COGNITA

# Safeguarding and Child Protection Policy and Procedure

St. Mary's School
(inc EYFS)

**September 2021**

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# 1 Safeguarding in our school

1.1 Our aims and responsibilities

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

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

All staff have the following responsibilities:

- Contribute to providing a safe environment in which all children can learn and flourish;
- Know what to do if a child tells you that he or she is being abused or neglected;
- Know what to do if you are concerned about the behaviour or conduct of an adult in the school;
- Manage the requirement to maintain an appropriate level of confidentiality;
- Refer any safeguarding concern about children to the Designated Safeguarding Lead (DSL) or the Deputy DSL;
- Refer any safeguarding concern about adults to the Headteacher, or in their absence the Regional Safeguarding Lead/Director if Education/HRBP
- Refer any safeguarding concern about the Headteacher to the Director of Education
- Be aware of our local Early Help process and our role in it; and identify children who may benefit from Early Help.
- Be aware of the process for making a referral to Children's Social Care and understand the role you might be expected to play in statutory assessments.
- Be aware of the process for making a referral to the Police and understand the role you may be expected to play in any criminal investigation

1.2 Definition of safeguarding

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

- protecting children from maltreatment;
- preventing impairment of children's physical and/or mental 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.

## In our school, safeguarding is everyone's responsibility

Everyone who comes into contact with children and their families has a role to play. In order to fulfil this responsibility effectively, all professionals should make sure their approach is child-centred. This means that they should consider, at all times, what is in the best interests of the child, taking into consideration the views and wishes of the child ensuring that the views and wishes of the child are taken into consideration.

No single professional can have a full picture of a child's needs and circumstances. If children and families are to receive the right help at the right time, everyone who comes into contact

with them has a role to play in identifying concerns, sharing information and taking prompt action.

1.3 Who this policy applies to

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

This policy applies to all teaching, non-teaching, residential, pastoral, support, peripatetic, contract staff and ancillary staff, agency/supply staff, volunteers, non-school based Cognita staff and any other adults working at the school. All references in this document to "staff" or "members of staff" should be interpreted as relating to the aforementioned, unless otherwise stated. This also applies to adults in the early years phase of the school. Throughout the document, the term DSL is used for the Designated Safeguarding Lead. For staff in the early years, they should report directly to the Early Years Designated Safeguarding Lead (EYDSL). This Safeguarding Policy and the Code of Conduct apply to all pupils and adults in the school, including when being educated off-site and undertaking an educational visit. They also apply to students who are on an exchange and being hosted by the school.

1.4 Inter-agency working

The school is committed to inter-agency working in order to secure the best levels of safeguarding for all of its pupils. The school contributes to inter-agency working in accordance with statutory guidance. The school works with social care, the Police, health services and other services to promote the welfare of children and protect them from harm. The school will also work within the requirements of their Safeguarding Partners and their Child Death Review partners.

1.5 Definitions and terminology

'Children' includes everyone under the age of 18
'DSL' refers to the school's named Designated Safeguarding Lead
'DO' refers to the local authority Designated Officer (the person appointed to deal with allegations against adults (often referred to as the LADO))
'ECMS' refers to Electronic case Management System e.g. CPOMS or MyConcern
'Cause for Concern' form refers to the document included in the DSL Toolkit (*internal doc*)
'RSL' refers to Regional Safeguarding Lead (Europe) for Cognita
'DE' refers to Director of Education
'HRBP' refers to Human Resources Business Partner'

1.6 Related documentation

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

National documents:

- The Education (Independent School Standards) Regulations 2014
- KCSIE (Sep 2021)
- Working Together to Safeguard Children (July 2020)
- Prevent Duty Guidance: for England and Wales (July 2015)
- Disqualification under the Childcare Act (July 2018)
- What do to if you are worried a child is being abused – Advice for practitioners (departmental advice) (March 2015)
- Early Years Foundation Stage Framework (2021)
- Keeping Children Safe in Education (KCSIE) (2021)
- Sexual Violence and Sexual Harassment between children in schools and colleges (2021)

This policy is updated annually, drawing on feedback from staff, and is published to all staff and volunteers and placed on the school website. This policy is based on KCSIE 2021 and

any references to national guidance made within this document are in relation to the versions listed above. The school will always refer to the above statutory guidance as the benchmark for all safeguarding practice and decision making.

Internal documents:

- Behaviour Policy
- Anti-Bullying Policy
- Drug and Alcohol Policy
- Digital Safety Policy
- Exclusion Policy
- Early Years – Use of Mobile Phones, Cameras and Devices Policy
- Preventing Extremism and Radicalisation Policy
- Safer Recruitment Policy
- Staff Code of Conduct and Acceptable Use Policy
- International Students Handbook
- Use of Reasonable Force Policy

1.7 Safer recruitment

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

1.8 Policy review

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

1.9 Information sharing

Information sharing is vital in identifying and tackling all forms of abuse and neglect. Fears about sharing information must not be allowed to stand in the way of the need to safeguard and promote the welfare and protect the safety of children. The Data Protection Act (2018) and GDPR do not prevent the sharing of information for the purposes of keeping children safe. School staff should, therefore, be proactive in sharing information as early as possible to help identify, assess and respond to risks or concerns about the safety and welfare of children, whether this is when problems are first emerging, or where a child is already known to the local authority children's social care. This includes the sharing of information without parental consent where there is good reason to do so, i.e. the risk of harm to the child will be increased.

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

# 2 Key safeguarding facts

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

***Safeguarding and promoting the welfare of children is everyone's responsibility***

***We operate within a culture of openness and recognise and accept that abuse can happen in any organisation***

***We are a 'sharing organisation'***

***All concerns should be reported***

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

**An allegation about another adult in school should be referred to the Headteacher**

**An allegation about the Headteacher should be referred to the Cognita Director of Education**

**Any concern or 'nagging doubt' about an adult or child should be shared with the DSL or Headteacher**

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

## 3 Key people and contacts

| **School contacts** | |
|---|---|
| Designated Safeguarding Lead (DSL) | Kate Bodle |
| Deputy Designated Safeguarding Lead (Deputy DSL) | Tanya Mennie |
| Any other staff trained to DSL level | Rob Harmer |
| Designated Practitioner with responsibility for safeguarding in early years | Kate Bodle |
| Deputy Designated Practitioner with responsibility for safeguarding in early years | Kate Catlin |
| LGBTQ+ Champion(s) | Kate Bodle |
| Designated Looked After Children Lead | Kate Bodle |
| Mental Health Lead | Kate Bodle |
| Prevent Lead | Kate Bodle |

| | |
|---|---|
| Headteacher/Principal | Rob Harmer |

| **Cognita (proprietor) contacts** | |
|---|---|
| Cognita Regional Safeguarding Lead - Europe<br>(see note below) | Alison Barnett<br>alison.barnett@cognita.com |
| Chair of Governors (Cognita Director of Education, DE) | Brad Wootten<br>Brad.wootton@cognita.com |
| Group Legal Counsel | Jayne Pinchbeck<br>Jayne.pinchbeck@cognita.com |
| Cognita (proprietor) board member with responsibility for safeguarding | Frank Maassen -Group CEO<br>frank.maassen@cognita.com |

| **Local Authority Contacts** | |
|---|---|
| Our school follows the safeguarding protocols and procedures of our Safeguarding Partners | Oxfordshire<br>OSCB<br>http://www.oscb.org.uk/ |
| Local authority children's social care referral team(s) | MASH: 0345 050 7666<br>Katrina Johnson<br>South - Locality Community Support Service (LCSS)<br>Oxfordshire County Council<br>Children , Education & Families<br>Tel: 0345 241 2608<br>Mobile: 07785 453 257<br>Email: paul.alcorn@oxfordshire.gov.uk |
| The Designated Officer for child protection (sometimes still referred to as the LADO) | LADO Alison Beasley 01865 810603 or<br>email: LADO.safeguardingchildren@oxfordshire.gov.uk |
| Local authority Prevent Lead | LADO and Education Safeguarding Advisory Team<br><br>Alison Beasley - Designated Officer (LADO)<br>Tel: 01865 815956<br>Mobile: 07833 436649<br>alison.beasley@oxfordshire.gov.uk<br>Donna Crozier - Assistant Designated Officer<br>Tel: 01865 816382<br>Mobile: 07901 331799<br>donna.crozier@oxfordshire.gov.uk<br>Sandra Barratt - Assistant Designated Officer<br>Tel: 01865 323457<br>Mobile: 07785 453264<br>sandra.barratt@oxfordshire.gov.uk |

| | |
|---|---|
| | Lorna Berry - Assistant LADO<br>Tel: 01865 895955<br>Mobile: 07912 474375<br>lorna.berry@oxfordshire.gov.uk |
| Local authority's out of hours social care contact numbers | MASH: 0345 050 7666 and ask to be put through to Prevent team. Prevent Lead: Jonathan Stanley<br>PC 7320 \| Prevent Officer Oxfordshire \| Thames Valley Police Prevent Team<br>Internal: 3245219 \| Mobile : 07800703363<br>Email: jonathan.stanley3@thamesvalley.pnn.police.uk<br>Address: Cowley Police Station, Oxford Road, Cowley, Oxford, OX4 2LE |

| **Police** | |
|---|---|
| Local Police Emergency | 999 |
| Local Police non-emergency | 101 or 0845 850 5505 |

