

# SACRED HEART HIGH SCHOOL



## **SAFEGUARDING & CHILD PROTECTION POLICY**

*'Everyone is Vigilant,  
Everyone is Responsible'*

**NOVEMBER 2019**

*To be reviewed September 2020*

*This Policy should be read in conjunction with all other Sacred Heart High School Policies, but in particular attention is drawn to other safeguarding portfolio policies: Complaints procedure, Anti-bullying, Whistleblowing, SEN, Behaviour, Safer Recruitment, Awareness of Self Harm; Children that Go Missing; Grievance and Disciplinary.*

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# ‘Everyone is Vigilant, Everyone is Responsible’

**‘Above all else, this community works together to bring one another to an awareness of the fullness and meaning of their life rooted in the love of God.’**

## 1 INTRODUCTION

This policy is one of a series in the school’s integrated safeguarding portfolio. Our core safeguarding principles are:

- the school’s responsibility to safeguard and promote the welfare of children is of paramount importance
- safer children make more successful learners
- representatives of the whole-school community of pupils, parents, staff and governors will be involved in policy development and review
- policies will be reviewed annually, unless an incident or new legislation or guidance suggests the need for an interim review.

## 2 SAFEGUARDING:

Government statutory guidance on safeguarding and child protection (and teachers’ responsibilities within this) are outlined in ‘Keeping Children Safe in Education, 2019’

All staff are required to be familiar with this document and to have fully read **at least all of Part One** which relates specifically to school staff.

The key areas of focus for our school are:

- promoting good attendance at school
- ensuring positive and safe behaviour and eliminating bullying and other form of harassment
- providing support for children with emotional and social difficulties
- minimising exclusions from school
- safer recruitment procedures (School Central Record)
- risk assessment for everyday activities as well as educational visits
- security Procedures
- evacuation Procedures
- working carefully in one to one situations
- monitoring the policies and procedures of our contracted services.

## 3 CHILD PROTECTION STATEMENT

We recognise *‘All school and college staff have a responsibility to provide a safe environment in which children can learn.’* (Keeping Children Safe in Education 2016)

We endeavour to provide a safe and welcoming environment where children are respected and valued. We are alert to the signs of abuse and neglect and follow our procedures to ensure that children receive effective support, protection and justice. Children includes everyone under the age of 18.

The health, safety and wellbeing of all our pupils are of paramount importance to all the adults who work in our school. Our pupils have the right to protection, regardless of age, gender, race, culture or disability. They have a right to be safe in our school.

We work through the curriculum; PSHE programme and with outside agencies to ensure that pupils are given opportunities to explore issues around personal welfare and safety.

#### 4 TERMINOLOGY

**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 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. (Keeping Children Safe in Education 2016)

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

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

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

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

#### 5 CONTEXT

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

Section 157 of the same act and the Education (Independent Schools Standards) (England) Regulations 2003 require proprietors of independent schools (including academies and city technology colleges) to have arrangements to safeguard and promote the welfare of children who are pupils at the school.

Research suggests that more than 10 per cent of children will suffer some form of abuse. Due to their day-to-day contact with pupils, school staff are uniquely placed to observe changes in children's behaviour and the outward signs of abuse. Children may also turn to a trusted adult in school when they are in distress or at risk. It is vital that school staff are alert to the signs of abuse and understand the procedures for reporting their concerns.

See **Appendix 6** for further information – Safeguarding Children in Hammersmith and Fulham Schools Legal Framework and Supporting Guidance

## 6 KEY PERSONNEL

Role	Name	Contact details
OVERALL DESIGNATED SENIOR PERSON FOR CHILD PROTECTION (ALL KEY STAGES)	Sharon O'Donovan	020 8748 7600 x 345
Designated Person for Child Protection KS3	Bhavna Sharma	02087487600 x213
Designated Person for Child Protection KS4	Cristiana Davis	020 8748 7600 x246
Designated Person for Child Protection KS5	Sharon O'Donovan	020 8748 7600 x 345
Nominated Child Protection Governor	Michael Phelan	Via Clerk to the Governors: adijkhuis@sacredh.l bhf.sch.uk
Headteacher	Mrs M Doyle	020 8748 7600 x224

### 6.1 Working with Safeguarding Partners

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As per the updated Working Together To Safeguard Children (2019) the school works with the following partners (collectively known as Local Safeguarding Children Partnership) to support safeguarding and child protection procedures:

- The Local Authority
- Clinical Commissioning group for Hammersmith and Fulham within the Local Authority
- The Chief officer of police responsible for the Hammersmith and Fulham area

## 7 ROLES AND RESPONSIBILITIES

### 7.1 All Staff

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The Teacher Standards 2012 state that teachers, including headteachers, should safeguard children's wellbeing and maintain public trust in the teaching profession as part of their professional duties.

