



**Thriftwood School & College**

**Child Protection Policy**

**September 2022**

Reviewed and updated May 2023

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# CHILD PROTECTION POLICY FOR THRIFTWOOD SCHOOL AND COLLEGE

***POLICY TO BE REVIEWED September 2023 (or following new guidance)***

<b>DESIGNATED SAFEGUARDING LEADS:</b> Georgina Pryke (across both sites)	<b>School Site</b> Ruth Saban	<b>College Site</b> Lisa Walker
<b>DEPUTY DESIGNATED SAFEGUARDING LEADS:</b>	Mina Hussain	Fran Satterley Janine Cavey
<b>DESIGNATED SAFEGUARDING GOVERNOR</b>	Cathryn Adams cathrynadams@seaxtrust.com	
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## 1. Introduction

Safeguarding and promoting the welfare of children 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 practitioners should make sure their approach is child-centred. This means that they should consider, at all times, what is in the best interest of the child. (*Keeping Children Safe in Education – DfE, 2022*)

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This Child Protection policy is for all staff, parents, governors, volunteers and the wider school/college community. It forms part of the safeguarding arrangements for our school/college and should be read in conjunction with the following:

- **Keeping Children Safe in Education (DfE, 2022)**
- the school/college Behaviour policy;
- the school/college Staff Behaviour policy (sometimes called Staff Code of Conduct);
- the safeguarding response to children missing from education
- the role of the designated safeguarding lead (Annex B of KCSIE)

Safeguarding and promoting the welfare of children (*everyone under the age of 18*) is defined in Keeping Children Safe in Education as:

- Protecting children from maltreatment
- Preventing impairment of children's health or development
- Ensuring that children grow up in circumstances consistent with the provision of safe and effective care
- Taking action to enable all children to have the best outcomes

## **2. Statutory framework**

Section 175 of the Education Act 2002 (*Section 157 for Independent school/colleges*) places a statutory responsibility on the Governors / Trustees to have policies and procedures in place that safeguard and promote the welfare of children who are pupils of the school/college.

The development of appropriate procedures and the monitoring of good practice in Essex are the responsibilities of the Essex Safeguarding Children Board (ESCB). In Essex, all professionals must work in accordance with the SET Procedures (ESCB, 2022).

Our school/college also works in accordance with the following legislation and guidance (*this is not an exhaustive list*):

Keeping Children Safe in Education (DfE, 2022)

Working Together to Safeguard Children (HMG, 2018)

Education Act (2011)

Effective Support for Children and Families in Essex (ESCB, 2021)

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Counter-Terrorism and Security Act (HMG, 2015)  
Serious Crime Act 2015 (Home Office, 2015)  
Children and Social Work Act (2017)  
Children Missing Education - statutory guidance for local authorities (DfE, 2016)  
Sexual Offences Act (2003)  
Education (Pupil Registration) Regulations 2006  
Information sharing advice for safeguarding practitioners (HMG, 2018)  
Data Protection Act (2018)  
What to do if you're worried a child is being abused (HMG, 2015)  
Searching, screening and confiscation (DfE, 2022)  
Children Act (2004)  
Preventing and Tackling Bullying (DfE, 2017)  
Female Genital Mutilation Act 2003 (S. 74 - Serious Crime Act 2015)  
Sexual violence and sexual harassment between children in schools and colleges (DfE, 2021)  
Promoting positive emotional well-being and reducing the risk of suicide (ESCB, 2018)  
Preventing youth violence and gang involvement (Home Office, 2015)  
Criminal Exploitation of children and vulnerable adult - county lines guidance (Home Office, 2018)  
Teaching on-line safety in schools (DfE, 2019)  
Education Access Team CME / Home Education policy and practice (ECC, 2018)  
Understanding and Supporting Behaviour - safe practice for schools and educational settings (ESCB 2020)  
Reducing the Need for Restraint and Restrictive Intervention (HMG, 2019)  
Positive environments where children can flourish (Ofsted, 2021)

### **3. Roles and responsibilities**

All adults working with or on behalf of children have a responsibility to protect them and to provide a safe environment in which they can learn and achieve their full potential. However, there are key people within school/colleges and colleges and the Local Authority who have specific responsibilities under child protection procedures. The names of those in our school/college with these specific responsibilities (the designated safeguarding lead and deputy designated safeguarding lead) are shown on the cover sheet of this document.

#### The Governors / Trustees

The Governors / Trustees ensure that the policies, procedures and training in our school/college are effective and comply with the law at all times. It ensures that all required policies relating to

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safeguarding are in place, that the child protection policy reflects statutory and local guidance and is reviewed at least annually.

The governor for safeguarding arrangements is named on the front cover of this document. This governor takes leadership responsibility for safeguarding arrangements in our school/college. The Governors / Trustees ensure there is a named designated safeguarding lead and at least one deputy safeguarding lead in place (also named on the front cover).

The Governors / Trustees ensure the school/college contributes to inter-agency working, in line with statutory and local guidance. It ensures that information is shared and stored appropriately and in accordance with statutory requirements.