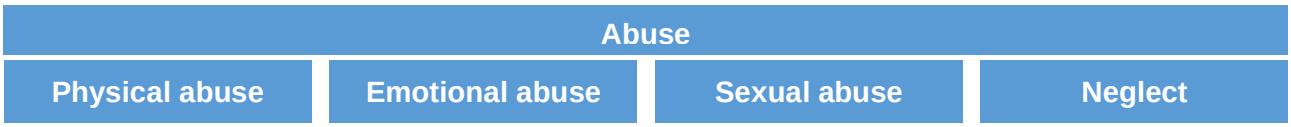
| **Location of local authority safeguarding and child protection documents in school** | |
|---|---|
| Local authority documents, e.g. thresholds, referral forms and related guidance can be found: | In DSL team<br>OSCB website |

| **National Contacts** | |
|---|---|
| NSPCC 24/7 Helpline | Tel: 0808 800 5000<br>Email: help@nspcc.org.uk |
| NSPCC Text line | 88858 |
| NSPCC Child Line | Tel: 0800 1111 |
| NSPCC FGM helpline | Tel: 0800 028 3550<br>Email: fgmhelp@nspcc.org.uk |
| NSPCC Whistleblowing helpline | Tel: 0800 028 0285 (8am – 8pm)<br>Email: help@nspcc.org.uk |
| DfE Prevent helpline<br>for schools & parents | Tel: 020 7340 7264 (non-emergency)<br>Email: counter.extremism@education.gsi.gov.uk |
| The Lucy Faithfull Foundation (LFF) | Tel: 0800 1000 900<br>Email: help@stopitnow.org.uk<br>www.parentsprotect.co.uk |
| National Bullying Helpline | Tel: 0845 22 55 787 |
| UK Safer Internet Centre helpline for School Staff | Tel: 0844 381 4772<br>Email: helpline@saferinternet.org.uk |
| Internet Watch Foundation hotline for reporting criminal content | www.iwf.org.uk |
| Educate Against Hate | http://educateagainsthate.com |

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

# 4 Types of abuse

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




## 4.1 Abuse

Abuse is 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. They may be abused by an adult or adults or by another child or children.

## 4.2 Physical abuse

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

*Signs of physical abuse can include:*

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

## 4.3 Emotional abuse

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

4.4 Domestic abuse

Emotional abuse often occurs when the child sees or hears domestic abuse occurring in the home. The cross-government definition of domestic violence and abuse is any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can encompass, but is not limited to: psychological; physical; sexual; financial; and emotional. Exposure to domestic abuse and/or violence can have a serious, long lasting emotional psychological impact on children. In some cases, a child may blame themselves for the abuse or may have had to leave the family home as a result.

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

4.5 Sexual abuse

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example rape or oral sex), or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse. Sexual abuse can take place online, and technology can be used to facilitate offline abuse. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children. The sexual abuse of children by other children is a specific safeguarding issue in education and is explored below.

*Signs of sexual abuse displayed by children may include:*

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

4.6 Neglect

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy, for example, as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to: provide adequate food, clothing and shelter (including exclusion from home or abandonment); protect a child from physical and emotional harm or danger; ensure adequate supervision (including the use of inadequate care-givers); or ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

*Signs of possible neglect include:*

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

4.7 Peer on peer abuse

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

- bullying (including cyberbullying);

- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm;
- sexual violence and sexual harassment;
- sharing of nudes/semi nudes imagery/videos, previously referred to as 'sexting';
- initiation/hazing type violence and rituals; and
- 'upskirting'

See separate section of this document on peer on peer abuse below.

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

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

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

Forced Marriage (FM)
Forcing a person into marriage is a crime in England and Wales. FM is one entered into without the full and free consent of one or both parties and where violence, threats or any form of coercion is used to cause a person to enter into a marriage. The FM Unit provides more guidance, which can be found here. Multi-Agency guidelines, which focus on the role of schools, can be found here.

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

**See Annex B of KCSIE for further details.**

4.9 Behavioural signs of abuse and neglect
If a child is being abused, their behaviour may change in a number of ways. For example, they may:

- behave aggressively or be disruptive, act out, demand attention and require more discipline than other children;
- become angry or disinterested and/or show little creativity;
- seem frightened of certain adults;
- become sad, withdrawn or depressed;
- have trouble sleeping;
- become sexually active at a young age;

- exhibit inappropriate sexual knowledge for their age or sexualised behaviour in their play with other children;
- refuse to change for gym or participate in physical activities;
- develop eating disorders;
- self-harm and/or express suicidal ideation;
- refuse to attend school or run away from home;
- lack confidence or have low self-esteem; or
- use drugs or alcohol as a coping strategy

4.10 Emotional Wellbeing and Mental Health

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

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

Staff, however, are well placed to observe children day-to-day and identify those whose behaviour suggests that they may be experiencing a mental health problem or be at risk of developing one. If staff have a mental health concern about a child that is also a safeguarding concern, immediate action should be taken, following this policy and speaking to the DSL.

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

Whilst all children should be protected, it is important that staff recognise that some groups of children are potentially at greater risk of harm (including online harm). For example, this vulnerable group includes, but is not limited to: those children with SEND (see below), young carers, those with a parent in prison, those identifying as LGBTQ+, and those living in homes characterised by domestic abuse and/or parental acrimony.

4.11 Children with Special Educational Needs and/or Disabilities

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

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

4.12 Signs of abuse or neglect manifested by the parents or other responsible adult

- places unrealistic expectations on the child, i.e. demands a level of academic or physical performance of which they are not capable;

- offers conflicting or unconvincing explanation of any injuries to the child;
- delays seeking medical treatment for the child's mental/physical health
- appears indifferent to, is emotionally unavailable, or overtly rejects, the child;
- denies existence of or blames the child for the child's behaviours at home or at school;
- sees and describes the child as entirely worthless, burdensome or in another negative light;
- refuses offers of support to meet the child's needs s;
- refuses to consent to referrals to external agencies to meet their child's needs/does not engage as expected

4.13 Grooming

Grooming is the process by which an individual prepares a child, significant adults and the environment for abuse of this child. Children and young people can be groomed online or in the real world, by a stranger or by someone they know. Groomers may beof any gender identity or sexual orientation. They could be of any age, including another young person. Many children and young people do not understand that they have been groomed, or that what has happened is abuse. The signs that a child is being groomedare not always obvious. Groomers will also go to great lengths not to be identified.

Children may:

- be very secretive, including about what they are doing online;
- have older boyfriends or girlfriends;
- go to unusual places to meet friends;
- have new things such as clothes or mobile phones that they can't or won't explain;
- have access to drugs and alcohol;
- go missing from home or school;
- display behavioural changes;
- have sexual health issues; or
- present as suicidal, self/harming, feeling depressed, unworthy.

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

4.14 Signs of grooming and/or online abuse

A child may be experiencing abuse online if they:

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

4.15 Signs of grooming manifested by sex offenders

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

- Overly affectionate behaviour with a child;
- Affording special attention or preferential treatment to a child;
- Excessive time spent alone with a child outside of the classroom/school;
- Frequently spending time with a child in private or isolated areas;
- Transporting a child to or from the school;
- Making friends with a child's parents and visiting their home;

- Acting as a particular child's confidante;
- Giving small gifts, money, toys, cards, letters to a child;
- Using texts, telephone calls, e-mails or social networking sites to inappropriately communicate with a child; and/or
- Flirtatious behaviour or making suggestive remarks or comments of a sexual nature around a child.

4.16 Modus operandi of grooming

- Target vulnerable victim: Perpetrators target victims who are vulnerable, isolated, insecure and/or have greater emotional needs.
- Gain victim's trust: Offenders may allow a child to do something (e.g. eat ice cream, stay up late, view pornography) which is not normally permitted by the child's parents or the school in order to foster secrecy.
- Gain the trust of others: Institutional offenders are often popular with children and parents, successfully grooming not only the victim but also other members of the victim's family and the community at large.
- Filling a need/becoming more important to the child: This can involve giving gifts, rewards, additional help or advice, favouritism, special attention and/or opportunities for special trips or outings.
- Isolating the child: The perpetrator may encourage dependency and subtly undermine the victim's other relationships with friends or family members.
- Sexualising the relationship: This can involve playful touches, tickling and hugs. It may involve adult jokes and innuendo or talking as if adults, for example about marital problems or conflicts.
- Maintaining control and secrecy: Offenders may use their professional position to make a child believe that they have no choice but to submit to the offender.

4.17 Signs of grooming for radicalisation

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

There is no single way of identifying whether a child is likely to be susceptible to an extremist ideology. Background factors combined with specific influences such as family and friends may contribute to a child's vulnerability. Similarly, radicalisation can occur through many different methods (such as social media or the internet) and settings (such as within the home). As with other safeguarding risks, staff should be alert to changes in children's behaviour, which could indicate that they may be in need of help or protection. Staff should use their judgement in identifying children who might be at risk of radicalisation and act proportionately which may include the DSL or the Prevent Lead making a Prevent referral.

