rationale and justification for such a course of action should be agreed and recorded by both the case manager and the designated officer(s). This should also include what alternatives to suspension have been considered and why they were rejected.

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

61.7 Children’s social care services or the police cannot require the case manager to suspend a member of staff or a volunteer, although they should give appropriate weight to their advice. The power to suspend is vested in the governors of the school. However, where a strategy discussion or initial evaluation concludes that there should be enquiries by the children’s social care services and/or an investigation by the police, the designated officer(s) should canvass police and children’s social care services for views about whether the accused member of staff needs to be suspended from contact with children in order to inform the school or college consideration of suspension. Police involvement does not make it mandatory to suspend a member of staff; this decision should be taken on a case-by-case basis having undertaken a risk assessment.

62 Any further action will be taken with in accordance with Part 4 of KCSiE and the School’s employment procedures.

63 The outcome of investigation of an allegation will record whether it is substantiated (sufficient evidence either to prove or disprove it), unsubstantiated (insufficient evidence either to prove or disprove it), false (sufficient evidence to disprove it) or malicious (sufficient evidence to disprove it and that there has been a deliberate act to deceive) or ‘unfounded’ (to reflect cases where there is no evidence or proper basis which supports the allegation being made). If it is established that the allegation is false, unsubstantiated or malicious, no details of the allegation will be retained on the individual’s personnel records, and it will not be referred to in employer references. In all other circumstances, a written record will be made of the decision and retained on the individual’s personnel file in accordance with DfE advice.

64 If the allegation is made against a member of the boarding staff who is resident in a boarding house, it may be appropriate for the School to place the individual concerned in alternative accommodation away from children, particularly if that person is suspended.

65 During the course of the investigation the School in consultation with the LADO will decide what information should be given to parents, staff and other pupils and how press enquiries are to be dealt with. In reaching their decision due consideration will be given to the provisions in the

Education Act 2011 relating to reporting restrictions identifying teachers who are the subject of allegations from pupils. Parents or carers should be kept informed about the progress of the case, and told the outcome where there is not a criminal prosecution, including the outcome of any disciplinary process.

- 66 Any pupils who are involved will receive appropriate care.
- 67 Any further action will be taken with in accordance with Part 4 of KCSiE and the School' employment procedures. For more information about Staff Behaviour and Conduct see The Code of Conduct which is to be found within the School Employment manual found on Firefly/Whole School Policies / Procedures [Employment Manual – April 2019.docx](#)
- 68 As a school we will apply the views of the LADO, KCSiE and WTSC when making a decision about suspension. Records concerning allegations of abuse must be preserved for the term of the Independent inquiry into Child Sexual Abuse and at least until the accused has reached normal pension age or for 10 years from the date of the allegation if it is longer.
- 69 **Timescales** - It is in everyone's interest to resolve cases as quickly as possible and is consistent with a fair and thorough investigation. All allegations should be investigated as a priority to avoid any delay. Target timescales are provided from KCSiE (September 2019): the time taken to investigate and resolve individual cases depends on a variety of factors including the nature, seriousness and complexity of the allegation, but these targets should be achieved in all but truly exceptional cases. It is expected that 80 per cent of cases should be resolved within one month, 90 per cent within three months, and all but the most exceptional cases should be completed within 12 months. See KCSiE 2019 and WTSC 2018 for further details
- 70 If an investigation leads to the dismissal or resignation prior to dismissal of a member of teaching staff, the School will consider making a referral to the Teaching Regulation Agency (TRA) and a prohibition order may be appropriate (because that teacher has displayed unacceptable professional conduct, conduct that may bring the profession into disrepute or a conviction at any time for a relevant offence). The School will make a serious incident report to the Charity Commission whenever the Commission's guidelines deem it appropriate to do so. Advice about whether an allegation against a teacher is sufficiently serious to refer to the TRA can be found at <https://www.gov.uk/government/publications/teacher-misconduct-the-prohibition-ofteachers--3> .
- 71 The School will report promptly to the DBS any person (whether employed, contracted, a volunteer or student) whose services are no longer used for regulated activity and the DBS referral criteria are met, that is, they have caused harm or posed a risk of harm to a child.
- 72 We will consider making a referral to the TRA where a teacher has been dismissed (or would have been dismissed had he/she not resigned) and a prohibition order may be an appropriate action. The reasons such an order would be considered are: 'unacceptable professional conduct', 'conduct that may bring the profession into disrepute' or a 'conviction, at any time, for a relevant offence'.
- 73 Advice about whether an allegation against a teacher is sufficiently serious to refer to the TRA can be found in Teacher misconduct: the prohibition of teachers (October 2018). Further guidance is published on the Teaching Regulation Agency website. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/752668/Teacher_misconduct-the_prohibition_of_teachers_.pdf
- 74 Confidentiality: It is extremely important that when an allegation is made, the school make every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being

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

- 75 The legislation imposing restrictions makes clear that “publication” of material that may lead to the identification of the teacher who is the subject of the allegation is prohibited. “Publication” includes “any speech, writing, relevant programme or other communication in whatever form, which is addressed to the public at large or any section of the public.” This means that any individual who, for example, published details of the allegation on a social networking site would be in breach of the reporting restrictions (if what was published could lead to the identification of the teacher by members of the public). In accordance with the Authorised Professional Practice published by the College of Policing in May 2017, the police will not normally provide any information to the press or media that might identify an individual who is under investigation, unless and until the person is charged with a criminal offence. (In exceptional cases where the police would like to depart from that rule, for example an appeal to trace a suspect, they must apply to a magistrates’ court to request that reporting restrictions be lifted.) The case manager should take advice from the designated officer(s), police and children’s social care services to agree the following:

- who needs to know and, importantly, exactly what information can be shared;
- how to manage speculation, leaks and gossip;

- 76 The School follows Disclosure and Barring Services (DBS) guidance and procedures regarding referrals and barring decisions and the Safeguarding Vulnerable Groups Act 2006 and the Safeguarding Vulnerable Groups Act (Prescribed Criteria and Miscellaneous Provisions) Regulations 2009. The School will report to the DBS, within one month of leaving the School any person (whether employed, contracted, a volunteer or a student) whose services are no longer used because he or she is considered unsuitable to work with

- 77 children. This includes dismissal, non-renewal of a fixed term contract, no longer using a supply teacher engaged directly or supplied by an agency, terminating the placement of a trainee or volunteer, no longer using staff employed by a contractor and resignation and voluntary withdrawal from any of the above. The requirement to make referrals of this nature is a legal duty and failure to refer when the criteria are met is a criminal offence.

- 78 If the Headmaster is wholly satisfied that the pupil or pupils is/are not at risk of significant harm and that a reportable offence has not been committed he will consider the separate need for disciplinary action. In that case, an investigation at School level will be appropriate.

Good working practices – Staff Guidelines

- 79 In line with safer working practices staff should be guided by the following advice in an attempt to avoid false allegations and situations which may give rise to misinterpretation:

- 79.1 Avoid whenever possible unobserved situations of one-to one contact with a child. If they are unavoidable, always keep a door open and try to ensure that you are within the hearing of others.
- 79.2 Unless there is no sensible alternative do not transport children alone in your car; if it is unavoidable it is essential that:
 - 79.2.1 an appropriate senior member of staff, such as the relevant Housemaster/mistress, Assistant Head Pastoral, Deputy Head Pastoral or Principal Deputy Head, is aware of the journey in advance;
 - 79.2.2 the pupil sits in the back seat of the vehicle;
 - 79.2.3 both pupil and member of staff carries a mobile phone;
 - 79.2.4 any concerns are reported immediately to the DSL and followed up with a written statement.
- 79.3 Staff should be mindful that the boarding environment presents greater opportunities for contact between pupils and staff, both formal and informal, and staff in all their dealings with pupils, both boarding and day, should be guided by the following advice:
- 79.4 Do not engage in or allow any sexually provocative games whether based on talking or touching or engage in “horseplay” involving pupils.
- 79.5 Never make suggestive or discriminatory comments to a pupil.
- 79.6 Never enter a pupil’s room where a pupil may be changing his/her clothes without getting his/her consent to enter.
- 79.7 Avoid “favouritism” and singling out “troublemakers”.
- 79.8 Never trivialise child abuse.
- 79.9 Members of staff visiting boarding houses, particularly those housing members of the opposite sex, must exercise discretion and common sense. Members of staff living alone are strongly advised that they should not let individual pupils, particularly of the opposite sex, into their homes, and should try to avoid seeing pupils there even in pairs. Other staff should also be cautious and try to arrange for partners to be in the house or flat if pupils are ever present alone.