The Governors / Trustees ensure that all staff members undergo safeguarding and child protection training at induction and that it is then regularly updated. All staff members receive regular safeguarding and child protection updates, at least annually, to provide them with the relevant skills and knowledge to keep our children safe.

The Governors / Trustees ensure that children are taught about safeguarding, including online, ensuring that appropriate filters and monitoring systems for online usage are in place. Our children will be taught how to keep themselves safe through teaching and learning opportunities as part of a broad and balanced curriculum.

The Governors / Trustees and school/college leadership team are responsible for ensuring the school/college follows recruitment procedures that help to deter, reject or identify people who might abuse children. It adheres to statutory responsibilities to check adults working with children and has recruitment and selection procedures in place (see the school/college's 'Safer Recruitment' policy for further information). It ensures that volunteers are appropriately supervised in school/college.

#### The Designated Safeguarding Lead (and Deputy)

The designated safeguarding lead in school/college takes lead responsibility for managing child protection referrals, safeguarding training and raising awareness of all child protection policies and procedures. They ensure that everyone in school/college (including temporary staff, volunteers and contractors) is aware of these procedures and that they are followed at all times. They act as a source of advice and support for other staff (on child protection matters) and ensure that timely referrals to Essex Children's Social Care (Family Operations Hub) are made in accordance with current SET procedures. They work with the local authority and other agencies as required.

If for any reason the designated safeguarding lead is unavailable, the deputy designated safeguarding lead will act in their absence.

#### The Executive Headteacher

The Executive Headteacher works in accordance with the requirements upon all school/college staff. In addition, she ensures that all safeguarding policies and procedures adopted by the Governors / Trustees are followed by all staff.

#### All school/college staff

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Everyone in our school/college has a responsibility to provide a safe learning environment in which our children can learn. All staff members are aware of the local early help process and our role in it. They are aware of signs of abuse and neglect so they are able to identify children who may be in need of help or protection. All staff members are aware of and follow school/college processes (as set out in this policy) and are aware of how to make a referral to Social Care if there is a need to do so. If staff have any concerns about a child's welfare, they must act on them immediately and speak with the designated safeguarding lead (or deputy) – they do not assume that others have taken action.

#### **4. Types of abuse / specific safeguarding issues**

Keeping Children Safe in Education (DfE, 2022) defines abuse as the maltreatment of a child.

“Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Harm can include ill treatment that is not physical as well as the impact of witnessing ill treatment of others. This can be particularly relevant, for example, in relation to the impact on children of all forms of domestic abuse. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others. Abuse can take place wholly online, or technology may be used to facilitate offline abuse. Children may be abused by an adult or adults or by another child or children.”

The four main types of abuse referred to in Keeping Children Safe in Education are:

- Physical
- Emotional
- Sexual
- Neglect

Our school/college is aware of the signs of abuse and neglect so we are able to identify children who may be in need of help or protection. All staff are aware of environmental factors which may impact on a child's welfare and safety and understand safeguarding in the wider context (contextual safeguarding). Staff are aware of safeguarding issues that can put children at risk of harm and understand that behaviours linked to issues such as drug taking, alcohol abuse, deliberately missing education and sexting put children in danger.

#### **Child on child abuse**

Our school/college may be the only stable, secure and safe element in the lives of children at risk of, or who have suffered harm. Nevertheless, whilst at school/college, their behaviour may be challenging and defiant, or they may instead be withdrawn, or display abusive behaviours towards other children. Our school/college recognises that some children may abuse their peers and any incidents of child on child abuse will be managed in the same way as any other child protection concern and will follow the same procedures. We will seek advice and support from other agencies as appropriate.

Child on child abuse can manifest itself in many ways. This may include bullying (including cyber bullying), physical abuse, sexual violence / sexual harassment, 'sexting' or initiation / hazing type

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violence and rituals. We do not tolerate any harmful behaviour in school/college and will take swift action to intervene where this occurs. We use lessons and assemblies to help children understand, in an age-appropriate way, what abuse is and we encourage them to tell a trusted adult if someone is behaving in a way that makes them feel uncomfortable. Our school/college understands the different gender issues that can be prevalent when dealing with child on child abuse.

Upskirting is a term used to describe the act of taking a sexually intrusive photograph up someone's skirt without their permission. It is usually performed in a public place, among crowds of people, making it harder to spot people taking the photos. It is a type of peer-on-peer abuse. Children are not permitted to use their phones whilst on school premises to help mitigate this.

### Children with special educational needs and disabilities

Our school/college understands that children with special educational needs (SEN) and disabilities can face additional safeguarding challenges. Barriers can exist when recognising abuse and neglect in this group of children. This can include:

- Assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability, without further exploration
- That they may be more prone to peer group isolation than others
- The potential to be disproportionately impacted by things like bullying, without outwardly showing signs
- Communication difficulties in overcoming these barriers

### Children missing from education

All children, regardless of their age, ability, aptitude and any special education needs they may have are entitled to a full-time education. Our school/college recognises that a child missing education is a potential indicator of abuse or neglect and will follow the school/college procedures for unauthorised absence and for children missing education. Parents should always inform us of the reason for any absence. Where contact is not made, a referral may be made to another appropriate agency (Missing Education and Child Employment Service, Social Care or Police). Parents are required

to provide at least two emergency contact numbers to the school/college, so we are able to communicate with someone if we need to.