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

Signs of vulnerability include:

- Under/over achievement;
- Being in possession of extremist literature;
- Poverty;
- Social exclusion;
- Traumatic events;

- Global or national events;
- Religious conversion;
- Change in behaviour;
- Exploitation of some form
- Extremist influences;
- Conflict with family over lifestyle;
- Confused identity;
- Victim or witness to race or hate crimes; and
- Rejection by peers, family, social groups.
- Having confirmed or emerging indicators of SEND

4.18 Child Criminal Exploitation and Serious Violence

CCE is where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child into any criminal activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial or other advantage of the perpetrator or facilitator and/or (c) through violence or the threat of violence. The victim may have been criminally exploited even if the activity appears consensual. CCE does not always involve physical contact; it can also occur through the use of technology. CCE can include children being forced to work in cannabis factories, forced to shoplift or pickpocket, or to threaten other young people. It is important to note that the experience of girls who are criminally exploited can be very different to that of boys. The indicators may not be the same, however professionals should be aware that girls are at risk of criminal exploitation too. It is also important to note that both boys and girls being criminally exploited may be at higher risk of sexual exploitation.

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

County Lines usually occurs through engaging children into gangs and using them to carry money or drugs from urban areas to suburban and rural areas, market and seaside towns. Further information on the signs of a child's involvement in county lines is available in guidance published by the Home Office here.

All staff should be aware of indicators which may signal that children are at risk from, or are involved with, serious violent crime. These can include, but are not limited to: increased absence from school; a change in friendships or relationships with older individuals or groups; a significant decline in performance; signs of self-harm or a significant change in wellbeing; or signs of assault or unexplained injuries. Unexplained gifts or new possessions could also indicate that children have been approached by, or are involved with, individuals associated with criminal networks or gangs. More information can be found in KCSIE (2021), in the Home Office's 'Preventing youth violence and gang involvement' and its 'Criminal exploitation of children and vulnerable adults: county lines guidance'.
See Annex B of KCSIE for more information.

4.19 Contextual Safeguarding

Contextual Safeguarding is an approach to understanding, and responding to, young people's experiences of significant harm beyond their families. It recognises that the different relationships that young people form in their neighbourhoods, schools and online can feature violence and abuse. Parents and carers have little influence over these contexts, and young people's experiences of extra-familial abuse can undermine parent-child relationships.

The contextual safeguarding approach says that children's social care practitioners, child protection systems and wider safeguarding partnerships need to engage with individuals and sectors who do have influence over/within extra-familial contexts, and recognise that

assessment of, and intervention with, these spaces are a critical part of safeguarding practices. Contextual Safeguarding, therefore, expands the objectives of child protection systems in recognition that young people are vulnerable to abuse beyond their front doors. This also includes the risk of abuse occurring in or outside of school.
See Annex B of KCSIE for more information.

4.20 Child Sexual Exploitation (CSE)

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

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

CSE can affect any child or young person (male or female) under the age of 18 years, including 16-and 17-year olds, who can legally consent to have sex. It can include both contact (penetrative and non-penetrative acts) and non-contact sexual activity and may occur without the child or young person's immediate knowledge (e.g. through others copying videos or images they have created and posted on social media).
The above CCE indicators can also be indicators of CSE, as can:

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

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

4.21 Children Missing in Education

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 can also be a sign of child criminal exploitation including involvement in County Lines. It may indicate mental health difficulties, risk of substance abuse, risk of travelling to conflict zones, risk of female genital mutilation 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. Staff should be aware of their school's unauthorised absence and their local authority's children missing from education procedures.

Elective Home Education

Many home educated children have an overwhelmingly positive learning experience. Most p arents decide to home educate with their child's best education at the heart of their decision. However, this is not the case for all, and home education can mean some children are less visible to the services that are there to keep them safe and supported in line with their needs. Where a parent/carer has expressed their intention to remove a child from school with a view

to educating at home, the school will coordinate a meeting with parents/carers where possible. Ideally, this would be before a final decision has been made, to ensure the parents/carers have considered what is in the best interests of each child. This is particularly important where a child has SEND, is vulnerable, and/or has a social worker. Should there be safeguarding concerns about any child whose parents state they are planning to educate them at home, a referral to Social Care may be considered.

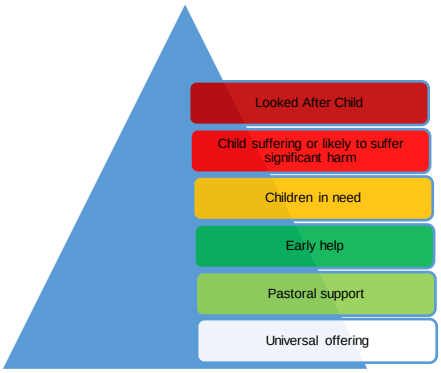
4.22 Children with family members in prison

Schools should be aware if they have any children or young people on their roll whose parent or close family member is in prison and provide additional support. Approximately 200,000 children in England and Wales have a parent sent to prison each year. These children are at risk of poor outcomes including poverty, stigma, isolation and poor mental health. NICCO provides information designed to support professionals working with offenders and their children, to help mitigate negative consequences for those children.

# 5 Stages of child protection

The school can use a range of arrangements, depending on the information available. The school will always work cooperatively with external agencies, including the local authority and the police.

The diagram opposite outlines the hierarchy of these approaches.




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

5.1 Early Help

If early help is appropriate, the DSL or DDSL will generally lead on liaising with other agencies and setting up an inter-agency assessment as appropriate. Staff may be required to support other agencies and professionals in an early help assessment, in some cases acting as the lead professional. Any such cases should be kept under constant review and consideration given to a referral to Children's Social Care for assessment for statutory services, if the child's situation does not appear to be improving or is getting worse.

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

- is disabled and has specific additional needs;
- has special educational needs (whether or not they have a statutory education, health and care plan);
- is a young carer;
- is showing signs of being drawn into anti-social or criminal behaviour, including gang involvement and association with organised crime groups;
- is frequently missing/goes missing from care or from home;
- is misusing drugs or alcohol themselves;
- is at risk of modern slavery, trafficking or exploitation;
- is in a family circumstance presenting challenges for the child, such as substance abuse, adult mental health problems or domestic abuse;
- has returned home to their family from care;
- is showing early signs of abuse and/or neglect;
- is at risk of being radicalised or exploited;
- is a privately fostered child; and/or
- has already identified as being LGBTQ+ or is beginning to identify as LGBTQ+.

5.2 Children who have a Social Worker

Children may need a Social Worker due to safeguarding or welfare needs. Children may need this help due to abuse, neglect and complex family circumstances. A child's experiences of adversity and trauma can leave them vulnerable to further harm, as well as educationally disadvantaged in facing barriers to attendance, learning, behaviour and mental health. Local authorities should share the fact a child has a Social Worker and inform schools whether the child is subject to a Child in Need (s17) or Child Protection (s47) Plan. The DSL

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

5.3 Children in Need

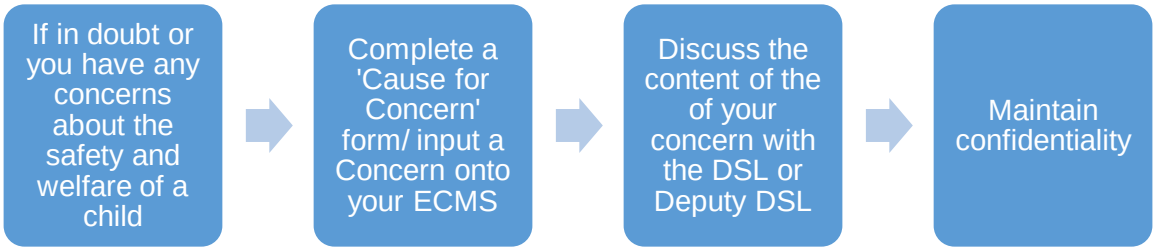
A Child in Need is defined under the Children Act 1989 as a child who is unlikely to achieve or maintain a reasonable level of health or development, or whose health and development is likely to be significantly or further impaired, without the provision of services; or a child who is disabled. Local authorities are required to provide services for children in need for the purposes of safeguarding and promoting their welfare. A child who is deemed to be a Child in Need will have been assessed by Children's Social Care under section 17 of the Children Act 1989.

5.4 Children suffering or likely to suffer significant harm

Local authorities, with the help of other organisations as appropriate, have a duty to make enquires under section 47 of the Children Act 1989 if they have reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm. Such enquiries enable them to decide whether they should take any action to safeguard and promote the child's welfare and must be initiated where there are concerns about maltreatment, including all forms of abuse and neglect, female genital mutilation or other so-called honour based violence, and extra-familial threats like radicalisation and sexual exploitation. Should an investigation occur, then the school's involvement and any action may be determined on the advice given by the investigating agency.

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

5.5.1 This should be read alongside KCSIE (statutory guidance) – Part One and Annex A.




Safeguarding and promoting the welfare of children is everyone's responsibility (KCSIE 2021). All staff should know what to do when a child discloses abuse to them, they have concerns about a child's welfare, or when children or staff raise concerns about a pupil to them.

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

- Listen carefully and allow the child to speak freely and remain calm. Do not interrupt the child or be afraid of silences. Recognise that there are many barriers to a child making a disclosure.
- Provide reassuring nods and words such as, "I am so sorry this has happened", "You are doing the right thing in talking to me". Avoid saying things like, "I wish you had told me about this earlier" or "I cannot believe what I am hearing". Questioning of the child about what they are saying should not be extensive, as partner agencies will lead any investigation. However, a context around what the child has said should always be sought

prior to any referral being made to partner agencies. This should be done by the DSL or DDSL, depending on who obtained the initial disclosure i.e. if a member of teaching staff receives a disclosure or has a concern, the DSL should then also speak to the child, either to corroborate the child's account or to gain further context. Limit questioning to the minimum necessary for clarification using *What, When, How and Where,* but avoid leading questions such as, "Has this happened to your siblings?" Do *not* use questions beginning with *Why* as this can apportion feelings of guilt within a child.