For further guidance, staff should refer to the School’s Code of Conduct.

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

One to one teaching

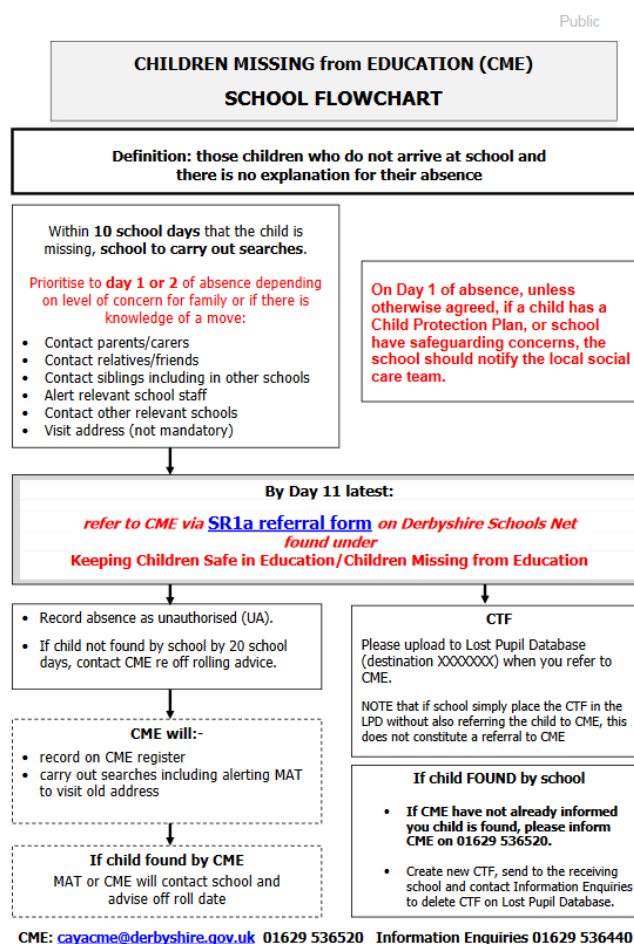
- 80 Specific attention should be given to safeguarding arrangements where children are engaged in close one-to-one teaching, particularly in specialist performing arts and sports provision. (See Firefly/Whole School Policies / Physical Contact Policy)

Attendance Rates and Child Missing from Education³

- 81 It is the responsibility of the boarding houses (Hsms responsibility) to follow up on children who are absent each morning. Regular or persistent absences will be reported to the DSL. Attendance rates will be monitored and parents contacted with regard to any concerns. It is expected that a normal healthy child will achieve an attendance level of at least 95% each year. Children whose attendance falls below 95% will be deemed to have 'poor' attendance and parents notified. Children whose attendance falls below 90% will be a cause for concern and the school will work with parents to improve this. Children whose attendance falls below 85% will be referred to the local authority.

All staff should be aware that children going missing, particularly repeatedly, can act as a vital warning sign of a range of safeguarding possibilities. This may include abuse and neglect, which may include sexual abuse or exploitation and child criminal exploitation. It may indicate mental health problems, risk of substance abuse, risk of travelling to conflict zones, risk of female genital mutilation or risk of forced marriage. Early intervention is necessary to identify the existence of any underlying safeguarding risk and to help prevent the risks of a child going missing in future. Attendance rates are carefully monitored by school staff and all concerns must be reported and checked against our school management system.

Derbyshire CMR Flowchart:



For Derbyshire County council CME

Policy (January 2019): <https://schoolsnet.derbyshire.gov.uk/site-elements/documents/keeping-children-safe-in-education/children-missing-from-education/children-missing-from-education-policy.pdf>

³ See KSCiE – Annex C – The governments missing children strategy and children missing education guidance website and on-line safety.

On line Safety

- 82 The online safety policy should be read alongside this policy where further information is provided on online safety including mobile technology and the use of 3G/4G and areas of risk.
- **content:** being exposed to illegal, inappropriate or harmful material; for example pornography, fake news, racist or radical and extremist views;
 - **contact:** being subjected to harmful online interaction with other users; for example commercial advertising as well as adults posing as children or young adults; and
 - **conduct:** personal online behaviour that increases the likelihood of, or causes, harm; for example making, sending and receiving explicit images, or online bullying
- 83 Appropriate filters and monitoring systems are in place to safeguard children from potentially harmful and inappropriate material on line without reasonable ‘over blocking’ which might lead to unreasonable restrictions as to what children can be taught with regards to online teaching and safeguarding. The PHSCE programme incorporates e-safety lessons and guidance from the UK Safer Internet Centre.
- 84 The sending of indecent images from one person to another through digital media devices is a safeguarding concern and one that is increasing which requires a robust response.
- 85 The School will seek advice from agencies and professionals and act in accordance with both national and local guidance in order to tackle the concerns appropriately and work in partnership with those agencies after the following has occurred
- a. The incident should be referred to the DSL as soon as possible
 - b. The DSL should hold an initial review meeting with appropriate school staff
 - c. There should be subsequent interviews with the young people involved (if appropriate)
 - d. Parents should be informed at an early stage and involved in the process unless there is good reason to believe that involving parents would put the young person at risk of harm
 - e. At any point in the process if there is a concern a young person has been harmed or is at risk of harm a referral should be made to children’s social care and/or the police immediately.
- 86 An immediate referral to police and/or children’s social care should be made if at this initial stage:
- The incident involves an adult
 - There is reason to believe that a young person has been coerced, blackmailed or groomed, or if there are concerns about their capacity to consent (for example owing to special educational needs)
 - What you know about the imagery suggests the content depicts sexual acts which are unusual for the young person’s developmental stage, or are violent

- The imagery involves sexual acts and any pupil in the imagery is under 18
 - You have reason to believe a pupil or pupils is/are at immediate risk of harm owing to the sharing of the imagery, for example, the young person is presenting as suicidal or self-harming
- 87 If none of the above apply then the school may decide to respond to the incident without involving the police or children’s social care (a school, or any individual, can choose to escalate the incident at any time if further information/concerns come to light).
- 88 The decision to respond to the incident without involving the police or children’s social care would be made in cases when the DSL is confident that they have enough information to assess the risks to pupils involved and the risks can be managed within the school’s pastoral support and disciplinary framework and if appropriate local network of support.
- 89 This information should be viewed alongside
- Derby City & Derbyshire Children’s Social Care Safeguarding Procedures chapter http://derbyshirescbs.proceduresonline.com/chapters/p_abuse_img_ch_ict.html?zoom_highlight=sexting
 - Sexting in schools and Colleges, Responding to incidents and safeguarding young people. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/609874/6_2939_SP_NCA_Sexting_In_Schools_FINAL_Update_Jan17.pdf
 - The DfE guidance 2014 on Searching Screening and Confiscation Advice for Schools <https://www.gov.uk/government/publications/searching-screening-and-confiscation>
 - The School Rules and use of mobile devices
 - The on line safety policy
 - The Acceptable Use Policy

Parents

- 90 We inform parents/guardians in the introductory guide that staff are required by law to follow the correct procedures if they suspect a child is a victim of abuse.
- 91 In general, we believe that parents should be informed about any concerns regarding their children. It is important that we are honest and open in our dealings with parents. Unless an external agency advises to the contrary, parents will be told about safeguarding incidents/issues at the earliest opportunity and the relevant information will be shared with them. In a very few cases, it may not be right to inform them of our concerns immediately as that action could prejudice any investigation, or place the child at further risk. In such cases, advice will be sought from the LADO and/or Derbyshire Children’s Social Care.