Our school/college must inform the local authority of any pupil who fails to attend school/college regularly, or has been absent without school/college permission for a continuous period of 10 days or more.

### Child Sexual Exploitation (CSE)

Child Sexual Exploitation (CSE) is a form of child abuse, which can happen to boys and girls from any background or community. In Essex, the definition of Child Sexual Exploitation (CSE) from the Department of Education (DfE, 2017) has been adopted:

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*"Child Sexual Exploitation is a form of child sexual abuse. It occurs when an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology".*

It is understood that a significant number of children who are victims of CSE go missing from home, care and education at some point. Our school/college is alert to the signs and indicators of a child becoming at risk of, or subject to, CSE and will take appropriate action to respond to any concerns. The designated safeguarding lead will lead on these issues and work with other agencies as appropriate.

### Serious violent crime

The indicators that may signal that children are at risk from, or are involved with, serious violent crime (including gangs) include:

- Unexplained gifts or new possessions - these can indicate that children have been approached by or involved with individuals associated with criminal networks or gangs
- Increased absence from school
- Change in friendship or relationships with others or groups
- Significant decline in performance
- Signs of self-harm or significant change in wellbeing
- Signs of assault or unexplained injuries

### Child criminal exploitation

Child criminal exploitation is a geographically widespread form of harm which is a typical feature of county lines criminal activity (county lines is when drug networks or gangs groom and exploit children to carry drugs and money from urban areas to suburban areas and seaside towns). Our school/college works with key partners locally to prevent and respond to child criminal exploitation.

### Domestic abuse

Domestic abuse can take many forms, including psychological, physical, sexual, financial and emotional. Our school/college recognises that exposure to domestic abuse can have a serious, long-term emotional and psychological impact on children. We work with other key partners and will share relevant information where there are concerns that domestic abuse may be an issue for a child or family or be placing a child at risk of harm.

### Female Genital Mutilation (FGM)

FGM comprises all procedures involving partial or total removal of the external female genitalia or other injury to female genital organs. It is illegal in the UK and a form of child abuse.

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As of October 2015, the Serious Crime Act 2015 (Home Office, 2015) introduced a duty on teachers (and other professionals) to notify the police of known cases of female genital mutilation where it appears to have been carried out on a girl under the age of 18. Our school/college will operate in accordance with the statutory requirements relating to this issue, and in line with local safeguarding procedures.

### Forced marriage

A forced marriage is one entered into without the full consent of one or both parties. It is where violence, threats or other forms of coercion is used and is a crime. Our staff understand how to report concerns where this may be an issue.

### Prevention of radicalisation

As of July 2015, the [Counter-Terrorism and Security Act \(HMG, 2015\)](#) placed a new duty on school/colleges and other education providers. Under section 26 of the Act, school/colleges are required, 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.

It requires school/colleges to:

- teach a broad and balanced curriculum which promotes spiritual, moral, cultural, mental and physical development of pupils and prepares them for the opportunities, responsibilities and experiences of life and must promote community cohesion
- be safe spaces in which children / young people can understand and discuss sensitive topics, including terrorism and the extremist ideas that are part of terrorist ideology, and learn how to challenge these ideas
- be mindful of their existing duties to forbid political indoctrination and secure a balanced presentation of political issues

CHANNEL is a national programme which focuses on providing support at an early stage to people identified as vulnerable to being drawn into terrorism.

Our school/college works in accordance with local procedures for PREVENT and with other agencies, sharing information and concerns as appropriate.

## **5. Procedures**

Our school/college works with key local partners to promote the welfare of children and protect them from harm. This includes providing a co-ordinated offer of early help when additional needs of children are identified and contributing to inter-agency plans which provide additional support (through a ‘child in need’ or a ‘child protection’ plan).

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All staff members have a duty to identify and respond to suspected / actual abuse or disclosures of abuse. Any member of staff, volunteer or visitor to the school/college who receives a disclosure or allegation of abuse, or suspects that abuse may have occurred **must** report it immediately to the designated safeguarding lead (or, in their absence, the deputy designated safeguarding lead).

All action is taken in accordance with the following guidance;

- Essex Safeguarding Children Board guidelines - the SET (Southend, Essex and Thurrock) Child Protection Procedures (ESCB, 2022)
- [Essex Effective Support](#)
- Keeping Children Safe in Education (DfE, 2022)
- Working Together to Safeguard Children (DfE, 2018)
- 'Effective Support for Children and Families in Essex' (ESCB, 2021)
- PREVENT Duty - Counter-Terrorism and Security Act (HMG, 2015)

Any staff member or visitor to the school/college will refer any concerns to the designated safeguarding lead or deputy designated safeguarding lead. Where there is risk of immediate harm, concerns will be referred by telephone to the Children and Families Hub and / or the Police. Less urgent concerns or requests for support will be referred to the Children and Families Hub via the [Essex Effective Support](#) portal. Wherever possible, the school/college will share any safeguarding concerns, or an intention to refer a child to Children's Social Care, with parents or carers. However, we will not do so where it is felt that to do so could place the child at greater risk of harm or impede a criminal investigation. On occasions, it may be necessary to consult with the Children and Families Hub and / or Essex Police for advice on when to share information with parents / carers.