- If the child discloses abuse, it is appropriate to ask whether any other adults were present and observed the abuse, and ask what did they do.
- At an appropriate time, tell the child that the matter will be referred in confidence, always using language that is appropriate to the age and stage of development of the child, allowing for their individual need.
- Tell the child what will happen next. The child may want to accompany you to see the DSL, otherwise let the child know that someone will come to see them before the end of the day.

Staff should understand the difficulties children may have in approaching them and the need to build trusted relationships. Staff should be aware that the first approach/disclosure from a child may not be the only incident that has happened. It is appropriate therefore, to ask the child whether something like this has ever happened to them before.

5.5.2 Recording

Staff should make a written record of any conversation with the child as soon as possible, using a 'Cause for Concern Form' or uploading their concern onto their ECMS. All concerns, discussions and decisions made, and the reasons for those decisions, should be recorded in writing by the DSL. Records should include:

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

Staff recording disclosures should use the specific words that the child used (e.g. if referring to parts of their body), indicating these by using "speech marks/inverted commas". **If a disclosure of abuse has been made by the child, staff should immediately discuss the concerns verbally with the DSL, Deputy DSL or Headteacher prior to writing up the record** so that immediate action can be considered. If the DSL is not available then this should not delay appropriate action being taken and staff should speak to the DDSL, Headteacher or, failing that, a member of the SLT. Headteachers should be made aware of any referral that is made to Social Care or the police, but staff must not delay if they are unavailable before making the referral. All documents should be kept in a secure location with restricted access.

5.5.3 Photos

If a child discloses physical abuse, self-harms or attempts to take their life, staff should **never** take photos of children's injuries.

5.5.4 Making referrals to statutory agencies

*If a child is thought to be at risk of harm*

When a child is thought to be at risk of harm or is likely to be at risk of harm (see above), a referral should be made **immediately** to Children's Social Care or the Police if a criminal act is thought to have occurred. Whilst it is the role of the DSL, any member of staff can make a referral to Children's Social Care or the police and there should be no delay. *The school does not require parental consent for referrals to be made to statutory agencies.* Consent to do

this must **not** be obtained from the parents if to gain consent would put the child's safety at risk or to do so could jeopardise any investigation by partner agencies (WTSC 2020). See above re ensuring that a context is gathered prior to making any referral to external agencies.

*If a child has unmet needs*

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

*Confidentiality*

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

5.6 Passing on safeguarding records when a child leaves the school

Information sharing is vital in identifying and tackling all forms of abuse. KSCIE (2021) emphasises the need for fuller pastoral information to be passed on about students for whom there has a been a safeguarding concern, as a lack of information about their circumstances can impact on the child's safety, welfare and educational outcomes.

When a child leaves the school, it is the responsibility of the DSL to ensure that a copy of their safeguarding records is transferred securely and confidentially to the new school. Records should be transferred within 5 days for an in-year transfer or within the first 5 days of the start of a new term ( KCSIE 2021).

Before transferring, the DSL will arrange a telephone call with the DSL or Headteacher in the receiving school.Following the conversation, they will arrange for the secure transfer of documentation. Confirmation of the receipt of the documentation should be retained with safeguarding records. A safeguarding record must be transferred separately from the main pupil file. (See DSL Toolkit for further detail.)

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

The DSL should also consider if it would be appropriate to share any information with the new school in advance of a child leaving, for example, information that would allow the new schoolto continue supporting victims of abuse and have that support in place for when the child arrives. This should be done with parent's knowledge, unless to do so would heighten any risk to the child or younger person (if this is the case, then Social Care should be involved).

# 6 Whistleblowing

All adults have a responsibility to report any concerns about poor or unsafe practice, including in relation to the care and protection of a pupil or pupils. If a member of staff believes that best practice in this area is not being adhered to or that practice may put a pupil or pupils at risk, they should first attempt to resolve their concern at school level and :

**Report any concern to the Headteacher**

If the situation is not resolved, or safeguarding concern relates to the Headteacher, staff should:

**Report the concern to the Cognita Director of Education (DE) or the Regional Safeguarding Lead**

Any whistleblowing concern can also be raised directly with the schools' Human Resources Business Partner (HRBP). Staff are strongly encouraged to reach out at an early stage.

[Please see the 'key people and contacts' page in this document for the contact details of the above people within Cognita.]

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

No member of staff will suffer a detriment or be disciplined for raising a genuine concern about unsafe practice, if they do so in good faith and follow the whistleblowing procedures.

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

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

# 7 The role of the Designated Safeguarding Lead and Deputy Designated Safeguarding Lead

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

## 7.1 Deputy DSL

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

7.2 Inter-agency working

The DSL and Deputy DSLs liaise with the local authority and work in partnership with other agencies in the best interests of children in the school. New Safeguarding Partners and Child Death Review partner arrangements are now in place (the local authority; a clinical commissioning group for an area within the local authority; and the chief officer of police for an area (any part of which falls) within the local authority area).

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

'NPCC - When to call the police' should help DSLs understand when they should consider calling the police and what to expect when they do.

7.3 Support for DSL

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

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

- Manage referrals
- Work with others
- Train staff in relation to safeguarding
- Raise awareness of safeguarding within the school staff group

7.4 Manage referrals

The DSL is expected to:

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

7.5 Work with others

The DSL is expected to:

- act as a point of contact with the three Safeguarding Partners;
- liaise with the Headteacher to inform him or her of issues, especially ongoing enquiries under section 47 of the Children Act 1989 and police investigations;
- as required, liaise with the "case manager" (in relation to allegations against adults) and the Designated Officer(s) at the local authority for child protection concerns in cases which concern a staff member;
- liaise with staff (especially pastoral support staff, Wellbeing/Mental Health Lead, school nurses, IT technicians, and SENCOs) on matters of safety and safeguarding (including

online and digital safety) and when deciding whether to make a referral by liaising with relevant agencies; and

- act as a source of support, advice and expertise for all staff
- promote supportive engagement with parents and/or carers in safeguarding and the welfare of children, including where families may be facing challenging circumstances'

7.6 Training

The DSL (and any deputies) should undergo training to provide them with the knowledge and skills required to carry out their role, including inter-agency working. This training must be updated **at least every two years**. Where available, DSLs and DDSLs should access this training via their Local Authority in order to make local links.

The DSL and Prevent Lead should undertake additional Prevent awareness training to the government Prevent training that all school staff undertake where locally available e.g. WRAP.

The DSL must undertake Online Safety training on an annual and ongoing basis.

The DSL must undertake Safer Recruitment training every 2 years.

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

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

- understand and support the school with regards to the requirements of the Prevent duty and are able to provide advice and support to staff on protecting children from the risk of radicalisation;
- are able to understand the unique risks associated with online safety and be confident that they have the relevant knowledge and up to date capability required to keep children safe whilst they are online at school;
- can recognise the additional risks that children with SEN and disabilities (SEND) face online, for example, from online bullying, grooming and radicalisation and are confident they have the capability to support SEND children to stay safe online;
- obtain access to resources and attend any relevant or refresher training courses; and
- encourage a culture of listening to children, having an understanding their views and taking account of their wishes and feelings, among all staff, in any measures the school may put in place to protect them.

7.7 Raise awareness

The DSL should:

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

7.8 Availability

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

# 8 Responsibilities of the proprietor

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

It is the responsibility of the proprietor to:

- Ensure that all staff having contact with children read Part One of KCSIE;

- Ensure that all staff working in the school but not necessarily having direct contact with children read Annex A of KCSIE
- Ensure that all staff follow the requirements of this Safeguarding and Child Protection Policy and Procedure;
- Ensure that mechanisms are in place to assist staff to understand and discharge their role and responsibilities, as set out in Part One of KCSIE;
- Designate a senior board member to take leadership responsibility for safeguarding arrangements;
- Ensure that all safeguarding arrangements take into account the procedures and practice of the local authority as part of the inter-agency procedures set up by the Safeguarding Partners;
- Ensure that appropriate policies and procedures are in place in order for appropriate action to be taken in a timely manner to safeguard and promote children's welfare;
- Ensure that each school works in line with local inter-agency procedures;
- Ensure that the Safeguarding and Child Protection Policy is updated annually and made available via the school website;
- Provide a Staff Code of Conduct and Acceptable Use Policy;
- Ensure that all responsibilities regarding Children Missing from Education* are followed, using Children Missing Education Statutory Guidance (Sep 2016);
- Instruct schools to hold more than one contact number for each child;
- Ensure that schools report to their local authority the removal of a child from the school roll in line with statutory and local authority guidance;
- Ensure that all staff undergo safeguarding and child protection training (including online safety) at induction – this must be in line with advice from Safeguarding Partners;
- Recognise the expertise staff build by undertaking safeguarding training and managing concerns on a daily basis;
- Ensure that appropriate filters and monitoring systems are in place to keep children safe online; and
- Ensure that children are taught about safeguarding, including online safety.

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

Members of the proprietorial team working in a governance and oversight role (e.g. Directors of Education) will undertake DSL level training, induction and training.

# 9 Induction

At the point of induction, **all** new school employed staff must be provided with, should read and should be trained by the DSL in:

- KCSIE 2021 – Part One (contact with children) and/or Annex A (no contact)
- The Safeguarding and Child Protection Policy and Procedure, including whistleblowing;
- Staff Code of Conduct and Acceptable Use of IT Policy (including staff/pupil relationships and communications);
- Digital Safety Policy (including use of social media);
- Children Missing from Education Policy;
- Anti-Bullying Policy;
- Behaviour Policy; and
- Preventing Extremism and Radicalisation Policy.