FGM Promoting Awareness

92 The School's curriculum and pastoral systems are designed to foster the spiritual, moral, social and cultural development of all our pupils. All teaching staff play a vital role in this process, helping to ensure that all pupils relate well to one another and feel safe and comfortable within the School. We expect all the teaching and medical staff to lead by example and to play a full part in promoting an awareness that is appropriate to their age amongst all our pupils on issues relating to health, safety and well-being. All staff, including all support staff, have an important role in insisting that pupils always adhere to the standards of behaviour set out in our Behaviour Management Policy and in enforcing our Anti-Bullying Policy.

93 Skills and information will be delivered through the curriculum and especially through the PHSCE programme, which may take place in the classroom or through discussion groups in the boarding houses. Time is also allocated through School Chapel, Drama, ERS and classroom PHSCE to aid discussions of what constitutes appropriate behaviour. This includes:

- why bullying and lack of respect for others is never right, and to promote tolerance, mutual respect and understanding;
- understanding appropriate boundaries of sexual conduct, including those under the age of 16, in particular looking at the Law in England and Wales. It is explained that:
 - penetration, touching or any other activity is sexual if a reasonable person would think that it is, by nature, sexual (for example, sexual intercourse or masturbation);
 - an activity would also be sexual where the circumstances or purpose of the person carrying out the activity make it sexual. For example, someone who deliberately strokes the genital region of someone else, even if fully clothed, can have sexual intent which would make this activity a sexual act <http://www.fpa.org.uk/factsheets/law-on-sex#o2mUXBK3bgGCxOBU.99>
- on-line safety, child sexual exploitation, radicalisation, cyberbullying and mental health with specific reference to grooming, peer pressure and sexual relationships and selfesteem.

94 Pupils should understand the risks posed by adults or young people, who use the internet and social media to bully, groom or abuse other people.

95 All pupils know that there are adults to whom they can turn to if they are worried, including the School Counsellor, the Chaplain and the medical staff. See the “Who Pupils Can Talk To” poster. If the School has concerns about a child, there is always a recognised requirement for sensitive communication and designated staff members are aware of the need to avoid asking leading questions. Our support to pupils includes the following:

- Pupils have access to a telephone helpline enabling them to call for support in private.
- Every child has access to guidance on where to turn for advice, including confidential help lines and web addresses for external specialists. This is available in the Health and Wellbeing Centre, all boarding houses and elsewhere within the School. It includes details of:
- The Independent Listener : Revd Paul Taylor – 07989 214972

- The Office of the Children's Commissioner - 020 7783 8330, info.request@childrenscommissioner.gsi.gov.uk
 - We provide leadership training to our Head Prefects and Heads of Houses, which specifically covers Child Protection issues and the importance of offering support and assistance to younger and to vulnerable pupils.
 - We provide regular lessons to pupils on e-safety and ensure that all pupils understand and adhere to the School's guidelines in this area. For more details on cyber-bullying, please refer to the School's Anti-Bullying Policy.
- 96 Our prefect system is supervised by house staff. Prefects have been trained to ensure that they understand the limits of their duties and do not abuse their powers, which are specified clearly in writing. In particular, prefects are given induction on appointment which includes how to contribute to the School's anti-bullying practice, how to respond to allegations of serious bullying or abuse and how to act if they hear allegations of abuse.

Staff Behaviour

- 97 **Position of Trust:** As a result of their knowledge, position and/or the authority invested in their role, all adults working with children and young people in education settings are in positions of trust in relation to the young people in their care. A relationship between a member of staff and a pupil cannot be a relationship between equals. There is potential for exploitation and harm of vulnerable young people and all members of staff have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification.
- 98 Employees of the School should bear in mind that it is an offence for a person aged 18 or over, such as a teacher, to have a sexual relationship with a child under 18 where that person is in a position of trust in respect of that child, even if, in the case of those over 16, the relationship is consensual. This is to provide clear guidance about behaviour and actions so as not to place pupils or staff at risk of harm or of allegations of harm to a pupil.
- 99 **Code of Conduct:** All staff are required to comply with the requirements of the Code of Conduct. Wherever possible, staff should avoid behaviour, which might be misinterpreted by others, and report and record any incident with this potential. Staff should bear in mind that even innocent actions or comments can sometimes be misconstrued.

Other Relevant Policies and protocols

- 100 The School has a number of other policies, which may be relevant to Child Protection. Those marked * are available on the School website.
- Staff Code of Conduct
 - Anti-Bullying*
 - Behaviour Management*
 - Wellbeing Policy
 - Missing Pupils
 - Self-harm
 - E- safety
 - Equal Opportunities
 - Complaints
 - Whistleblowing
 - Recruitment
 - Visiting Speakers protocol (Clear protocols on reception for visitors and contractors are followed. These procedures are in place to ensure the appropriate questions are asked and checks made in line with KCSiE and Derbyshire County Council requirements regarding the Single Central Record)

Monitoring and Evaluation of this Policy

I01 The School monitors and evaluates its Child Protection Policy and procedures through the following activities:

- Governors visiting the School and talking to children and staff ;
- reporting of incidents and issues at Governing Body meetings;
- Governing Body consideration of a formal report annually, including approval of this Child Protection Policy;
- Termly meetings with the Pastoral Team and Safeguarding Governor where past incidents will be reviewed, not only to ensure that procedures were correctly followed but that lessons are learned to enhance future practice.
- members of the SMT having discussions with children and staff;
- regular discussion of issues at SMT meetings; discussion of the full range of pastoral issues at weekly Housemasters’ meetings;
- via the ‘alert’ system on the IT network (Smoothwall)
- discussion at regular School Prefects meetings, led by the Assistant Head Pastoral, and House Prefects meetings, led by Housemasters/mistresses;
- scrutiny of attendance data;
- the Deputy Head Pastoral regularly reviews House records regarding behaviour, discipline and sanctions, and maintains a bullying log;
- regular review of parental complaints and concerns by the Deputy Head Pastoral;
- close liaison between the Health and Wellbeing Centre staff, the School Doctors, the Assistant Head Pastoral and the Deputy Head Pastoral;
- discussion at Matrons’ meetings, led by the Deputy DSL; and
- close liaison with Derbyshire Children’s Social Care.

I02 The DSL will ensure that the procedures set out in this Policy and the implementation of the procedures are updated and reviewed regularly, working with the Governors as necessary.