If a member of staff continues to have concerns about a child and feels the situation is not being addressed or does not appear to be improving, the staff member concerned should press for re-consideration of the case with the designated safeguarding lead.

If, for any reason, the designated safeguarding lead (or deputy) is not available, this should not delay appropriate action being taken. Safeguarding contact details are displayed in the school/college to ensure that all staff members have unfettered access to safeguarding support, should it be required. Any individual may refer to Social Care where there is suspected or actual risk of harm to a child.

When new staff, volunteers or regular visitors join our school/college they are informed of the safeguarding arrangements in place, the name of the designated safeguarding lead (and deputy) and how to share concerns with them.

Should an allegation be made by a pupil / parent regarding inappropriate content on a device, school staff will not be required to look at these images. Instead these concerns will be raised to the parent / police where appropriate to safeguard staff members from viewing such images.

## 6. Training

The designated safeguarding lead (and deputy) undertake Level 3 child protection training at least every two years. The Executive Headteacher, all staff members and governors receive appropriate child protection training which is regularly updated and in line with advice from the Essex Safeguarding Children Board (ESCB). In addition, all staff members receive safeguarding and child

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protection updates as required, but at least annually, to provide them with relevant skills and knowledge to safeguard children effectively. Records of any child protection training undertaken is kept for all staff and governors.

The school/college ensures that the designated safeguarding lead (and deputy) also undertakes training in inter-agency working and other matters as appropriate.

## **7. Professional confidentiality**

Confidentiality is an issue which needs to be discussed and fully understood by all those working with children, particularly in the context of child protection. A member of staff must never guarantee confidentiality to anyone about a safeguarding concern (including parents / carers or pupils), or promise to keep a secret. In accordance with statutory requirements, where there is a child protection concern, this must be reported to the designated safeguarding lead and may require further referral to and subsequent investigation by appropriate authorities.

Information on individual child protection cases may be shared by the designated lead (or deputy) with other relevant staff members. This will be on a 'need to know' basis only and where it is in the child's best interests to do so.

## **8. Records and information sharing**

Well-kept records are essential to good child protection practice. Our school/college is clear about the need to record any concern held about a child or children within our school/college and when these records should be shared with other agencies.

Where there are concerns about the safety of a child, the sharing of information in a timely and effective manner between organisations can reduce the risk of harm. Whilst the Data Protection Act 2018 places duties on organisations and individuals to process personal information fairly and lawfully, it is not a barrier to sharing information where the failure to do so would result in a child or vulnerable adult being placed at risk of harm. Similarly, human rights concerns, such as respecting the right to a private and family life would not prevent sharing information where there are real safeguarding concerns. Fears about sharing information cannot be allowed to stand in the way of the need to safeguard and promote the welfare of children at risk of abuse or neglect. Generic data flows related to child protection are recorded in our Records of Processing Activity and regularly reviewed; and our online school/college privacy notices accurately reflect our use of data for child protection purposes.

Any member of staff receiving a disclosure of abuse or noticing signs or indicators of abuse, will record it as soon as possible, noting what was said or seen (if appropriate, using a body map to record), giving the date, time and location. All records will be dated and signed and will include the action taken. This is then presented to the designated safeguarding lead (or deputy), who will decide on appropriate action and record this accordingly.

Any records related to child protection are kept in an individual child protection file for that child (which is separate to the pupil file). All child protection records are stored securely and confidentially and will be retained for 25 years after the pupil's date of birth, or until they transfer to another school/college / educational setting.

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Where a pupil transfers from our school/college to another school/college / educational setting (including colleges), their child protection records will be forwarded to the new educational setting. These will be marked 'Confidential' and for the attention of the receiving school/college's designated safeguarding lead, with a return address on the envelope so it can be returned to us if it goes astray. We will obtain evidence that the paperwork has been received by the new school/college and then destroy any copies held in our school/college. Where appropriate, the designated safeguarding lead may also make contact with the new educational setting in advance of the child's move there, to enable planning so appropriate support is in place when the child arrives.

Where a pupil joins our school/college, we will request child protection records from the previous educational establishment (if none are received).

## **9. Interagency working**

It is the responsibility of the designated safeguarding lead to ensure that the school/college is represented at, and that a report is submitted to, any child protection conference called for children on the school/college roll or previously known to them. Where possible and appropriate, any report will be shared in advance with the parent(s) / carer(s). Whoever attends will be fully briefed on any issues or concerns the school/college has and be prepared to contribute to the discussions at the conference.