At the point of induction, new staff must be informed of the names and role of the Designated Safeguarding Lead and Deputies. Likewise, all agency/supply staff must be informed of those with these roles, and of the school processes for raising concerns about children or adults in

the school. All new staff must be made aware that they are not to ever use their personal mobile phone when on the school site, and that they are required to wear a coloured lanyard.

# 10 Training

## 10.1 All Staff training

**All staff employed in school** should receive **annual** safeguarding and child protection training from the DSL via a Safeguarding Refresher presentation, usually at the commencement of the academic year.

**This is in addition** to their Basic Safeguarding awareness training which must be updated every three years or less.

All staff will also receive safeguarding and child protection updates, including online safety, regularly throughout the year, provided by the DSL, in order to provide them with relevant skills and knowledge to safeguard children effectively, for example, learning about the topics in Annex B (KSCIE 2021).

All school employed staff should also undergo Prevent training and FGM training every 3 years.

**Headteachers** must complete Safeguarding training similar to the level of the DSLs every 2 years (either through their Local Authority or through Cognita), and complete Prevent and FGM training every 3 years. They should complete Safer Recruitment training every 2 years.

**Agency/Supply teaching staff** must show evidence of Basic Safeguarding training undertaken within 3 years, prior to attending the school for the first time, and should receive a Safeguarding Induction prior to first contact with children which includes the school's approach to online safety and managing incidents of sexual violence /harassment.

**Peripatetic teachers** must show evidence of having undertaken Basic Safeguarding training within the last 3 years prior to attending the school for the first time and should receive a Safeguarding Induction prior to first contact with children which includes the school's approach to online safety and managing incidents of sexual violence /harassment.

## 10.2 Third-party contractors

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

## 10. 3 Teaching Children about safeguarding

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

Safeguarding is taught in the following way:
Through assemblies, PSHCE lessons and posters around school. Embedded into lessons where appropriate.

Relationships education is compulsory in all primary schools.
Our approach to this is through PSHCE and Science lessons

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

## 11 Online Safety

11.1 Technology

Technology often provides the platform that may facilitate harm. All staff should be aware of the unique risks aassociated with online safety, and that technology is a significant component in many safeguarding and wellbeing issues. DSLs are responsible for overseeing online safety in schools and should raise awareness in the staff group accordingly, including but not limited to, cyber-bullying, child sexual exploitation, radicalisation and sexual predation. The school will protect and educate the school community in their use of technology and has mechanisms to identify, intervene in, and escalate any incident, where appropriate.

11.2 Areas of risk

There are four main areas of risk:

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

More information around teaching online safety, can be found here

All staff should understand their role in preventing, identifying and responding to harm caused by its use. Additional information to support schools to keep their children safe online (including when they are online at home) is provided in Annex D of KCSIE (2021). Whilst it is essential that schools ensure that appropriate filters and monitoring systems are in place, they should be careful that “over blocking” does not lead to unreasonable restrictions as to what children can be taught with regard to online teaching and safeguarding. Many children have unlimited and unrestricted access to the internet via mobile phone networks (i.e. 3G, 4G and 5G). This access means some children, whilst at school, sexually harass their peers via their mobile and smart technology, share indecent images: consensually and non-consensually (often via large chat groups), and view and share pornography and other harmful content.

This is managed through computing lessons on online safety, PSHEE, discussion in formtime and assemblies.

All staff should also be familiar with the school’s Digital Safety Policy, which sets out the school’s approach to online safety in further detail. Technology, and risks and harms related to it evolve and changes rapidly. The school will carry out an annual review of their approach to online safety, supported by an annual risk assessment that considers and reflects the risks their children face.

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

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

This policy only covers the sharing of sexual imagery by children. Possessing, creating, sharing and distributing sexual photos and videos of under-18s is illegal, and therefore causes the greatest complexity for schools (amongst other agencies) when responding. It also presents a range of risks which need careful management.

11.4 What types of incidents are covered by this policy?

Yes**:**

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

No:

- The sharing of sexual imagery of children by adults as this constitutes child sexual abuse and schools should always inform the Police. Images of this kind should not be deleted from a child or adult's phone.
- Children sharing adult pornography or exchanging sexual texts which do not contain imagery[2].
- Sexual imagery downloaded from the internet by a child[3].
- Sexual imagery downloaded from the internet by a child and shared with a peer (also under the age of 18) or an adult[4].

11.5 Disclosure

All staff should understand, that even if there are no reports in their school it does not mean it is not happening, it may be the case that it is just not being reported. All members of staff (including non-teaching staff) should be aware of how to recognise and refer any disclosure of incidents involving the sharing of nudes/semi nudes imagery/videos. This will be covered within staff training. Disclosure about can happen in a variety of ways. The child affected may inform a class teacher, the DSL in school, or any member of the school staff. They may report through an existing reporting structure, or a friend or parent may inform someone in school or a colleague, or inform the police directly. Any direct disclosure by a child should be taken

[1] For the purposes of this policy, 'child', 'youth' and 'young person' refers to anyone under the age of 18; 'adult' refers to anyone aged 18 or over

[2] All such incidents should be responded to with reference to the school's Online Safety Policy, and in line with the school's Safeguarding Policy

[3] As above

[4] As above

very seriously. A child who discloses they are the subject of sexual imagery is likely to be embarrassed and worried about the consequences. It is likely that disclosure in school is a last resort and they may have already tried to resolve the issue themselves.

11.6 Handling incidents

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

- The incident should be referred to the DSL as soon as possible;
- The DSL should hold an initial review meeting with appropriate school staff;
- The DSL will follow the procedures and guidance set out in this guidance
- There should be interviews with the children involved (if appropriate, seek advise);
- Parents of each child 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 child at greater risk of harm and jeopardise any police/social care investigation; and
- At any point in the process, if there is a concern that a child has been harmed or is at risk of harm, a referral should be made to Children's Social Care and/or the Police immediately.

# 12 Private fostering

12.1 What is private fostering?

Private fostering is when a child or young person under 16 years old (or 18 if they have a disability) is looked after for 28 days or more by someone who is not a close relative, legal guardian or person with parental responsibility. Close relatives *only* include parents, step-parents, aunts, uncles and grandparents. It is not private fostering if the child is 'looked after' by the Local Authority (also known as 'in care' and which includes placement in residential care, with an approved foster carer or a 'kinship' carer). Private fostering occurs in *all* cultures, including British culture, and children may be privately fostered at any age.

Examples of private fostering situations include:

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

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

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

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

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

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

12.3 Timescales for informing the Local Authority

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

# 13 Looked After Children

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

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

An Interim Care Order will remain in place until care proceedings are concluded (within 26 weeks in most authorities). At the conclusion of care proceedings in any situation, the child will either stay in long term foster care (under a Full Care Order) until they reach the age of 18 years, return to their parents (usually under a Supervision Order), reside with other family members/friends (usually under a Special Guardianship Order), or in some cases be adopted. In all of the latter situations, it is most usual for parents to have agreed contact arrangements with their child, most commonly three times per year.

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

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

Cognita ensures that staff receive training on Looked After Children, including on the reasons children become looked after, their legal status, the support that staff can provide to keep

such children safe and the ways in which they can maximise educational stability for Looked After Children.

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

# 14 Host families

14.1 When might this happen?

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

14.2 What is the responsibility of the school?

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

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

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

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

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

14.4 Private arrangements

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

14.5 Background checking for adults in homestay arrangements

When a school arranges a homestay, it should consider what intelligence/information will best inform its assessment of the suitability of the adults in those families who will be responsible for the visiting child during the stay. It will be for the school or college to use their professional judgement to decide what it considers will be most relevant. However, to help

inform that assessment, schools and colleges should obtain, as a minimum, a DBS enhanced certificate with barred list information. This check will not only establish whether the adults are barred from engaging in regulated activity relating to children, but where criminal record information is disclosed, it will also allow the school or college to consider, alongside all other intelligence that it has obtained, whether the adult would be a suitable host for a child.

14.6 Volunteer DBS check

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

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

14.7 Suitability of adults in host families abroad

It is not possible for schools and colleges to obtain criminal information from the DBS about adults who provide homestays abroad. Schools should liaise with partner schools abroad, to establish a shared understanding of, and agreement to, the arrangements in place for the visit. They should use their professional judgement to satisfy themselves that the arrangements are appropriate and sufficient to safeguard effectively every child who will take part in the exchange. Parents should be aware of the agreed arrangement. Schools are free to decide whether they consider it necessary to contact the relevant foreign embassy or High Commission of the country in question to discuss what checks may be possible in respect of those providing homestay outside of the UK.

The school should produce a written risk assessment outlining the approach taken and indicating the reasons for specific decisions.

14.8 During the visit

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

14.9 Additional action for extended homestays

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

14.10 Sponsored International students (Tier 4 child visas)

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

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

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

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

Once the child has arrived safely, the UKVI School Champion, in collaboration with the DSL, will aim to ensure that their needs are met, including pastoral need, and they will liaise with the child's parents and carers for the ongoing needs of the child

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

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

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

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

a. the student and their parent/guardian's address has changed; or
b. the student's childcare arrangements have changed (e.g. moved from living with their parents to a private foster care arrangement).