Written THN (September 2019)

Annex A - CONTACT INFORMATION

Headmaster - 01283 559221; headmaster@repton.org.uk

DSL (and Deputy Head Pastoral) – Mr Tom Naylor - 01283 559200; thn@repton.org.uk

Assistant Head Pastoral (Deputy DSL) – Mrs Anna Parish - 01283 559200; afp@repton.org.uk

Chairman of Governors - contact without divulging any details is available via the Chief Operating Officer - 01283 559208

Liaison Governor for Child Protection – Mrs Susannah Fish - contact without divulging any details is available via the Clerk to the Governors - 01283 559272

Repton School website - www.repton.org.uk

Independent Listener – The Revd Paul Taylor – 07989 214972

For Referrals, contact Children's Social Care Single Point of Contact (Derbyshire Starting point)

- Derbyshire Starting Point – 01629 533390 / Call Derbyshire - 01629 533 190

OR

- Police Non-Emergency - 101
Central Referral Unit
Butterley Hall, Ripley
Derbyshire DE5 3RS
0300 122 8719

For Written Referrals and Information

Derby and Derbyshire Safeguarding Children Partnership (DDSCP) – formerly Derbyshire Children's Safeguarding Board. Use this website address until further notice:
www.derbyshirescb.org.uk/

Derbyshire Safeguarding Child Protection (Schools) Manager
debbie.peacock@derbyshire.gov.uk

Local Authority Designated Officer (LADO) * Miles
Dent
miles.dent@derbyshire.gov.uk

The Office of the Children's Commissioner
Sanctuary Buildings
20 Great Smith Street
London SW1P 3BT 020 7783
8330

info.request@childrenscommissioner.gsi.gov.uk

OFSTED Safeguarding Children - 08456 404046 (Monday to Friday from 8am to 6pm);
whistleblowing@ofsted.gov.uk

NSPCC Whistleblowing advice line - If you are a professional with concerns over how child protection issues are being handled in your own or another organization, you can talk to us anonymously.

NSPCC Whistleblowing Helpline 0808 800 500 help@nspcc.org.uk

DfE helpline Telephone: 0370 000 2288 Monday to Friday, 9am to 5pm
DfE dedicated telephone helpline and mailbox for non-emergency advice for staff and governors: 020 7340 7264 and counter-extremism@education.gsi.gov.uk

Disclosure and Barring Service - PO Box 181, Darlington, DL1 9FA; Tel: 01325 953795

Teaching Regulation Agency - 0370 000 2288

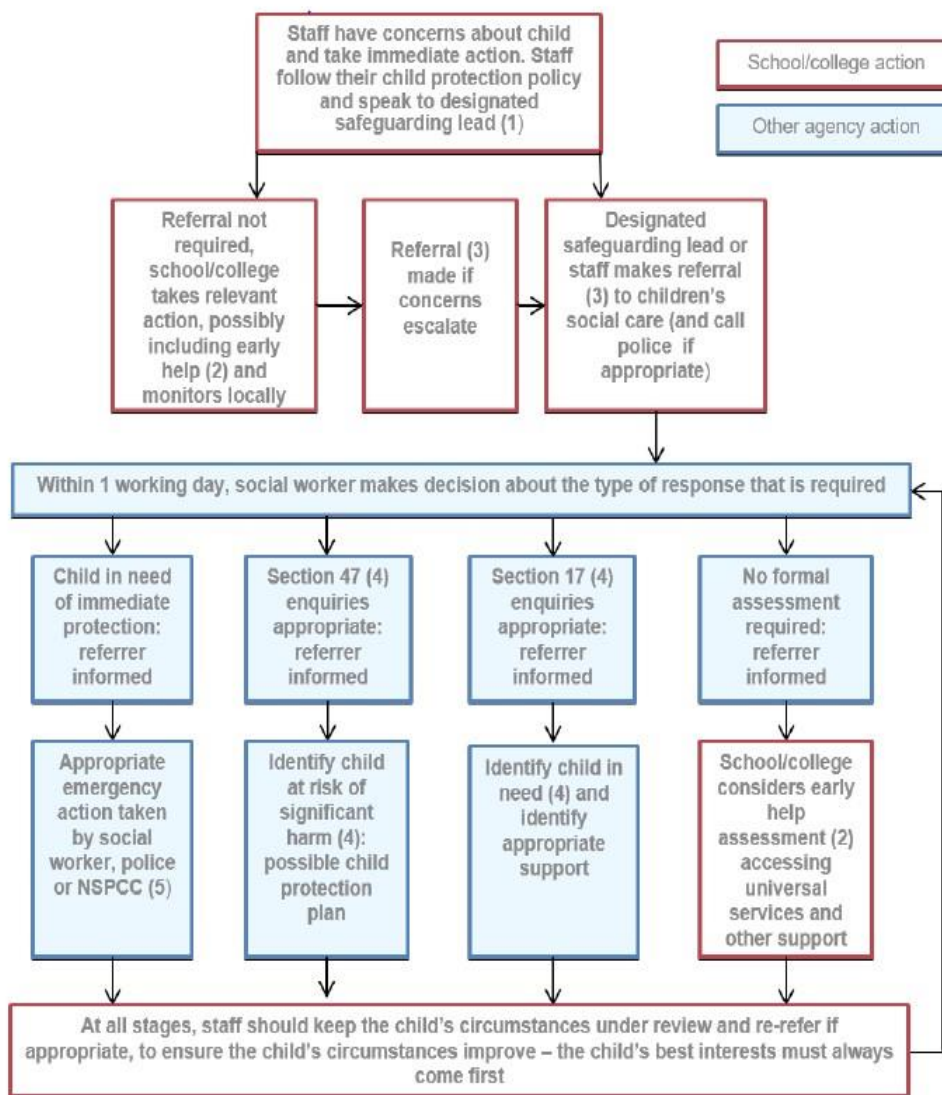
Police (non-emergency number) 101

Police Emergency - 999

* The acronym 'LADO' has been removed from KCSiE and WTSC from April 2015 in favour of 'designated officer, or team of officers'. The term LADO is retained for brevity

Annex B₁ - Safeguarding and Child Protection – What are the processes involved if a child makes a disclosure against any individual (pupil, teacher, volunteer, Headmaster)?

Actions where there are concerns about a child



(1) In cases which also involve an allegation of abuse against a staff member, see Part Four of this guidance.

(2) Early help means providing support as soon as a problem emerges at any point in a child's life. Where a child would benefit from co-ordinated early help, an early help inter-agency assessment should be arranged. Chapter one of [Working together to safeguard children](#) provides detailed guidance on the early help process.

(3) Referrals should follow the local authority's referral process. Chapter one of [Working together to safeguard children](#).

(4) Under the Children Act 1989, local authorities are required to provide services for children in need for the purposes of safeguarding and promoting their welfare. This can include section 17 assessments of children in need and section 47 assessments of children at risk of significant harm. Full details are in Chapter One of [Working together to safeguard children](#).

(5) This could include applying for an Emergency Protection Order (EPO).

Annex B₂ - Safeguarding and Child Protection – What do I do if a child makes a disclosure against any individual (pupil, teacher, volunteer, Headmaster)?

Step-by-step action: Repton - A basic Guide

<p>Pupil making a disclosure</p> <p>You <u>must not</u> ensure confidentiality</p> <p>Ask if the pupil would be more comfortable with another member of staff present. Keep yourself safe at all times</p> <p>Record information from pupil – name, time of disclosure, other notes. Sign notation – pupil and teacher</p> <p>Ensure comfort and safety of pupil disclosing information</p>
<p>Ensure the safety of the pupil within the School Immediately contact the Police if it is an allegation of serious harm</p> <p>Initial contact: thn@repton.org.uk (DSL) / afp@repton.org.uk (Deputy DSL)</p> <p>or headmaster@repton.org.uk (if the allegation is against a member of staff)</p> <p>or the Chairman of the Governing Body (if the allegation is about the Headmaster or the Headmaster is absent, without informing the Headmaster)</p> <p>Send notes through to THN (or Headmaster if the allegation is against a member of staff)</p> <p>THN and AFP* will liaise and refer matter to the appropriate agencies (no issue is expected to be solely dealt with by one individual)</p> <p>THN* will seek advice from the Local Authority Child Protection Manager on the best course of action</p> <p>THN* will inform Children's Social Care / Call Derbyshire, Starting Point within 24 hours if a referral is required</p>
<p>THN* will seek open communication with Children's Social Care Keep the Local Authority Child Protection Manager informed</p> <p>*Note - Any individual can contact Call Derbyshire, Starting Point / Police at any time to gain support, liaise or refer matters to the appropriate agencies</p>

Annex C - Indicators of Vulnerability to Radicalisation

Staff should be able to 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 and what to do to support them.