If a child is subject to a Child Protection or a Child in Need plan, the designated safeguarding lead will ensure the child is monitored regarding their school/college attendance, emotional well-being, academic progress, welfare and presentation. If the school/college is part of the core group, the designated safeguarding lead will ensure the school/college is represented, provides appropriate information and contributes to the plan at these meetings. Any concerns about the Child Protection plan and / or the child's welfare will be discussed and recorded at the core group meeting, unless to do so would place the child at further risk of significant harm. In this case the designated safeguarding lead will inform the child's key worker immediately and then record that they have done so and the actions agreed.

## **10. Allegations about members of the workforce (see Appendix B)**

All staff members are made aware of the boundaries of appropriate behaviour and conduct. These matters form part of staff induction and are outlined in the Staff Behaviour policy / Code of Conduct. The school/college works in accordance with statutory guidance and the SET procedures (ESCB, 2022) in respect of allegations against an adult working with children (in a paid or voluntary capacity). Section 7 of the current SET procedures provides detailed information on this.

The school/college has processes in place for reporting any concerns about a member of staff (or any adult working with children). Any concerns about the conduct of a member of staff will be referred to the Headteacher (or the School / College Lead in their absence). This role is distinct from the designated safeguarding lead as the named person should have sufficient status and authority in the school/college to manage employment procedures. Staffing matters are confidential and the school/college operates within statutory guidance around Data Protection.

Where the concern involves the Headteacher, it should be reported direct to the CEO [ruthsturdy@seaxtrust.com](mailto:ruthsturdy@seaxtrust.com) 01245 963001

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SET procedures (ESCB, 2022) require that, where an allegation against a member of staff is received, the Headteacher, CEO must inform the duty Local Authority Designated Officer (LADO) in the Children's Workforce Allegations Management Team on **03330 139 797** within one working day. However, wherever possible, contact with the LADO will be made immediately as they will then advise on how to proceed and whether the matter requires Police involvement. This will include advice on speaking to pupils and parents and HR. The school/college does not carry out any investigation before speaking to the LADO.

## **11. Promoting positive mental health and resilience in school/college**

Positive mental health is the concern of the whole community and we recognise that school/colleges play a key part in this. Our school/college wants to develop the emotional wellbeing and resilience of all pupils and staff, as well as provide specific support for those with additional needs. We understand that there are risk factors which increase someone's vulnerability and protective factors that can promote or strengthen resiliency. The more risk factors present in an individual's life, the more protective factors or supportive interventions are required to counter balance and promote further growth of resilience.

It is vital that we work in partnership with parents to support the well-being of our pupils. Parents should share any concerns about the well-being of their child with school/college, so appropriate support and interventions can be identified and implemented.

## **12. Use of reasonable force**

The term 'reasonable force' covers a broad range of actions used by staff that involve a degree of physical contact to control or restrain children. *"Use of restraint carries risks and can be damaging to the children and young people. It may, however, be the only realistic response in some situations (for example, to prevent a child running into a busy road or to prevent a violent act against another person.) But wherever possible it is to be avoided; and proactive, preventative, non-restrictive approaches adopted in respect of behaviour that challenges (Reducing the Need for Restraint and Restrictive Intervention, HMG, 2019)*

There are circumstances when it is appropriate for staff to use reasonable force to safeguard children and young people, such as guiding a child to safety or breaking up a fight. 'Reasonable' means using no more force than is needed. Our school/college works in accordance with statutory and local guidance on the use of reasonable force and recognises that where intervention is required, it should always be considered in a safeguarding context.

At times seclusion can be used as a form of restraint. The document above states that it should only be used *"to contain severely disturbed behaviour, including which is likely to cause harm to others, and for the minimum time necessary."* Children are always supervised should seclusion be used.

## **13. Whistleblowing**

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Whistleblowing is 'making a disclosure in the public interest' and occurs when a worker (or member of the wider school/college community) raises a concern about danger or illegality that affects others, for example pupils in the school/college or members of the public.