All school staff have a responsibility to identify children who may be in need of extra help or who are suffering, or are likely to suffer, significant harm

School staff are particularly important as they are in a position to identify concerns early, provide help for children, and prevent concerns from escalating. All school and staff should be aware that abuse, neglect and safeguarding issues are rarely standalone events that can be covered by one definition or label. In most cases multiple issues will overlap with one another (Keeping Children Safe in Education 2018). All staff need to be familiar with and understand the school's behaviour policy

and their responsibility in terms of a safeguarding response to children missing in education

In addition to working with the designated safeguarding lead, staff should be aware that they may be asked to support social workers to make decisions about individual children

## **7.2 Designated Senior Persons**

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All schools must nominate a senior member of staff to coordinate child protection arrangements. The local authority maintains a list of all designated senior persons (DSPs) for child protection.

The DSP:

- Is the most likely person to have the complete safeguarding picture and therefore is the most appropriate person to advise on safeguarding concerns.
- is appropriately trained and this training is updated annually
- is aware of wider environmental factors present in a young person's life that are a threat of their safety and or welfare (contextual safeguarding)
- acts as a source of support and expertise to the school community
- has an understanding of LSCP procedures
- keeps written records of all concerns, ensuring that such records are stored securely and flagged on, but kept separate from, the pupil's general file
- refers cases of suspected abuse to children's social care or police as appropriate
- notifies children's social care if a child with a child protection plan is absent for more than two days without explanation
- ensures that when a pupil with a child protection plan leaves the school, their information is passed to their new school and the pupil's social worker is informed
- attends and/or contributes to child protection conferences
- coordinates the school's contribution to child protection plans
- develops effective links with relevant statutory and voluntary agencies
- ensures that all staff sign to indicate that they have read and understood the child protection policy
- ensures that the child protection policy is updated annually
- liaises with the nominated governor and headteacher
- keeps a record of staff attendance at child protection training
- makes the child protection policy available to parents/carers

## **7.3 The Governing Body**

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Governing bodies and proprietors must ensure that they comply with their duties under legislation. They must have regard to guidance outlined in Keeping Children Safe in Education 2018 to ensure that the policies, procedures and training in their schools or colleges are effective and comply with the law at all times.

The governing body must ensure that the school has:

- a DSP for child protection who is a member of the senior leadership team and who has undertaken training in inter-agency working, in addition to basic child protection training
- a child protection policy and procedures that are consistent with LSCP requirements, reviewed annually and made available to parents on request
- Pay due regard to data protection principles which allow the sharing of personal information
- Are confident of the processing conditions which allow the storing and sharing of information for safeguarding purposes including 'special category personal data' that allows practitioners to share information
- Ensure arrangements are in place that clearly set out the process and principles for sharing information within the school and with the three safeguarding partners or other agencies as required
- a staff behaviour policy which outlines - acceptable use of technologies, staff/pupil relationships and communications including the use of social media.
- procedures for dealing with allegations of abuse made against members of staff including allegations made against the headteacher
- safer recruitment procedures that include the requirement for appropriate checks
- a training strategy that ensures all staff, including the headteacher, receive child protection training, with refresher training at three-yearly intervals.
- arrangements to ensure that all temporary staff and volunteers are made aware of the school's arrangements for child protection.
- systems in place to ensure that the school contributes to inter agency working in line with the statutory guidance in Working together to Safeguard Children 2018 through offering coordinated intervention for pupils identified with additional needs and providing additional support for those children subject to child protection plans.
- taken into account the safeguarding procedures of the local Safeguarding Children Partnership (LSCP) in the formulation of its own procedures.

The governing body nominates a member (normally the chair) to be responsible for liaising with the local authority and other agencies in the event of an allegation being made against the headteacher.

#### **7.4 The Headteacher**

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The headteacher:

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



## **8 GOOD PRACTICE GUIDELINES**

To meet and maintain our responsibilities towards pupils we work to agree standards of good practice.