Templates are available in the UKVI handbook.

# 15 Peer on peer abuse

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

15. 1 What is peer on peer abuse?

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

- serious bullying (including cyber-bullying)[6]
- relationship abuse[7]
- domestic violence[8]
- child sexual exploitation[9]
- youth and serious youth violence[10]
- 'upskirting' (see below), harmful sexual behaviour[11] (see below)
- gender-based violence[12]
- causing someone to engage in sexual activity without consent, such as forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party;
- sexual violence (such as rape, assault by penetration and sexual assault; this may include an online element which facilitates, threatens and/or encourages sexual violence);
- sexual harassment (including sexual comments, remarks, jokes and online sexual harassment, which may be standalone or part of a broader pattern of abuse)
- consensual and non-consensual sharing of nudes and semi nudes images and or videos (previously known as sexting or youth produced sexual imagery);

These categories of abuse rarely take place in isolation and often indicate wider safeguarding concerns. For example, a teenage girl may be in a sexually exploitative relationship with a teenage boy who is himself being physically abused by a family member or by older boys. Equally, while children who abuse may have power over those who they are abusing, they may be simultaneously powerless to others. Staff should be aware that there may be multiple perpetrators and/or victims, and not consider that only one child abuses another in isolation.

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

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

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

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

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

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

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

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

15.2 What role does gender and sexual orientation play?

Children of all gender identities and sexual orientations can both perpetrate and be the victim of peer on peer abuse, but this often manifests itself differently; some may seem to be at greater risk of sexual assault and/or exploitation, whereas others seem to be at greater risk of physical gang-related violence and serious youth violence.

15.3 When does behaviour become abusive?

It can be difficult to distinguish between abusive behaviour, which should be dealt with in accordance with the procedure set out below, and behaviour which does not constitute abuse, such as low level bullying or cyber bullying (where the school's Anti-Bullying Policy should be followed) or age appropriate sexual experimentation with the norms of sexual development.

Factors which may indicate that behaviour is abusive include:

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

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

15.4 How can I identify victims of peer on peer abuse?

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

Signs can include:

a) failing to attend school, disengaging from classes or struggling to carry out school related tasks to the standard you would ordinarily expect
b) physical injuries
c) having difficulties with their mental health and/or emotional wellbeing
d) becoming withdrawn, shy, experiencing headaches, stomach aches, anxiety, panic attacks, suffering from nightmares or lack of sleep or sleeping too much
e) drugs and/or alcohol use
f) changes in appearance and/or starting to act in a way that is not appropriate for the child's age including sexualised behaviours
g) change in health needs, including sexually transitted infections and unwanted pregnancy

This list is not exhaustive and the presence of one or more of these signs does not necessarily indicate abuse.

15.5 Are some children particularly vulnerable to abusing or being abused by their peers?

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

a) peer on peer abuse is more prevalent amongst children aged 10 and older, although it also affects younger children, including by way of harmful sexual behaviour.
b) children who are particularly vulnerable to abuse or to abusing others include those who have (i) witnessed or experienced abuse or violence themselves; (ii) suffered from the loss of a close family member or friend; or (iii) experienced considerable disruption in their lives.

c) children with SEN/D and those who identify as LGBT+ are particularly vulnerable to both abuse and peer on peer abuse.

15.6 How prevalent is peer on peer abuse?

Recent research suggests that peer on peer abuse is one of the most common forms of abuse affecting children in the UK. For example, more than four in ten teenage schoolgirls aged between 13 and 17 in England have experienced sexual coercion (Barter et al 2015). Two thirds of contact sexual abuse experienced by children aged 17 or under was perpetrated by someone who was also aged 17 or under (Radford et al 2011) and over a third of young boys in England admitted to watching porn and having negative attitudes towards women (University of Bristol and University of Central Lancashire, 2015). All staff should understand, that even if there are no reports in their school it does not mean it is not happening, it may be the case that it is just not being reported. Staff should therefore assume that peer on peer abuse is occurring and act accordingly.

15.7 What should I do if I suspect either that a child(ren) may be being abused, or that a child(ren) may be abusing others?

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

15.8 How will the DSL respond to concerns of peer on peer abuse?

In some situations, a child will make a direct disclosure of peer on peer abuse, or their peers may report something has occurred. Alternatively a staff member may raise a concern having witnessed or been told about an incident. The DSL will discuss the behaviour with the member of staff raising the concern and will in all situations, take any immediate steps to ensure the safety of the victim(s) or any other child(ren) including the perpetrator. Where the DSL considers or suspects that the behaviour might constitute abuse, Children's Social Care will be contacted immediately and, in any event, within 24 hours of the DSL becoming aware of it. The DSL will discuss the incident with Children's Social Care and agree on a course of action, which may include (a) taking any steps to ensure the safety and wellbeing of any children affected; (b) further investigation; (c) referral to other agencies such as the police (where a crime may have been committed), CAMHS, a specialist harmful sexual behaviour team and/or youth offending services.

Any response should be decided in conjunction with Children's Social Care and other relevant agencies and should:

- investigate the incident and the wider context and assess and mitigate the risk posed by the perpetrator(s) to the victim(s) and to other children (a written Risk Assessment will be completed after initial practical steps are completed);
- Whilst the school establishes the facts of the case and starts the process of liaising with children's social care and the Police, the alleged perpetrator(s) should be removed from any classes they share with the victim. The school should also carefully consider how best to keep the victim and alleged perpetrator(s) a reasonable distance apart on school premises (including during any before or after school-based activities) and on transport to and from the school, where appropriate. These actions are in the best interests of all children involved and should not be perceived to be a judgment on the guilt of the alleged perpetrator(s).
- consider that the abuse may indicate wider safeguarding concerns for any of the children involved;

- treat all children (whether perpetrator or victim) as being at risk - while the perpetrator may pose a significant risk of harm to other children, s/he may also have considerable unmet needs and be at risk of harm themselves;
- take into account the complexity of peer on peer abuse and of children's experiences and consider the interplay between power, choice and consent. While children may appear to be making choices, if those choices are limited, they are not consenting;
- take appropriate action in respect of the perpetrator – any action should address the abuse, the causes of it, attitudes underlying it and the support that may be needed if the perpetrator is at risk. Factors to consider include: the risk the perpetrator(s) poses and will continue to pose to other children, their own unmet needs, the severity of the abuse and the causes of it. Disciplinary action may be appropriate, including (a) to ensure that the perpetrator takes responsibility for and realises the seriousness of his or her behaviour; (b) to demonstrate to the perpetrator and others that abuse can never be tolerated; and (c) to ensure the safety and wellbeing of the victim and other children in the school. Permanent exclusion will only be considered as a last resort and only where necessary to ensure the safety and wellbeing of the victim(s) and other children in the school;
- provide on-going support to victim(s) including by (a) ensuring their immediate safety; (b) responding promptly and appropriately to the abuse; (c) assessing and addressing any unmet needs; (d) following the procedures set out in this Safeguarding Policy (including where the child is in need of early help or statutory intervention); (e) monitoring the child's wellbeing closely and ensuring that s/he receives on-going support from all relevant staff members within the school; (f) engaging with the child's parents and any external agencies to ensure that the child's needs are met in the long-term; and
- consider the lessons that can be learnt from the abuse and put in place measures to reduce the risk of such abuse recurring. This may include, for example: gender and equalities work, work around school safety, security and supervision, awareness raising for staff, students and parents about a particular form of abuse, training for staff on handling certain types of incidents or abuse.

15.9 How does the school raise awareness of, and reduce the risk, of peer on peer abuse?

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

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

# 16 Sexual Violence and Sexual Harassment between Children

Peer on peer abuse can include two specific forms, known as Sexual Violence and Sexual Harassment. Any response to these should fall within, and be consistent with, the school's wider approach to peer-on-peer abuse (see above) whether the concerns of child on child sexual violence and sexual harassment, including those that have happened outside of the school premises, and or online. Where the report includes an online element, being aware of searching screening and confiscation advice (for schools) and UKCIS Sharing nudes and semi-nudes: advice for education settings working with children and young people.

**The key consideration is for staff not to view or forward illegal images of a child.**

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

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

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

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

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

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

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

16.2 Sexual Harassment refers to 'unwanted conduct of a sexual nature'.

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

16. 3 Who perpetrates sexual violence and/or harassment

Sexual Violence and Sexual Harassment can:

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

Whilst any report of sexual violence or sexual harassment should be taken seriously, staff should be aware it is more likely that girls will be the victims of sexual violence and sexual harassment and more likely it will be perpetrated by boys. Children with Special Educational Needs (SEN) are potentially more vulnerable, and there may be barriers in recognising abuse in this group of children. In addition, children who are perceived by their peers to be LGBT or identify themselves as LGBT may potentially be more vulnerable. Sexual violence and sexual abuse can happen anywhere, and all staff working in the school are advised to maintain an attitude of 'it could happen here', assume that it is happening, and act accordingly. All staff should understand, that even if there are no reports in their school it does not mean it is not happening, it may be the case that it is just not being reported.

16.4 Handling incidents involving sexual violence and/or sexual harassment

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

- internally

For example, for one-off incidents of sexual harassment, the school may take the view that the children concerned are not in need of early help or that referrals need to be made to statutory services and that it would be appropriate to handle the incident internally, perhaps through utilising their behaviour policy and by providing pastoral support. Whatever the response, it should be underpinned by the principle that there is a zero tolerance approach to sexual violence and sexual harassment and it is never acceptable and will not be tolerated. All concerns, discussions, decisions and reasons for decisions should be recorded (written or electronic).