1. Radicalisation refers to the process by which a person comes to support terrorism and forms of extremism leading to terrorism.
2. Extremism is defined by the Government in the Prevent Strategy as:

Vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. We also include in our definition of extremism calls for the death of members of our armed forces, whether in this country or overseas.
3. Extremism is defined by the Crown Prosecution Service as:

The demonstration of unacceptable behaviour by using any means or medium to express views which:

 - Encourage, justify or glorify terrorist violence in furtherance of particular beliefs;
 - Seek to provoke others to terrorist acts;
 - Encourage other serious criminal activity or seek to provoke others to serious criminal acts; or
 - Foster hatred which might lead to inter-community violence in the UK.
4. There is no such thing as a “typical extremist”: those who become involved in extremist actions come from a range of backgrounds and experiences, and most individuals, even those who hold radical views, do not become involved in violent extremist activity.
5. Pupils may become susceptible to radicalisation through a range of social, personal and environmental factors - it is known that violent extremists exploit vulnerabilities in individuals to drive a wedge between them and their families and communities. It is vital that school staff are able to recognise those vulnerabilities.
6. Indicators of vulnerability include:
 - **Identity Crisis** – the student / pupil is distanced from their cultural / religious heritage and experiences discomfort about their place in society;
 - **Personal Crisis** – the student / pupil may be experiencing family tensions; a sense of isolation; and low self-esteem; they may have dissociated from their existing friendship group and become involved with a new and different group of friends; they may be searching for answers to questions about identity, faith and belonging;
 - **Personal Circumstances** – migration; local community tensions; and events affecting the student / pupil’s country or region of origin may contribute to a sense of grievance that is triggered by personal experience of racism or discrimination or aspects of Government policy;
 - **Unmet Aspirations** – the student / pupil may have perceptions of injustice; a feeling of failure; rejection of civic life;

- **Experiences of Criminality** – which may include involvement with criminal groups, imprisonment, and poor resettlement / reintegration;
- **Special Educational Need** – students / pupils may experience difficulties with social interaction, empathy with others, understanding the consequences of their actions and awareness of the motivations of others.

This list is not exhaustive, nor does it mean that all young people experiencing the above are at risk of radicalisation for the purposes of violent extremism.

8. More critical risk factors could include:

- Being in contact with extremist recruiters;
- Accessing violent extremist websites, especially those with a social networking element;
- Possessing or accessing violent extremist literature;
- Using extremist narratives and a global ideology to explain personal disadvantage;
- Justifying the use of violence to solve societal issues;
- Joining or seeking to join extremist organisations; and
- Significant changes to appearance and / or behaviour;
- Experiencing a high level of social isolation resulting in issues of identity crisis and / or personal crisis.

9. Procedure/Guidance/Reporting

Any worry or concern/concern that a child or young person may be exposed to possible extremism, extremist ideology and or radicalisation needs to be treated as a safeguarding concern and follow the guidance provided in the above policy.

In addition:-

- Referrals of vulnerable students / pupils are made into the Channel⁴ process, by the DSL, to provide early intervention to protect and divert people away from the risks they face and reduce vulnerability.
- In this case the DSL also acts as the SPOC (Single point of Contact)

⁴ Channel is a multi-agency approach to provide support to individuals who are at risk of being drawn into terrorist related activity. It is led by the West Midlands Police Counter-Terrorism Unit, and it aims to establish an effective multi-agency referral and intervention process to identify vulnerable individuals

Annex D Specific safeguarding issues (extra information)

Expert and professional organisations are best placed to provide up-to-date guidance and practical support on specific safeguarding issues. Information suitable for schools and colleges can be found on the TES website, MindEd and the NSPCC website.

Schools and colleges can also access broad government guidance on the issues listed below via the GOV.UK website:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/487799/Keeping_children_safe_in_education_draft_statutory_guidance.pdf

- upskirting
- child missing from education
- child missing from home or care
- child sexual exploitation (CSE)
- bullying including cyberbullying
- domestic violence
- drugs
- fabricated or induced illness
- faith abuse
- female genital mutilation (FGM)
- forced marriage
- gangs and youth violence
- gender-based violence/violence against women and girls (VAWG)
- exploitation by criminal gangs and organised crime group

mental health

- private fostering
- preventing radicalisation
- sexting⁵
- sexual violence and sexual harassment teenage relationship abuse
- trafficking

⁵ The department provides searching screening and confiscation advice for schools. Child Exploitation Online Protection Centre (CEOP) provides updated sexting guidance: **NOTE: GOV. will add this advice when it is available!)**

Annex E

Sexual Violence and Sexual Harassment between Children in School.

Introduction

- 1 Peer-on-peer abuse is any form of physical, sexual, emotional and financial abuse, and coercive control, between children. Peer-on-peer abuse is one of the most significant risks facing our children today. Sexual violence and sexual harassment are two specific forms.
- 2 All peer on peer abuse is unacceptable and will be taken seriously; there is research to indicate the gendered nature of peer on per abuse (i.e. that it is more likely that girls will be the victims and boys the perpetrators.)
- 3 Definition of Sexual Violence and Sexual Harassment
 - 3.1 Sexual violence and sexual harassment can occur between two children of any sex. They can also occur through a group of children sexually assaulting or sexually harassing a single child or group of children.
 - 3.2 Sexual violence and sexual harassment exist on a continuum and may overlap, they can occur online and offline (both physical and verbal) and are never acceptable.
 - 3.3 It is important that all affected Individuals are taken seriously and offered appropriate support.
 - 3.4 It is more likely that girls will be the affected individuals of sexual violence and more likely that sexual harassment will be perpetrated by boys.
 - 3.5 Pupils with special Educational Needs and Disabilities (SEND) can be especially vulnerable.
 - 3.6 Children who are Lesbian, Gay, Bi, or Trans (LGBT) can be targeted by their peers. In some cases, a child who is perceived by their peers to be LGBT (whether they are or not) can be just as vulnerable as children who identify as LGBT.

Dissemination of Information

- 4 It is important that the definition of Sexual Violence and Sexual Harassment is made clear to the pupils. The starting point regarding should always be that sexual violence and sexual harassment are not acceptable and will not be tolerated. Especially important is not to pass off any sexual violence or sexual harassment as 'banter', 'part of growing up' or 'having a laugh. This is made clear through PHSCE and Tutor periods throughout the year.
 - 4.1 The following points are covered in Sex and Relationships Education with each year group, via in-house discussions, senior pupil seminars and using classroom PHSCE for year 10 in the Lent Term - Sex and Relationships. (Sex and Relationships Policy WSP 12)
 - 4.2 making clear that sexual violence and sexual harassment is not acceptable, will never be tolerated and is not an inevitable part of growing up;

4.3 not tolerating or dismissing sexual violence or sexual harassment as "banter", "part of growing up", "just having a laugh" or "boys being boys" and

4.4 challenging behaviours (which are potentially criminal in nature), such as grabbing bottoms, breasts and genitalia. Dismissing or tolerating such behaviours risks normalising them.

4.5 Pupils are provided with information about Gender and Sexuality related to the Protected Characteristics and The Equality Act 2010

Important Definitions are covered:-

5 Definition of Consent

5.1 Someone consents to vaginal, anal or oral penetration only if s/he agrees by choice to that penetration and has the freedom and capacity to make that choice.

5.2 Consent to sexual activity may be given to one sort of sexual activity but not another, e.g. to vaginal but not anal sex or penetration with conditions, such as wearing a condom.

5.3 Consent can be withdrawn at any time during sexual activity and each time activity occurs.

6 Definition of Sexual offences

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

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

6.3 **Sexual Assault-** A person (A) commits an offence of sexual assault if s/he intentionally touches another person (B), the touching is sexual, B does not consent to the touching and A does not reasonably believe that B consents.