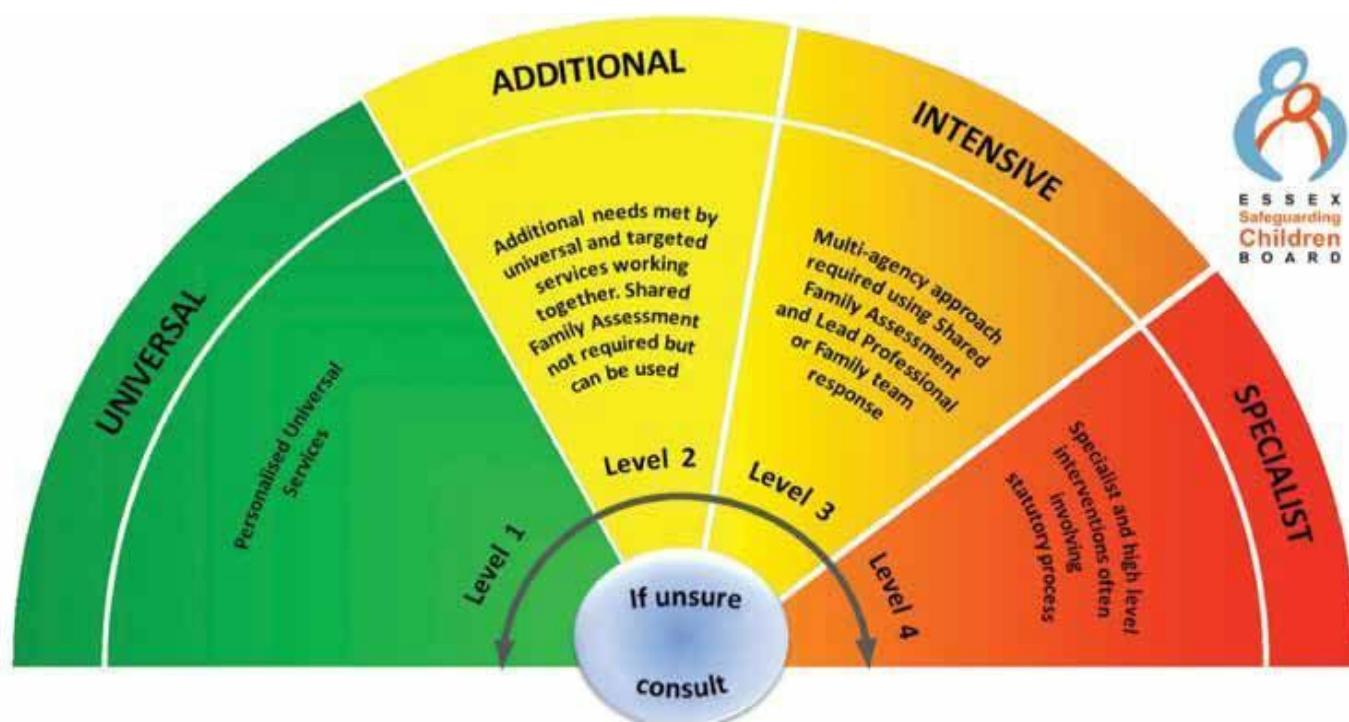
All staff members are made aware of the duty to raise concerns about the attitude or actions of staff in line with the school/college's Code of Conduct / Whistleblowing policy.

We want everyone to feel able to report any child protection / safeguarding concerns. However, for members of staff who feel unable to raise these concerns internally, they can call the NSPCC whistleblowing helpline on: 0800 028 0285 or email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk).

Parents or others in the wider school/college community with concerns can contact the NSPCC general helpline on: 0808 800 5000 (24 hour helpline) or email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk).

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## Appendix A: Essex Windscreen of Need and levels of intervention



All partners working with children, young people and their families will offer support as soon as we are aware of any additional needs. We will always seek to work together to provide support to children, young people and their families at the lowest level possible in accordance with their needs

Children with **Additional** needs are best supported by those who already work with them, such as Family Hubs or school/colleges, organising additional support with local partners as needed. When an agency is supporting these children, an Early Help Plan and a Lead Professional are helpful to share information and co-ordinate work alongside the child and family.

For children whose needs are **Intensive**, a coordinated multi-disciplinary approach is usually best, involving either an Early Help Plan or a Shared Family Assessment (SFA), with a Lead Professional to work closely with the child and family to ensure they receive all the support they require. Examples of intensive services are children's mental health services and Family Solutions.

**Specialist** services are where the needs of the child are so great that statutory and/or specialist intervention is required to keep them safe or to ensure their continued development. Examples of specialist services are Children's Social Care or Youth Offending Service. By working together effectively with children that have additional needs and by providing coordinated multi-disciplinary/agency support and services for those with intensive needs, we seek to prevent more children and young people requiring statutory interventions and reactive specialist services

## Appendix B:

# Allegations against staff (including low-level concerns)

## Section 1: allegations that may meet the harms threshold

This section applies to all cases in which it is alleged that a current member of staff, including a supply teacher, volunteer or contractor, has:

- Behaved in a way that has harmed a child, or may have harmed a child, and/or
- Possibly committed a criminal offence against or related to a child, and/or
- Behaved towards a child or children in a way that indicates they may pose a risk of harm to children, and/or
- Behaved or may have behaved in a way that indicates they may not be suitable to work with children – this includes behaviour taking place both inside and outside of school

If we're in any doubt as to whether a concern meets the harm threshold, we will consult our local authority designated officer (LADO).

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

A 'case manager' will lead any investigation. This will be the headteacher, or the chair of governors where the headteacher is the subject of the allegation. The case manager will be identified at the earliest opportunity.

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

## Suspension of the accused until the case is resolved

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

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

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

If in doubt, the case manager will seek views from the school's personnel adviser and the designated officer at the local authority, as well as the police and children's social care where they have been involved.