- those requiring Early Help

In line with the above, the school may decide that the children involved do not require referral to statutory services but may benefit from early help. Early help means providing support as soon as a problem emerges, at any point in a child's life. Providing early help is more effective in promoting the welfare of children than reacting later. Early help can be particularly useful to address non-violent HSB and may prevent escalation of sexual violence.

- those where Social Care will needed to be informed and involved

Where a child has been harmed, is at risk of harm, or is in immediate danger, schools should make a referral to local children's Social Care. At the point of referral schools will generally inform parents or carers, unless there are compelling reasons not to (if informing a parent or carer is going to put the child at additional risk). Any such decision should be made with the support of children's Social Care. If a referral is made, Social Care will then make enquiries to determine whether any of the children involved are in need of protection or other services. Schools should not wait for the outcome (or even the start) of a Social Care investigation before protecting the victim and other children in the school.

- those where a criminal offence is likely to have occurred and the Police will be needed

Any report to the Police will generally be in parallel with a referral to children's Social Care (as above). Where a report of rape, assault by penetration or sexual assault is made, the starting point is that this should be passed on to the Police. Whilst the age of criminal responsibility is ten, if the alleged perpetrator(s) is under ten, the starting principle of reporting to the Police remains. The following advice may help schools and colleges decide when to engage the Police and what to expect of them when they do: When to call the Police.

At this stage, schools will generally inform parents or carers unless there are compelling reasons not to, for example, if informing a parent or carer is likely to put a child at additional risk. In circumstances where parents or carers have not been informed, it will be especially important that the school is supporting the child in any decision they take. This should be with the support of children's Social Care and any appropriate specialist agencies.
Please refer to page 110 (KCSIE 2021 for information regarding bail conditions).
Please refer to pages 33-35 of the government guidance Sexual Violence and Sexual Harasssment in schools and colleges). The DfE advice highlights best practice and cross-references other advice, statutory guidance and the legal framework.

16.5 Our approach to Sexual Violence and Sexual Harassment

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

- not accept or tolerate sexual violence and sexual harassment
- not downplay or consider that these types of behaviours are 'banter', an 'inevitable part of growing up' or hold the view that 'boys will be boys', knowing that to do so may normalise inappropriate behaviours may create an unsafe culture where children feel less able to come forward with concerns
- encourage early intervention to avoid potential escalation
- challenge inappropriate physical behaviour (potentially criminal in nature), such as grabbing bottoms, breasts and genitalia, pulling down trousers, flicking bras and lifting up skirts
- challenge inappropriate verbal behaviour, such as making sexist comments, innuendo or taunting
- embed training and education on these issues within a strong pastoral system
- adopt a planned and sequenced RSE programme across the whole curriculum including age appropriate content around: consent, gender roles, stereotyping and equality, healthy relationships, and power imbalances in relationships
- develop and encourage forums that enable children to talk about issues openly
- have clear and accessible systems in place for children to confidently report abuse, knowing their concerns will be treated seriously
- act in the best interests of all children involved, reassure victims that they are being taken seriously and that they will be supported and kept safe. A victim will never given the impression that they are creating a problem by reporting sexual violence or sexual harassment.
- manage any disclosure, either from the child who has suffered abuse or from other children, giving the victim(s) as much control as is reasonably possible over decisions regarding how any investigation will be progressed and any support that they will be offered. This will however need to be balanced with the school's duty and responsibilities to protect them and other children
- carry out a risk and needs assessment for children affected by sexual violence or sexual harassment, including both the victim and alleged perpetrator- this may be informed by risk assessments completed by external services
- engage with both the victim's and the alleged perpetrator's parents or carers when there has been a report of sexual violence (in the case of sexual harassment this might not be necessary or proportional and 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.

16.6 Upskirting

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

# 17 Signposting to further information

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

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

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

Annex B of KCSIE contains guidance on the following issues:

- Child abduction and community safety incidents
- Children and the court system
- Children missing from education
- Children with family members in prison
- Child Criminal Exploitation (CCE)
- Child Sexual Exploitation (CSE)
- County lines
- Modern Slavery and the National Referral Mechanism
- Cybercrime
- Domestic abuse
- Homelessness
- Honour-based abuse
- FGM
- Forced marriage
- Preventing radicalisation
- The Prevent duty
- Channel
- Peer on peer/ child on child abuse
- Sexual violence and sexual harassment between children in schools
- Upskirting

This part of the policy now will explain two situations :

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

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

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

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

**We are a 'telling' organisation**
If you are concerned about the behaviour or actions of any adult…
speak to the DSL or Headteacher
You can also talk to your Regional Safeguarding Lead, your Director of Education or your HRBP

18.1 Code of Conduct

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

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

18.2 Low Level Concerns (including self-reporting)

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

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

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

**Self-reporting**

From time to time an individual may find him/herself in a situation which might appear compromising to others or which could be misconstrued. Equally, an individual may for whatever reason have behaved in a manner which on reflection he/she considers falls below the standard set out in the Code of Conduct, falls below the expected professional standards, or breaches this policy.
Self-reporting in these circumstances is encouraged as it demonstrates both awareness of the expected behavioural standards and self-awareness as to the individual's own actions or how they could be perceived. As such, the school sees self-reporting as an important means of maintaining a culture where everyone aspires to the highest standards of conduct and behaviour.

**Low level concerns about an adult**

From time to time an individual may notice behaviour , statements, or actions in others which leave them concerned. These are behaviour or actions which fall short of a formal allegation of abuse. These tend to be behaviours which indicate that our Code of Conduct has not been met. Any such concerns can be dealt with as a low level concern.

The term 'low-level' concern does not mean that it is insignificant, it means that the behaviour towards a child does not meet the threshold for an allegation (see below). A low-level concern is any concern – no matter how small, and even if no more than causing a sense of unease or a 'nagging doubt' - that an adult working in or on behalf of the school may have acted in a way that:

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

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

• being over friendly with children;
• having favourites;
• engaging with a child on a one-to-one basis in a secluded area or behind a closed door; or,
• using inappropriate sexualised, intimidating or offensive language.

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

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

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

18.4 What should I do if I have one?

Where a low level concern (including self-reports) exists, it should be reported to the DSL or to the Headteacher as soon as reasonably possible in the same day as the incident (where the concern relates to a particular incident). If they are unavailable, the staff member should contact their HRBP/ the RSL. There should be no delay.

Where a low-level concern relates to a person employed by a supply agency or a contractor to work in the school, that concern should be shared with the DSL and/or Headteacher. Their employer notified about the concern, so that any potential patterns of inappropriate behaviour can be identified.

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

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

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

Where the Headteacher is in any doubt whatsoever, advice will be sought from the Designated Officer, if necessary, on a no-names basis. The Headteacher can also seek advice from the RSL (Regional Safeguarding Lead).

Having established that the concern is low level, the DSL or Headteacher as appropriate will discuss it with the individual who has raised it and will take any other steps to investigate it as necessary. Most low level concerns by their very nature are likely to be minor and will be dealt with by means of management guidance, training, etc. The person to which the low level concern relates must be informed of any concern raised about them once all risk has been identified and assessed. The person who has raised the low level concern about their colleague will remain anonymous.

18.6 What records will be kept?

Where a low level concern has been communicated, or a Self-Report raised by an individual about themselves, a confidential record will be kept in a central file which logs all low level concerns and will be retained until the staff member reaches normal pension age or 10 years after if longer. This is necessary to enable any patterns of concerning, problematic or inappropriate behaviour can be identified. Where a pattern of such behaviour is identified, the school should decide on a course of action, either through its disciplinary procedures or where a pattern of behaviour moves from a concern to meeting the harms threshold, in which case it should be referred to the Designated Officer.

No record will be made of the concern on the individual's personnel file unless either:

a) the concern (or group of concerns) has been reclassified as an allegation; or
b) the concern (or group of concerns) is sufficiently serious to result in formal action under the school's grievance, capability or disciplinary procedure.

18. 7 References

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

# 19 Part Two- Allegations Policy

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

19. 1 What is an allegation?

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

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

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

19.2 What should I do if I have an allegation?

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

The Headteacher will liaise with the Designated Officer of the Local Authority as set out below and inform the Cognita Director of Education, their HRBP, and the Regioanl Safeguarding Lead.

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

If the allegation is about the Headteacher, it must be referred to the Cognita Director of Education (DE) and/or the Regional Safeguarding Lead immediately, without informing the Headteacher. They will then liaise with the Designated Officer of the Local Authority as set out below.

19.3 Duties as an employer and an employee

This policy relates to members of staff, contractors, visitors and volunteers who are currently working in any school, regardless of whether the school is where the alleged abuse took place. This policy also refers to agency staff/supply staff (KCSIE 2021) (see below). In some circumstances, schools will have to consider an allegation against an individual not directly employed by them, where its disciplinary procedures do not fully apply, for example, supply teachers provided by an employment agency or business. Whilst schools are not the employer of supply teachers, they should ensure allegations are dealt with properly. In no circumstances should a school decide to cease to use a supply teacher due to safeguarding concerns, without finding out the facts and liaising with the local authority Designated Officer (LADO) to determine a suitable outcome.