7 Definition of Sexual harassment

- 'unwanted conduct of a sexual nature' that can occur online and offline.
- Sexual harassment is likely to: violate a child's dignity, and/or make them feel intimidated, degraded or humiliated and/or create a hostile, offensive or sexualised environment
- Sexual harassment (as set out above) creates an atmosphere that, if not challenged, can normalise inappropriate behaviours and provide an environment that may lead to sexual violence
- sexual harassment can include

- sexual comments such as telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance and calling someone sexualised names sexual “jokes” or taunting;
- physical behaviour such as deliberately brushing against someone, interfering with someone’s clothes (when any of this crosses a line into sexual violence it is important to talk to and consider the experience of the affected Individual).
- displaying pictures, photos or drawings of a sexual nature; and online sexual harassment, which might include non-consensual sharing of sexual images and videos and sharing sexual images and videos (both often referred to as sexting); inappropriate sexual comments on social media; exploitation; coercion and threats. Online sexual harassment may be stand alone, or part of a wider pattern of sexual harassment and/or sexual violence and gender and sexuality

8 Definitions of harmful sexual behaviours

- 8.1 Harmful sexual behaviours can occur online and offline and can occur simultaneously between the two.
- 8.2 Harmful sexual behaviours should be considered in a child protection context.
- 8.3 Sexual behaviour between children can be considered harmful if one of the children is much older, particularly if there is more than two years’ difference in age or if one of the children is pre-pubescent and the other is not. However, a younger child can abuse an older child, particularly if they have power over them, for example, if the older child is disabled or smaller in stature.
- 8.4 Addressing inappropriate behaviour can be an important intervention that helps prevent problematic, abusive and/or violent behaviour in the future.
- 8.5 Children displaying harmful sexual behaviours have often experienced their own abuse and trauma.

How staff and pupils should respond to reports of sexual violence.

9 Different forms of peer on peer abuse can take place.

- 9.1 sexual violence and sexual harassment.
- 9.2 physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm;
- 9.3 sexting (also known as youth produced sexual imagery)

10 Some situations are statutorily clear:

- 10.1 a child under the age of 13 can never consent to any sexual activity;
- 10.2 the age of consent is 16;

- 10.3 sexual intercourse without consent is rape;
- 10.4 rape, assault by penetration and sexual assault are defined in law (see above)
- 10.5 creating and sharing sexual photos and videos of under -18 is illegal (often referred to as sexting) This includes children making and sharing sexual images and videos of themselves

11 How to describe children who have been subjected to sexual violence and/ or sexual harassment

- 11.1 **Victim:**-The use of Affected Individual / Pupil A and or Initials + Year group will be used in documentation. But this should be altered in accordance with the wishes of the pupil(s) concerned
- 11.2 **Perpetrator:** - the use of alleged individual and /or initials + year group will be used in documentation. But this should be altered in accordance with the wishes of the pupil(s) concerned
- 11.3 In all cases both affected individual and alleged individual are children and require the help and support of the school

12 Reports and Guidance incorporated into this policy

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/707761/Keeping_Children_Safe_in_Education_-_September_2018.pdf

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/719902/Sexual_violence_and_sexual_harassment_between_children_in_schools_and_colleges.pdf

Social Media and sexual Violence and Sexual Harassment.

- 13 There is potential for any incident to take place across a number of social media platforms It also includes the potential for the impact of the incident to extend further than a school's or college's local community (e.g. for images or content to be shared around neighbouring schools/colleges) and for an affected Individual (or alleged perpetrator) to become marginalised and excluded by both online and offline communities. There is also the strong potential for repeat victimisation in the future if abusive content continues to exist somewhere online.

- 13.1 Online concerns can be especially complicated.
- 13.2 The UK Safer Internet Centre provides an online safety helpline for professionals at 0344 381 4772 and helpline@saferinternet.org.uk
- 13.3 If the incident involves sexual images or videos that have been made and circulated online, the affected Individual can be supported to get the images removed through the Internet Watch Foundation (IWF). The IWF will make an

assessment of whether the image is illegal in line with UK Law. If the image is assessed to be illegal, it will be removed and added to the IWF’s Image Hash list

- 13.4 Sharing indecent images of a child (including by children) is a crime: UKCCIS advice provides support to schools and colleges in responding to reports of sexting.
- 13.5 Effective safeguarding practice is for schools and colleges to be clear, in advance, as to what local processes are in place and what support can be accessed when sexual violence or sexual harassment has occurred.
- 13.6 It is important to prepare for this in advance of a reported incident and review this information on a regular basis to ensure it is up to date.
- 13.7 If required, the designated safeguarding lead (or a deputy) should discuss the local response to sexual violence and sexual harassment with police and children’s social care colleagues in order to prepare the school’s or college’s policies

(especially the child protection policy) and responses; and the designated safeguarding lead (and their deputies) should be confident as to what local specialist support is available to support all children involved (including the affected individuals and alleged perpetrators) in sexual violence and sexual harassment and be confident as to how to access this support when required.

Disclosures

Discussions relating to Sexual Violence, Sexual Harassment may lead to disclosures from pupils or indirectly via other pupils.

Managing the disclosure

- 14 The initial response to a disclosure from a child is important. It is essential that affected individuals are reassured that they are being taken seriously and that they will be supported and kept safe. An affected Individual should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor should an affected Individual ever be made to feel ashamed for making a report.
- 15 There may be reports where the alleged incident is between two pupils, but is alleged to have taken place away from the school or college premises.
- 16 In some cases, the affected Individual may not make a direct report or disclosure. For example, a friend may make a report or a member of school or college staff may overhear a conversation that suggests a child has been harmed. In such cases, the basic safeguarding principles remain the same, but it is important to understand **why the affected Individual has chosen not to make a report themselves**. This discussion should be handled sensitively and with the support of Derbyshire SCB or children’s social care if required.
- 17 In all events the safeguarding principles, and our duties to safeguard and promote the welfare of their pupils, remain the same. It is important that in such instances staff
 - 17.1 Take appropriate action in accordance with the Child Protection and Staff Behaviour policy.

- 17.2 Do not assume that someone else is dealing with the alleged incident.
- 17.3 Do not feel that you have to act alone. (Although Staff should only share the report with those people who are necessary in order to progress it.)
- 17.4 The pupil is in immediate need of support – phone the Police.
- 17.5 If it is a ‘concern’, speak to the designated safeguarding lead (or a deputy).
- 17.6 Do not promise confidentiality
- 17.7 Do not asking leading questions and only prompting the child where necessary with open questions –where, when, what etc.;

18 Next steps

- 18.1 It is important that the affected individual understands what the next steps will be and who the report will be passed to listening carefully , being nonjudgmental, clear about boundaries and how the disclosure will be progressed,
- 18.2 It is essential a written record is made; only recording the facts as the child presents them. The notes should not reflect the personal opinion of the note taker (preferably one of them being the designated safeguarding lead or a deputy).
- 18.3 However, this might not always be possible and informing the designated safeguarding lead (or deputy) as soon as is practically possible, if the designated safeguarding lead (or deputy) are not involved in the initial disclosure.
- 18.4 Such disclosures could become part of a statutory assessment by children’s social care and/or part of a criminal investigation; if possible, managing disclosures with two members of staff present, (preferably one of them being the designated safeguarding lead or a deputy).

19 The affected individual may ask you not to tell anyone about the sexual violence or sexual harassment. There are no easy or definitive answers when an affected individual makes this request.