## Definitions for outcomes of allegation investigations

- **Substantiated:** there is sufficient evidence to prove the allegation
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- **Malicious:** there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive, or to cause harm to the subject of the allegation
- **False:** there is sufficient evidence to disprove the allegation
- **Unsubstantiated:** there is insufficient evidence to either prove or disprove the allegation (this does not imply guilt or innocence)
- **Unfounded:** to reflect cases where there is no evidence or proper basis which supports the allegation being made

## Procedure for dealing with allegations

In the event of an allegation that meets the criteria above, the case manager will take the following steps:

- Conduct basic enquiries in line with local procedures to establish the facts to help determine whether there is any foundation to the allegation before carrying on with the steps below
- Discuss the allegation with the designated officer at the local authority. This is to consider the nature, content and context of the allegation and agree a course of action, including whether further enquiries are necessary to enable a decision on how to proceed, and whether it is necessary to involve the police and/or children's social care services. (The case manager may, on occasion, consider it necessary to involve the police *before* consulting the designated officer – for example, if the accused individual is deemed to be an immediate risk to children or there is evidence of a possible criminal offence. In such cases, the case manager will notify the designated officer as soon as practicably possible after contacting the police)
- Inform the accused individual of the concerns or allegations and likely course of action as soon as possible after speaking to the designated officer (and the police or children's social care services, where necessary). Where the police and/or children's social care services are involved, the case manager will only share such information with the individual as has been agreed with those agencies
- Where appropriate (in the circumstances described above), carefully consider whether suspension of the individual from contact with children at the school is justified or whether alternative arrangements such as those outlined above can be put in place. Advice will be sought from the designated officer, police and/or children's social care services, as appropriate
- Where the case manager is concerned about the welfare of other children in the community or the individual's family, they will discuss these concerns with the DSL and make a risk assessment of the situation. If necessary, the DSL may make a referral to children's social care
- **If immediate suspension is considered necessary**, agree and record the rationale for this with the designated officer. The record will include information about the alternatives to suspension that have been considered, and why they were rejected. Written confirmation of the suspension will be provided to the individual facing the allegation or concern within 1 working day, and the individual will be given a named contact at the school and their contact details
- **If it is decided that no further action is to be taken** in regard to the subject of the allegation or concern, record this decision and the justification for it and agree with the designated officer what information should be put in writing to the individual and by whom, as well as what action should follow both in respect of the individual and those who made the initial allegation
- **If it is decided that further action is needed**, take steps as agreed with the designated officer to initiate the appropriate action in school and/or liaise with the police and/or children's social care services as appropriate
- Provide effective support for the individual facing the allegation or concern, including appointing a named representative to keep them informed of the progress of the case and considering what other support is appropriate.
- Inform the parents or carers of the child/children involved about the allegation as soon as possible if they do not already know (following agreement with children's social care services and/or the police, if applicable). The case manager will also inform the parents or carers of the requirement to maintain confidentiality about any allegations made against teachers (where this applies) while investigations are ongoing. Any parent or carer who wishes to have the confidentiality restrictions removed in respect of a teacher will be advised to seek legal advice
- Keep the parents or carers of the child/children involved informed of the progress of the case (only in relation to their child – no information will be shared regarding the staff member)
- Make a referral to the DBS where it is thought that the individual facing the allegation or concern has engaged in conduct that harmed or is likely to harm a child, or if the individual otherwise poses a risk of harm to a child

## Additional considerations for supply teachers and all contracted staff

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If there are concerns or an allegation is made against someone not directly employed by the school, such as a supply teacher or contracted staff member provided by an agency, we will take the actions below in addition to our standard procedures.

- We will not decide to stop using an individual due to safeguarding concerns without finding out the facts and liaising with our LADO to determine a suitable outcome
- The governing board will discuss with the agency whether it is appropriate to suspend the individual, or redeploy them to another part of the school, while the school carries out the investigation
- We will involve the agency fully, but the school will take the lead in collecting the necessary information and providing it to the LADO as required
- We will address issues such as information sharing, to ensure any previous concerns or allegations known to the agency are taken into account (we will do this, for example, as part of the allegations management meeting or by liaising directly with the agency where necessary)

When using an agency, we will inform them of our process for managing allegations, and keep them updated about our policies as necessary, and will invite the agency's HR manager or equivalent to meetings as appropriate.

## **Timescales**

We will deal with all allegations as quickly and effectively as possible and will endeavour to comply with the timescales as laid out in the SET procedures.

## **Specific actions**

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

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

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

If the allegation is substantiated and the individual is dismissed or the school ceases to use their services, or the individual resigns or otherwise ceases to provide their services, the school will make a referral to the DBS for consideration of whether inclusion on the barred lists is required.

If the individual concerned is a member of teaching staff, the school will consider whether to refer the matter to the Teaching Regulation Agency to consider prohibiting the individual from teaching.

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

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

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

### **Unsubstantiated, unfounded, false or malicious reports**

If a report is:

- Determined to be unsubstantiated, unfounded, false or malicious, the DSL will consider the appropriate next steps. If they consider that the child and/or person who made the allegation is in need of help, or the allegation may have been a cry for help, a referral to children's social care may be appropriate
- Shown to be deliberately invented, or malicious, the school will consider whether any disciplinary action is appropriate against the individual(s) who made it

### **Unsubstantiated, unfounded, false or malicious allegations**

If an allegation is:

- Determined to be unsubstantiated, unfounded, false or malicious, the LADO and case manager will consider the appropriate next steps. If they consider that the child and/or person who made the allegation is in need of help, or the allegation may have been a cry for help, a referral to children's social care may be appropriate
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Shown to be deliberately invented, or malicious, the school will consider whether any disciplinary action is appropriate against the individual(s) who made it.