Good practice includes:

- treating all pupils with respect
- setting a good example by conducting ourselves appropriately
- involving pupils in decisions that affect them
- encouraging positive and safe behaviour among pupils
- being a good listener
- being alert to changes in pupils' behaviour
- recognising that challenging behaviour may be an indicator of abuse
- reading and understanding the school's child protection policy and guidance documents on wider safeguarding issues, for example bullying, physical contact and information-sharing
- asking the pupil's permission before doing anything for them of a physical nature, such as assisting with dressing, physical support during PE or administering first aid
- maintaining appropriate standards of conversation and interaction with and between pupils and avoiding the use of sexualised or derogatory language
- being aware that the personal and family circumstances and lifestyles of some pupils lead to an increased risk of abuse.

## **9 ABUSE OF TRUST**

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

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

See **Appendix 7**, the school's Code of Ethical Practice for Staff

## **10 CHILDREN WHO MAY BE PARTICULARLY VULNERABLE**

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

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

- children who go missing
- Looked after Children
- disabled or have special educational needs
- living in a domestic abuse situation
- affected by parental substance misuse
- asylum seekers
- living away from home
- vulnerable to being bullied, or engaging in bullying
- living in temporary accommodation
- live transient lifestyles
- living in chaotic and unsupportive home situations
- involved directly or indirectly in prostitution or child trafficking
- do not have English as a first language.

The school will also ensure that the child's wishes or feelings are taken into account when determining what action to take and what services to provide to protect individual children through using systems in place for children to express their views and give feedback

## **11 SPECIFIC SAFEGUARDING ISSUES**

There are a number of safeguarding issues that may be a risk for particular groups of children and staff should be particularly vigilant in looking out for the indicators. These are:

- Child Sexual Exploitation (see Appendix 8)
- Bullying, including cyber bullying
- Child on child sexual violence and sexual harassment, including upskirting (see Appendix 11)
- Serious violence as a result of young people being pulled into criminal networks and gangs
- Domestic violence
- Gender based violence/Violence against women and girls
- Drugs
- Fabricated or induced illness
- Gangs and youth violence
- Mental health
- Private fostering
- Sexting
- Trafficking
- Teenage relationship abuse

- Forced Marriages
- Female genital mutilation
- Radicalisation
- Private fostering
- Faith abuse

See **Appendix 1** Procedures to Protect Vulnerable Pupils.

## **12 SUPPORT FOR THOSE INVOLVED IN A CHILD PROTECTION ISSUE**

Child abuse is devastating for the child and can also result in distress and anxiety for staff who become involved. We will support pupils and their families and staff by:

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

## **13 COMPLAINTS PROCEDURE**

Our complaints procedure will be followed where a pupil or parent raises a concern about poor practice towards a pupil that initially does not reach the threshold for child protection action. Poor practice examples include unfairly singling out a pupil, using sarcasm or humiliation as a form of control, bullying or belittling a pupil or discriminating against them in some way. Complaints are managed by senior staff, the headteacher and governors. An explanation of the complaints procedure is included in the Safeguarding Information Booklet for Parents and the Safeguarding Information Booklet for Pupils as well as the school's website.

Complaints from staff are dealt with under the school's complaints and disciplinary and grievance procedures.

## **14 IF YOU HAVE CONCERNS ABOUT A COLLEAGUE**

Staff who are concerned about the conduct of a colleague towards a pupil are undoubtedly placed in a very difficult situation. They may worry that they have misunderstood the situation and they will wonder whether a report could jeopardise their colleague's career. All staff must remember that the welfare of the child is paramount. The school's whistleblowing code enables staff to raise concerns or allegations in confidence and for a sensitive enquiry to take place. All concerns of poor practice or possible child abuse by colleagues should be reported to the headteacher. Complaints about the headteacher should be reported to the chair of governors.

## **15 STAFF WHO ARE THE SUBJECT OF AN ALLEGATION**

When an allegation is made against a member of staff, set procedures must be followed.

- Immediate advice should be sought from the LADO by the headteacher or DSP.
- Allegations should be dealt with swiftly and sensitively within a clear time frame.
- If a pupil makes an allegation against a member of staff she must not be asked to write an account of this that she signs and dates, instead statements must be taken verbally and notes made by the member of staff dealing with it.

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

Allegations against staff should be reported to the headteacher. Allegations against the headteacher should be reported to the chair of governors.