- 19.1 If the affected Individual does not give consent to share information, staff may still lawfully share it, if it can be justified to be in the public interest, for example, to protect children from harm and to promote the welfare of children. The designated safeguarding lead (or a deputy) should consider the following:
- 19.2 parents or carers should normally be informed (unless this would put the affected Individual at greater risk);
- 19.3 the basic safeguarding principle is: if a child is at risk of harm, is in immediate danger or has been harmed a referral should be made to children’s social care; and rape, assault by penetration and sexual assaults are crimes.
- 19.4 The starting point is that reports should be passed to the police.

- 19.5 Ultimately, the designated safeguarding lead (or a deputy) will have to balance the affected Individual’s wishes against their duty to protect the affected Individual and other children.
- 19.6 If the designated safeguarding lead (or a deputy) do decide to go ahead and make a referral to children’s social care and/or a report to the police against the affected individual’s wishes, this should be handled extremely carefully, the reasons should be explained to the affected individual and appropriate specialist support offered.

Anonymity

- 20 Where an allegation of sexual violence or sexual harassment is progressing through the criminal justice system, the school should be aware of anonymity, witness support and the criminal process in general so they can offer support and act appropriately.
- 21 In addition to the legal protections, as a matter of effective safeguarding practice, schools should do all they reasonably can to protect the anonymity of any children involved in any report of sexual violence or sexual harassment. Amongst other things, this will mean carefully considering, based on the nature of the report, which staff should know about the report and any support that will be in place for the children involved.
- 22 The School should also consider the potential impact of social media in facilitating the spreading of rumours and exposing affected individuals’ identities. Potential support can be obtained from the following institutions
- The UK Safer Internet Centre provides an online safety helpline for professionals at 0344 381 4772 and helpline@saferinternet.org.uk
 - The Internet Watch Foundation(IWF).
 - UKCCIS advice provides support to schools and colleges in responding to reports of sexting.
 - Thinkuknow
 - Childnet’s cyberbullying guidance

Risk Assessment

- 23 Where there has been a report of sexual violence, it is likely that professional risk assessments by social workers and or sexual violence specialists will be required.
- 24 Internal (School) risk assessments relating to sexual violence and sexual harassment are to be drawn up on a case-by-case basis, recorded and kept under review at all times.
- 25 The school will actively consider the risks posed to all pupils and will put adequate measures in place to protect pupils and keep them safe. The alleged individual should also be carefully considered too in this assessment. (this RA is not intended to replace the detailed assessments of expert professionals but will be used to inform the schools approach to help and support our pupils in school.)

- 26 The content will be discussed with DDSCP (See Sexual violence and sexual harassment pro forma)
- 27 When there has been a report of sexual violence, the designated safeguarding lead (or a deputy) will make an immediate risk and needs assessment
- 28 Where there has been a report of sexual harassment, the need for a risk assessment should be considered on a case-by-case basis
- 29 The risk and needs assessment should consider:
 - 29.1 the affected individual ;
 - 29.2 the alleged perpetrator;
 - 29.3 the other children (and, if appropriate, staff) at school.

Action following a report of sexual violence and/or sexual harassment

- 30 The starting point regarding any report should always be that sexual violence and sexual harassment are not acceptable and will not be tolerated. Especially important is not to pass off any sexual violence or sexual harassment as ‘banter’, ‘part of growing up’ or ‘having a laugh’
 - 30.1 Careful consideration of any report of sexual violence and/or sexual harassment will be undertaken and relevant help and support accessed from the Police, Children’s social care and DDSCP.
 - 30.2 The designated safeguarding lead and/or deputy will coordinate the most appropriate initial response to safeguard affected Individual, alleged individual and all other pupils within the school context.
- 31 **Important considerations will include:**
 - 31.1 the wishes of the affected individual in terms of how they want to proceed.
 - 31.2 Affected Individuals should be given as much control as is reasonably possible over decisions regarding how any investigation will be progressed and any support that they will be offered;
 - 31.3 the nature of the alleged incident(s), including: might a crime have been committed and consideration of harmful sexual behaviour
 - 31.4 the ages and developmental stages of the children involved;
 - 31.5 any power imbalance between the children (e.g. is the alleged individual significantly older);

- 31.6 if the alleged incident is a one off or a sustained pattern of abuse;
 - 31.7 are there on going risks; and
 - 31.8 other related issues and wider context.
- 32 In all the above cases, staff should always act in the best interests of the child and seek the help and support from Children’s social care. Consideration is also provided for how best to support both the affected Individual and the alleged perpetrator (and any other children involved/impacted).

Possible routes of following a disclosure or report of sexual violence or sexual harassment

33 Whatever the response to an event, it should be underpinned by the principle that sexual violence and sexual harassment is never acceptable and will not be tolerated. At this stage parents or carers will be informed unless there are compelling reasons not to do so. (if informing a parent or carer is going to put the child at additional risk).

34 The designated safeguarding lead (or a deputy) will make an immediate risk and needs assessment.

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

There are four likely scenarios.

1. Manage internally

- If this is thought to be sexual harassment that is a one-off incident, the school may handle the incident internally, utilising the behaviour and anti-bullying policies followed by agreed mentoring / pastoral support.

2. Early help

- If this is thought to be sexual harassment that is a one-off incident, the school may handle the incident internally, utilising the behaviour and anti-bullying policies followed by agreed mentoring / pastoral support but that the pupils involved need to access early help.
- Early help can be particularly useful to address non-violent harmful sexual behaviour and may prevent escalation of sexual violence.
- Multi-agency early help will provide support alongside the school policies.

3. Referrals to children’s social care

- Where a child has been harmed, is at risk of harm, or is in immediate danger the school will make a referral to local children’s social care.
- The school will take the lead from Children’s Social Care.
- A risk Assessment will be drawn up to safeguard all parties in school.
- The school/ the designated safeguarding lead or a deputy will work co-operatively with the lead social worker provided to provide the best support for the affected Individual and perpetrator

- In some cases, children’s social care will review the evidence and decide a statutory intervention is not appropriate. The school should be prepared to refer again if they believe the child remains in immediate danger or at risk of harm.

4. Reporting to the police

- Where a report of rape, assault by penetration or sexual assault is made, the starting point is this should be passed on to the police.
- Reporting to the police will generally be in parallel with referrals to children’s social care by following the appropriate referral process.
- The police and school should agree what information can be disclosed to staff and others, in particular the alleged individual and their parents or carers. They should also discuss the best way to protect the affected Individual and their anonymity

35 **Considering bail conditions**

35.1 From April 2017, the use of police bail has been dramatically reduced and will only be used when deemed necessary and proportionate in exceptional circumstances.

35.2 Consideration will be given to less invasive options to safeguard affected Individuals and witnesses and the administration of justice. Therefore, it is less likely that a child attending school or college will be on police bail with conditions attached if there are alternative measures to mitigate any risk. In the absence of bail conditions, when there is a criminal investigation, early engagement and joined up working between the school, children’s social care and the police will be critical to support the affected Individual, alleged individual and other children involved (especially potentially witnesses). Where required, advice from the police should be sought in order to help the school or college manage their safeguarding responsibilities.

35.3 The term ‘Released Under Investigation’ or ‘RUI’ will replace those previously on bail for offences in circumstances that do not warrant the application of bail to either reattend on a particular date or to include conditions preventing activity or in some cases ensuring compliance with an administrative process.

31.4 Where bail is deemed proportionate and necessary, as above, the school should work with children’s social care and the police to manage any implications and safeguard their children. An important consideration will be to ensure that the affected Individual can continue in their normal routine, including continuing to receive a suitable education.

36 **Managing any delays in the criminal process**

36.1 There may be delays in any case that is being progressed through the criminal justice system. The Schools will not wait for the outcome before protecting the affected Individual, alleged individual and other children in school. *Considering any disciplinary action against the alleged individual whilst an investigation is ongoing is discussed below in the alleged individual section.*

36.2 Whilst protecting children and/or taking any disciplinary measures against the alleged perpetrator, the designated safeguarding lead (or a deputy) will work closely with the police and/or other agencies as required, to ensure any actions the school or college take do not jeopardise the police investigation.