## Confidentiality and information sharing

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

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

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

## Record-keeping

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

The records of any allegation that, following an investigation, is found to be malicious or false will be deleted from the individual's personnel file (unless the individual consents for the records to be retained on the file).

For all other allegations (which are not found to be malicious or false), the following information will be kept on the file of the individual concerned:

- A clear and comprehensive summary of the allegation
- Details of how the allegation was followed up and resolved
- Notes of any action taken, decisions reached and the outcome
- A declaration on whether the information will be referred to in any future reference

In these cases, the school will provide a copy to the individual, in agreement with children's social care or the police as appropriate.

Where records contain information about allegations of sexual abuse, we will preserve these for the Independent Inquiry into Child Sexual Abuse (IICSA), for the term of the inquiry. We will retain all other records at least until the individual has reached normal pension age, or for 10 years from the date of the allegation if that is longer.

## References

When providing employer references, we will:

- Not refer to any allegation that has been found to be false, unfounded, unsubstantiated or malicious, or any repeated allegations which have all been found to be false, unfounded, unsubstantiated or malicious
- Include substantiated allegations, provided that the information is factual and does not include opinions

## Learning lessons

After any cases where the allegations are *substantiated*, the case manager will review the circumstances of the case with the local authority's designated officer to determine whether there are any improvements that we can make to the school's procedures or practice to help prevent similar events in the future.

This will include consideration of (as applicable):

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

For all other cases, the case manager will consider the facts and determine whether any improvements can be made.

## Non-recent allegations

Abuse can be reported, no matter how long ago it happened.

We will report any non-recent allegations made by a child to the LADO in line with our local authority's procedures for dealing with non-recent allegations.

Where an adult makes an allegation to the school that they were abused as a child, we will advise the individual to report the allegation to the police.

## Section 2: concerns that do not meet the harm threshold

This section applies to all concerns (including allegations) about members of staff, including supply teachers, volunteers and contractors, which do not meet the harm threshold set out in section 1 above.

Concerns may arise through, for example:

- Suspicion
- Complaint
- Safeguarding concern or allegation from another member of staff
- Disclosure made by a child, parent or other adult within or outside the school
- Pre-employment vetting checks

We recognise the importance of responding to and dealing with any concerns in a timely manner to safeguard the welfare of children.

## Definition of low-level concerns

The term 'low-level' concern is any concern – no matter how small – 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 at the local authority

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

- Being overly friendly with children
- Having favourites
- Taking photographs of children on their mobile phone
- Engaging with a child on a one-to-one basis in a secluded area or behind a closed door
- Humiliating pupils

## Sharing low-level concerns

We recognise the importance of creating a culture of openness, trust and transparency to encourage all staff to confidentially share low-level concerns so that they can be addressed appropriately.

We will create this culture by:

- Ensuring staff are clear about what appropriate behaviour is, and are confident in distinguishing expected and appropriate behaviour from concerning, problematic or inappropriate behaviour, in themselves and others
  - Empowering staff to share any low-level concerns
  - Empowering staff to self-refer
  - Addressing unprofessional behaviour and supporting the individual to correct it at an early stage
  - Providing a responsive, sensitive and proportionate handling of such concerns when they are raised
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- Helping to identify any weakness in the school's safeguarding system

## Responding to low-level concerns

If the concern is raised via a third party, the headteacher will collect evidence where necessary by speaking:

- Directly to the person who raised the concern, unless it has been raised anonymously
- To the individual involved and any witnesses

The headteacher will use the information collected to categorise the type of behaviour and determine any further action, in line with the school's Code of Conduct. The headteacher will be the ultimate decision-maker in respect of all low-level concerns, though they may wish to collaborate with the DSL.

## Record keeping

All low-level concerns will be recorded in writing. In addition to details of the concern raised, records will include the context in which the concern arose, any action taken and the rationale for decisions and action taken.

Records will be:

- Kept confidential, held securely and comply with the DPA 2018 and UK GDPR
- Reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified. Where a pattern of such behaviour is identified, we will decide on a course of action, either through our disciplinary procedures or, where a pattern of behaviour moves from a concern to meeting the harms threshold as described in section 1 of this appendix, we will refer it to the designated officer at the local authority
- Retained at least until the individual leaves employment at the school

Where a low-level concern relates to a supply teacher or contractor, we will notify the individual's employer, so any potential patterns of inappropriate behaviour can be identified.

## References

We will not include low-level concerns in references unless:

- The concern (or group of concerns) has met the threshold for referral to the designated officer at the local authority and is found to be substantiated; and/or
  - The concern (or group of concerns) relates to issues which would ordinarily be included in a reference, such as misconduct or poor performance
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