See **Appendix 9:** Keeping Children Safe in Education, Statutory Guidance to Schools and Colleges April 2014 – pages 30-40 ‘Allegations of Abuse made against Teachers and Other Staff’

## **16 STAFF TRAINING**

It is important that all staff have training to enable them to recognise the possible signs of abuse and neglect and to know what to do if they have a concern. New staff and governors will receive training during their induction. All staff, including the headteacher (unless the headteacher is the DSP) and governors will receive training that is updated at least every three years and the DSP will receive training updated at least every two years, including training in inter-agency procedures. Supply staff and other visiting staff will be given the school’s Visiting Staff Leaflet

See **Appendix 2:** Visiting Staff Leaflet

See **Appendix 5:** Safeguarding Policy re contractors working on site

## **17 SAFER RECRUITMENT**

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

Safer recruitment means that all applicants will:

- complete an application form
- provide two referees, including at least one who can comment on the applicant’s suitability to work with children
- provide evidence of identity and qualifications
- be registered with the Disclosure and Barring Service

- provide an up to date DBS certificate as part of required documentation
- be interviewed.

Further checks will be carried out to ensure the candidate is not subject to a prohibition order issued by the secretary of state or any sanction or restriction imposed (that remains current) by the GTCE before its abolition in March 2012

It is illegal for the school to employ an applicant who has been barred by the DBS. The School has a legal responsibility to refer to the DBS any substantiated allegations made against a member of staff. **Failure to do so is a criminal offence.**

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

### **Governors**

All governors are subject to enhanced DBS checks and as outlined by the updated guidance in Keeping Children Safe in Education 2019 subject to Section a s128 check which determines suitability to participate in the management of the school.

All staff sign to confirm they have received a copy of the Child Protection Policy, see Appendix 3

### **Single Central Record**

The school maintains an up to date single central record electronically of DBS checks as well as non-statutory information such as who carried out the checks and checks for volunteers. For further detail please refer to the Safer Recruitment Policy

## **18 EXTENDED SCHOOL AND OFF-SITE ARRANGEMENTS**

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

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

### **18.1 Children staying with host families**

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From time to time the school will make arrangements for their children to have learning experiences, where for a short periods, the children may be provided with care and accommodation by a host family to whom they are not related. For example, on a foreign exchange visit. Such arrangements could amount to "private fostering" under the Children Act 1989 or the Safeguarding Vulnerable Groups Act 2006, or both.

See Annexes D & E within **Keeping Children Safe in Education, 2018**

## **19 PHOTOGRAPHY AND IMAGES**

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

- seek their consent for photographs to be taken or published (for example, on our website or in newspapers or publications)
- seek parental consent

- use only the pupil’s first name with an image
- ensure pupils are appropriately dressed
- encourage pupils to tell us if they are worried about any photographs that are taken of them.

See the school’s Data Protection Policy and image consent forms –records from which are stored on SIMS

## **20 E-SAFETY**

Most of our pupils will use mobile phones and computers at some time. They are a source of entertainment, communication and education. However, we know that some men, women and young people will use these technologies to harm children. The harm might range from sending hurtful or abusive texts and emails, to enticing children to engage in sexually harmful conversations, webcam photography or face-to-face meetings. The school’s E-Safety Policy (together with the Computer Resources and Acceptable Use Agreement signed by each pupil) explains how pupils use technology safely in school. Cyber-bullying by pupils, via texts and emails, will be treated as seriously as any other type of bullying and will be managed through our anti-bullying procedures.

Chatrooms and social networking sites are the more obvious sources of inappropriate and harmful behaviour and pupils are not allowed to access these sites in school. Some pupils will undoubtedly be ‘chatting’ on mobiles or social networking sites at home and we have produced a short factsheet to help parents and pupils understand the possible risks. This can be found in the Safeguarding Information for Parents Booklet and the Safeguarding Information for Pupils Booklet.

## **21 THE PREVENT DUTY**

The Prevent Duty in the Counter Terrorism and Security Act 2015, outlines the role schools have to play in protecting pupils from the risks of extremism and radicalisation. The school approaches this risk in the same way as safeguarding young people from any other online abuse. Detail about how social media is used to encourage radicalisation and extremism is also included in the Safeguarding Information for Parents booklet

## **22 CHILD PROTECTION PROCEDURES**

### **22.1 Recognising Abuse**

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

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

See **Appendix 10: Categories of Abuse and its Impact**

## **23 BULLYING**

While bullying between children is not a separate category of abuse and neglect, it is a very serious issue that can cause considerable anxiety and distress. All incidences of bullying should be reported and will be managed through our anti-bullying

procedures. All pupils and parents receive a copy of the anti-bullying procedures through the behaviour policy on joining the school and the subject of bullying is addressed at regular intervals in the personal, social and health education (PSHE) curriculum. If the bullying is particularly serious, or the anti-bullying procedures are deemed to be ineffective, the headteacher and the DSP will consider implementing child protection procedures.