36.3 The police will help and support the school as much as they can (within the constraints of any legal restrictions).

36.4 The end of the criminal process if a child is convicted or receives a caution for a sexual offence, the school should update its risk assessment, ensure relevant protections are in place for all the

children at the school or college and, if it has not already, consider any suitable action in light of their behaviour policy.

36.5 If the alleged individual remains in the same school or college as the affected Individual, the school or college will be very clear as to their expectations regarding the alleged individual now they have been convicted or cautioned. This could include expectations regarding their behaviour and any restrictions the school thinks are reasonable and proportionate with regard to the perpetrator's timetable.

36.6 Any conviction (even with legal anonymity reporting restrictions) is potentially going to generate interest among other pupils in the school or college. It will be important that the school or college ensure that the affected Individual and alleged individual remain protected, especially from any bullying or harassment (including online).

36.7 Where cases are classified as "no further action" (NFA'd) by the police or Crown Prosecution Service, or where there is a not guilty verdict, the school should continue to offer support to the affected Individual and the alleged individual for as long as is necessary.

36.8 A not guilty verdict or a decision not to progress with their case will likely be traumatic for the affected Individual. The fact that an allegation cannot be substantiated does not necessarily mean that it was unfounded.

36.9 Schools should discuss any decisions with the affected Individual in this light and continue to offer support. The alleged individual is also likely to require ongoing support for what will have likely been a difficult experience.

37 Ongoing response - Safeguarding and supporting the affected Individual

- The following principles are based on effective safeguarding practice and should help shape any decisions regarding safeguarding and supporting the affected Individual.
- Consider the age and the developmental stage of the affected Individual, the nature of the allegations and the potential risk of further abuse.
- By the very nature of sexual violence and sexual harassment, a power imbalance is likely to have been created between the affected Individual and alleged perpetrator.
- The needs and wishes of the affected Individual should be paramount (along with protecting the child) in any response. It is important they feel in as much control of the process as is reasonably possible.
- Wherever possible, the affected Individual, if they wish, should be able to continue in their normal routine. Overall, the priority should be to make the affected Individual's daily experience as normal as possible, so that the school or college is a safe space for them.
- The affected Individual should never be made to feel they are the problem for making a report or made to feel ashamed for making a report. Consider the proportionality of the response. Support should be tailored on a case-by-case basis.
- The support required regarding a one-off incident of sexualised name-calling is likely to be vastly different from that for a report of rape.
- It is essential that dialogue is kept open and encouraged and the affected Individual might find it helpful to have a designated trusted adult (for example their form tutor or designated safeguarding lead) to talk to about their needs. The School will respect and support this choice.
- An affected Individual of sexual violence is likely to be traumatised and, in some cases, may struggle in a normal classroom environment. While schools and colleges should avoid any action that would have the effect of isolating the affected Individual, in particular from supportive peer groups, there may be times when the affected Individual finds it difficult to maintain a full-time timetable and may express a wish to withdraw from lessons and activities. This should be because the affected Individual wants to, not because it makes it easier to manage the situation. If required, the school will provide a physical space for affected Individuals to withdraw. It is important that

the school or college do everything they reasonably can to protect the affected Individual from bullying and harassment as a result of any report they have made.

- It is important that if the affected Individual does move to another educational institution (for any reason), that the new educational institution is made aware of any ongoing support needs. The designated safeguarding lead should take responsibility to ensure this happens as well as transferring the child protection file.
- Support can include:
 - Children and Young People’s Independent Sexual Violence Advisors, ChISVAs, will work in partnership with the school to ensure the best possible outcomes for the affected individual.
 - It may be necessary for schools and colleges to maintain arrangements to protect and support the affected Individual for a long time.

38 *Safeguarding, support, and discipline of the alleged perpetrator*

Reference – Child protection and Staff Behaviour policy

The school will have a difficult balancing act to consider after an alleged sexual violence or sexual harassment has taken place.

- safeguarding the affected Individual (and the wider student body) safeguarding the alleged individual and providing an education and support as appropriate and implementing any disciplinary sanctions (Any child will likely experience stress as a result of being the subject of allegations and/or negative reactions by their peers to the allegations against them.).
- The school will consider the age and the developmental stage of the alleged individual and nature of the allegations.
- The school will consider proportionality of the response on a case-by-case basis.
- An alleged individual may
 - potentially have unmet needs (in some cases these may be considerable)
 - potentially pose a risk of harm to other children.
 - (Harmful sexual behaviours in young children may be (and often are) a symptom of either their own abuse or exposure to abusive practices and or materials.)
 - Advice will be taken, as appropriate, from the police , DDSCP and any other relevant organisations
- If the alleged individual moves to another educational institution, then the child protection information should be passed to the new school.
- In school , the alleged individual will be disciplined as guided by the Behavioural and Exclusion policy

39 *Working with parents / carers*

Reference

- Child Protection and Staff Behavioural policy
- Behavioural Policy
- Exclusion policy
- Anti-Bullying Policy
- The school will, in most instances, engage with both the affected Individual ’s and the alleged perpetrator’s parents or carers when there has been a report of sexual violence

- The school will, in most instances, engage with both the affected Individual’s and the alleged perpetrator’s parents or carers when there has been a report of sexual harassment although this should be considered on a case-by-case basis.
- The exception to this rule is if there is a reason to believe informing a parent or carer will put a child at additional risk.
- The school will work with the police and the relevant Children Social care agencies to carefully consider what information they provide to the respective parents or carers about any other child involved and when they do so.
- Personnel involved in meetings will be decided by the Headmaster.
- Parents and carers may struggle to cope with a report that their child has been the affected Individual of an assault or is alleged to have assaulted another child. Parents may be provided with details of organisations that support parents. (see Annex A)

40 **Safeguarding other children**

The school has a whole school approach to safeguarding, a culture that makes clear that sexual violence and sexual harassment is always unacceptable, and a strong preventative education programme will help create an environment in which all children at the school are supportive and respectful of their peers when reports of sexual violence or sexual harassment are made.

Reference

- Child Protection and Staff Behavioural policy ○ Behavioural Policy ○ Exclusion policy ○ Anti-Bullying Policy
- Social media policy
- Consideration should be given to supporting children who have witnessed sexual violence.
- Some children will take “sides”.
- The school will help to ensure both the affected Individual and alleged perpetrator, and any witnesses, are not being bullied or harassed. Particular care will be needed to think clearly about the possibility of social media playing a central role in bullying or harassing individuals.

41 **Sources of Advice**

NSPCC: Harmful sexual behaviour, <https://www.nspcc.org.uk/preventing-abuse/child-abuseand-neglect/harmful-sexual-behaviour/signs-symptoms-effects/>

Brook Guidance [The Brook sexual behaviours traffic light tool](#)

NICE guidance. <https://www.nice.org.uk/guidance/ng55>

Rape Crisis - <https://rapecrisis.org.uk/>

The Survivors Trust - <http://thesurvivorstrust.org/>

42 Additional information on confidentiality and information sharing is available at Safeguarding Practitioners Information Sharing Advice
<https://www.gov.uk/government/publications/safeguarding-practitioners-information-sharingadvice>

43 NSPCC: Information sharing and confidentiality for practitioners.
<https://www.nspcc.org.uk/globalassets/documents/information-service/information-sharingconfidentiality-practitioners.pdf>

- 44 Brook: traffic light tool <https://www.brook.org.uk/our-work/category/sexual-behaviour/traffic-light-tool>
- 45 Local police forces have specialist units that investigate child abuse
- 46 CPS: Safeguarding Children as Affected Individuals and Witnesses
 - Child and adolescent mental health services (CAMHS)
 - Internet Watch Foundation(to potentially remove illegal images)

THN – September 2019