Decisions will need to be made in discussion with the agency whether it is appropriate to suspend the supply teacher, or redeploy them to another part of the school, whilst they carry out their investigation. Agencies should be fully involved and co-operate in any enquiries from the LADO, Police and/or children's social services. The school will usually take the lead because agencies do not have direct access to children or other school staff, so they will not be able to collect the facts when an allegation is made, nor do they have all the relevant information required by the LADO as part of the referral process.

Supply teachers, whilst not employed by the school, are under the supervision, direction and control of the school when working in the school. They should be advised to contact their trade union representative if they have one, or a colleague for support. The allegations management meeting which is often arranged by the LADO should address issues such as information sharing, to ensure that any previous concerns or allegations known to the agency are taken into account by the school during the investigation. When using an agency, schools should inform the agency of its process for managing allegations. This should include inviting the agency's human resource manager or equivalent to meetings and keeping them up to date with information about its policies.

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

Cognita has a duty of care to all employees. Cognita will provide effective support for anyone facing an allegation and provide the employee with a named contact if they are suspended. It is essential that any allegation of abuse made against a teacher or other member of staff or volunteer is dealt with very quickly, in a fair and consistent way that provides effective protection for the child and, at the same time, supports the person who is the subject of the allegation.

19.4 Dealing with an allegation

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

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

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

*Initial discussion*

Before contacting the DO, Headteachers, after first liaising with the Regional Safeguarding Lead, their HRBP and their DE, *may* need to gather some initial information to help them determine whether there is any foundation to the allegation. Unless agreed, the person to which the allegation has been made will not be informed or interviewed at this stage, so as not to jeopardise potential evidence gathering by external agencies. If, after the initial gathering of information it is decided by the above group of colleagues that the concerns do not meet threshold for an allegation, the Headteacher will manage the situation under the Low Level Concerns policy

If, after the initial information gathering stage, it is decided that the concerns amount to an allegation, the Headteacher will contact the DO.

The Headteacher (or Director of Education where there is an allegation against the Headteacher) ['case manager'] will inform the Designated Officer of all allegations that come to the school's attention and appear to meet the criteria, providing them with the basic information that they have gathered thus far. The Designated Officer may consult with the Police and Children's Social Care as appropriate.

The purpose of an initial discussion is for the Designated Officer(s) and the case manager (school initially) to consider the nature, content and context of the allegation and agree a course of action. The Designated Officer(s) may ask the case manager to provide or obtain relevant additional information, such as previous history, whether the child or their family have made similar allegations previously and about the individual's current contact with children. There may be situations when the case manager will want to involve the Police immediately, for example if the person is deemed to be an immediate risk to children or there is evidence of a possible criminal offence. Where there is no such evidence, the case manager should discuss the allegations with the Designated Officer(s) in order to help determine whether police involvement is necessary.

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

*Inter-agency Strategy Discussion*

If there is cause to suspect a child is suffering or is likely to suffer significant harm, a 'strategy discussion' will be convened by the Designated Officer or the Police in accordance with the statutory guidance Working Together to Safeguard Children. If the allegation is about physical contact, the 'strategy discussion' or initial evaluation with the Police will take into account that teachers and other school staff are entitled to use reasonable force to control or restrain children in certain circumstances, including dealing with disruptive behaviour.

Where a 'strategy discussion' is needed, or Police or Children's Social Care services need to be involved, the case manager (school) will **not** inform the accused person until those agencies have been consulted and have agreed what information can be disclosed to the accused. The case manager should only inform the accused person about the allegation after

consulting the Designated Officer(s) and actions have been decided. It is extremely important that the case manager provides the accused with as much information as possible at that time.

Where it is clear that an investigation by the Police or Children's Social Care services is unnecessary, or the 'strategy discussion' or initial evaluation decides that is the case, the Designated Officer(s) will discuss the next steps with the case manager. In those circumstances, the options open to the school depend on the nature and circumstances of the allegation and the evidence and information available. This will range from taking no further action to dismissal or a decision not to use the person's services in future. Suspension should not be the default position: an individual should be suspended only if there is no reasonable alternative (see guidance on suspension, below).

*Internal school investigations*

In some cases, further enquiries will be needed to enable a decision about how to proceed. If so, the Designated Officer(s) will discuss with the case manager how and by whom the investigation will be undertaken. In straightforward cases, an internal school investigation will be agreed upon and should normally be undertaken by a senior member of school staff. Where necessary, due to lack of resource or the nature or complexity of the allegation, the allegation will require an independent investigator. An independent investigator will be appointed by the Head of HR in conjunction with the Director of Education. The independent investigator may be an employee at another Cognita school, the Regional Safeguarding Lead, or an appointed individual external to Cognita.

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

19.5 Suspension of an employee

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

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

Within Cognita, suspension requires the authorisation of the Director of Education. Our group policy is for the DE to hold a conversation with the case manager, Head of HR and Regional Safeguarding Lead to reach a rounded decision about whether suspension is the correct course of action.

Suspension will be considered only in a case where there is cause to suspect a child or other children at the school are at risk of harm or the case is so serious that it might be grounds for dismissal. However, a person should not be suspended automatically: the case manager will

consider carefully whether the circumstances warrant suspension from contact with children at the school or until the allegation is resolved.

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

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

Based on assessment of risk, the following alternatives will be considered by the case manager before suspending a member of staff:

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

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

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.

Where it has been deemed appropriate to suspend the person, written confirmation will be dispatched within one working day, giving as much detail as appropriate for the reasons for the suspension. Cognita will make clear to the suspended employee where they can obtain support. The person will be informed at the point of their suspension who their named contact is within the organisation and will be given their contact details.

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

Where a 'strategy discussion' or initial evaluation concludes that there should be enquiries by Children's Social Care services and/or an investigation by the Police, the Designated Officer(s) should canvass Police and Children's Social Care services for views about whether the accused member of staff needs to be suspended from contact with children in order to

inform the school consideration of suspension. Police involvement does not make it mandatory to suspend a member of staff; this decision will be taken on a case-by-case basis having undertaken a risk assessment.

19.6 Support for employees

Cognita has a duty of care to their employees. Cognita will act to manage and minimise the stress inherent in the allegations process. Support for the accused individual is vital to fulfilling this duty. Individuals will be informed of concerns or allegations as soon as possible and given an explanation of the likely course of action, unless there is an objection by the Children's Social Care services or the police. The individual will be advised to contact their trade union representative, if they have one, or a colleague for support. They will also be given access to an employee support service, provided by Cognita.

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

Parents or carers of the child or children involved will be told about the allegation as soon as possible if they do not already know of it. However, where a 'strategy discussion' is required, or the Police or Children's Social Care services need to be involved, the case manager will not do so until those agencies have been consulted and have agreed what information can be disclosed to the parents or carers. Parents or carers will also be kept informed of the progress of the case and told the outcome where there is not a criminal prosecution, including the outcome of any disciplinary process. The deliberations of a disciplinary hearing, and the information taken into account in reaching a decision, cannot normally be disclosed, but the parents or carers of the child will be told the outcome in confidence.
Parents and carers will also be made aware of the requirement to maintain confidentiality about any allegations made against teachers whilst investigations are ongoing, as set out in section 141F of the Education Act 2002. If parents or carers wish to apply to the court to have reporting restrictions removed, they will be told to seek legal advice.

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

19.7 Timescales

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

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

19.8 Confidentiality

When an allegation is made, the school will make every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered. The Education Act (2002) introduced reporting restrictions preventing the publication of any material that may lead to the identification of a teacher in a school who has been accused

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

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

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

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

19.9 Oversight and monitoring

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

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

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

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

19.10 Information sharing

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

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

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

19.11 Following a criminal investigation or a prosecution

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

19.12 Outcome of an allegation

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

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

19.13 On conclusion of a case

There is a legal requirement for employers [Cognita] to make a referral to the DBS where they think that an individual has engaged in conduct that harmed (or is likely to harm) a child; or if a person otherwise poses a risk of harm to a child. If an allegation is substantiated and the person is dismissed or the employer ceases to use the person's services, or the person resigns or otherwise ceases to provide his or her services, Cognita will refer the case to the DBS for consideration of whether inclusion on the barred lists is required. In the case of a member of teaching staff at a school, the matter will be referred to the TRA to consider prohibiting the individual from teaching in relation to their professional misconduct.

Where it is decided on the conclusion of a case that a person who has been suspended can return to work, the case manager will consider how best to facilitate that. Most people will benefit from some help and support to return to work after a stressful experience. Depending

on the individual's circumstances, a phased return and/or the provision of a mentor to provide assistance and support in the short term may be appropriate. The case manager will also consider how the person's contact with the child or children who made the allegation can best be managed if they are still a pupil at the school.

19.14 Malicious or unsubstantiated allegations

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

19.15 Learning lessons

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

19.16 Resignations and 'settlement agreements'

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

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

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

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

19.17 Record keeping

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

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

19.18 References

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

# 20 Letting School premises

Schools have a duty to ensure that appropriate arrangements are in place to keep children safe when allowing outside organisations to use their facilities. If the activity is being run by the school, or overseen by the school, then this policy and the school's procedures apply. If not, then the school should seek assurance that the body concerned has appropriate safeguarding and child protection policies and procedures in place (including inspecting these as needed).

Should the organisation wishing to use the school premises not have any safeguarding plices or procedures in place, then the organisation should not be allowed to let the facilities. The school should also ensure safeguarding requirements are included in any transfer of control agreement (i.e. lease or hire agreement), as a condition of use and occupation of the premises; and that failure to comply with this would lead to termination of the agreement.

| **Ownership and consultation** | |
|---|---|
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