## 24 TAKING ACTION

### 24.1 Key Points

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Key points to remember for taking action are:

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

### 24.2 Summary of Action Steps

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Further detail relating to these summary steps is set out in 23.2 and 23.4 below.

#### TAKING ACTION: SUMMARY

1. If you have *any concerns at all* regarding a child's welfare, even when there is no 'real evidence', you should record your concerns using the school's **Safeguard Online** reporting form as well as speaking in person to the Designated Child Protection Person for the key stage. Over time, receipt of such forms may reveal a pattern of concern from different members of staff.
2. If a child discloses to you, follow the advice in section 23.4 below about *how to respond to the child* but also then:
  - report verbally to the designated person
  - write up your conversation as soon as possible using the safeguard online reporting form
  - seek support if you feel distressed.

Names of relevant designated staff for the different key stages:

KS3: Bhavna Sharma    KS4: Cristiana Davis

KS5 & Strategic whole school lead: Sharon O'Donovan

### 24.3 If you have any welfare concerns

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There will be occasions when you suspect that a pupil may be at risk, but you have no 'real' evidence. The pupil's behaviour may have changed, their artwork could be bizarre, they may write stories or poetry that reveal confusion or distress, or you may have noticed physical but inconclusive signs. In these circumstances, you should try to give the pupil the opportunity to talk. The signs you have noticed may be due to a

variety of factors, for example, a parent has moved out, a pet has died, a grandparent is very ill. It is fine to ask the pupil if they are OK or if you can help in any way.

First and foremost speak to the designated person for the relevant key stage or Sharon O'Donovan strategic lead whole school. Then use the online safeguard recording form to log these early concerns. If the pupil does begin to reveal that they are being harmed you should follow the advice in section 23.4 'If a pupil discloses to you'.

If, following your conversation, you remain concerned; you should discuss your concerns with the designated person.

See **Appendix 4** 'Dealing with Child Protection Concerns in Hammersmith and Fulham schools'

#### **24.4 If a Pupil discloses to you**

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

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

During your conversation with the pupil:

- Allow them to speak freely.
- Remain calm and do not over react – the pupil may stop talking if they feel they are upsetting you.
- Give reassuring nods or words of comfort – 'I'm so sorry this has happened, 'I want to help, 'This isn't your fault', 'You are doing the right thing in talking to me.
- Do not be afraid of silences – remember how hard this must be for the pupil.
- Under no circumstances ask investigative questions – such as how many times this has happened, whether it happens to siblings too, or what does the pupil's mother think about all this.
- At an appropriate time tell the pupil that in order to help them you must pass the information on.
- Do not automatically offer any physical touch as comfort. It may be anything but comforting to a child who has been abused.
- Avoid admonishing the child for not disclosing earlier saying '*I do wish you had told me about this when it started*' or '*I can't believe what I'm hearing*'. This may be your way of being supportive but the child may interpret it, that they have done something wrong.
- Tell the pupil what will happen next. The pupil may agree to go with you to see the designated person. Otherwise let them know that someone will come to see them before the end of the day.
- Report verbally to the designated person.



- Write up your conversation as soon as possible on the record of concern form and hand it to the designated person.
- Seek support if you feel distressed.

## **25 NOTIFYING PARENTS**

The school will normally seek to discuss any concerns about a pupil with their parents. This must be handled sensitively and the DSP will make contact with the parent in the event of a concern, suspicion or disclosure.

However, if the school believes that notifying parents could increase the risk to the child or exacerbate the problem, then advice will first be sought from children's social care.

## **26 REFERRAL TO CHILDREN'S SOCIAL CARE**

The DSP will make a referral to children's social care if it is believed that a pupil is suffering or is at risk of suffering significant harm. The pupil (subject to their age and understanding) and the parents will be told that a referral is being made, unless to do so would increase the risk to the child. If the pupil is known to the DSP to be subject to a Child Protection or Child in Need Plan, the DSP should contact the named Social Worker and follow the same referral procedures for immediate follow up and assessment of risk. The school can use the right to challenge the outcomes of any referrals or reviews to ensure pupil safety.

Where the risk to a pupil is that of radicalisation a referral should be made to the prevent team as part of children's social care and if appropriate, the channel programme.

## **27 CHILDREN WITH SEXUALLY HARMFUL BEHAVIOUR**

Children may be harmed by other children or young people. Staff will be aware of the harm caused by bullying and will use the school's anti-bullying procedures where necessary. However, there will be occasions when a pupil's behaviour warrants a response under child protection rather than anti-bullying procedures. In particular, research suggests that up to 30 per cent of child sexual abuse is committed by someone under the age of 18.

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

## **28 CONFIDENTIALITY AND SHARING INFORMATION**

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

Staff should only discuss concerns with the designated person, headteacher or chair of governors (depending on who is the subject of the concern). That person will then decide who else needs to have the information and they will disseminate it on a 'need-to-know' basis. Child protection information will be stored and handled in line with Data Protection Act 1998 principles. Information is:

- processed for limited purposes

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

Information regarding safeguarding and child protection concerns will be recorded on 'Safeguard', the school's secure software. Access to this information is limited to the key stage leads, DSP and the Headteacher. . Information regarding safeguarding and child protection concerns will be recorded on 'Safeguard', the school's secure software. Access to this information is limited to the key stage leads, DSP and the Headteacher.

Child protection information will be stored separately (on Safeguard) from the pupil's school file and the school file will be 'tagged' to indicate that separate information is held.

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

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

## 29 REPORTING DIRECTLY TO CHILD PROTECTION AGENCIES

Staff should follow the reporting procedures outlined in this policy.

However, they may also share information directly with children's social care, police or the NSPCC if:

- the situation is an emergency and the designated senior person, their deputy, the headteacher and the chair of governors are all unavailable
- they are convinced that a direct report is the only way to ensure the pupil's safety.

## 30 RATIFICATION

This Policy (together with its 10 appendices) has been revised and ratified by the Headteacher and Governing Body on 19 November 2019. The Policy and appendices will be reviewed in September 2020.

Marian Doyle

John Sills

Mrs M Doyle, Headteacher

John Sills, Chair of Governors

# Appendix 1

## Procedures to Protect Vulnerable Pupils

The following policies outline many of the established procedures the school has in place for the support and protection of vulnerable children:

Child Protection Policy	SEN and Inclusion Policy
Behaviour Policy	Bullying Policy
Race Equalities Policy	Equal Opportunities policy (inc. Gender and HIV/AIDS)
ICT use policy	Attendance and Punctuality Policy
Safer Recruitment Policy and Procedure	Health and Safety policy

In addition, the school makes use of and / or provides the following:

Use of Personal Education Plans (PEPs), Personal Support Plans (PSPs)	Mentoring and coaching either via the Learning Support teachers or subject staff
Self-esteem courses	Access to school nurse, SENCo, Counsellor, and Chaplain
Parental information evenings, including workshops on internet safety	A strong pastoral system with continuity of tutor and Directors of Learning
Homework Club, Peer mentors Peer to peer tutoring	A range of in school and after school activities to ensure engagement and involvement of all pupils
Robust pupil voice systems	Links with local authority , Educational Psychology, Connexions, Police, CAMHS
Training in Child Protection	Robust safer recruitment/Volunteer procedures
Remote access to lessons and the use of the VLE for pupils not able to access lessons / learning directly	Transition procedures, including visits to primary schools
Mentoring in small groups/one to one basis	Inter-agency meetings as necessary

### Responsible Person

The member of staff who has overall responsibility for Safeguarding is the Head Teacher. However, all pupils have access to a range of safe adults, including their Form Tutor or Director of Learning as well as the other professionals listed above. For vulnerable pupils, the responsible person who will oversee, monitor and ensure co-ordination of provision to meet their needs is, in most cases, the Director of Learning. S/he draws on the IPM process, SIMs (rewards and sanctions system), progress in relation to PSPs or PEPs, attendance data and any other information about the pupil. Where the needs of the vulnerable pupil warrant inclusion on the Curriculum Access register, the SENCo will co-ordinate provision but will also liaise with

the Director of Learning for Key Stages will also have oversight of provision. In all cases, the concern is to:

- Protect children from abuse or neglect
- Prevent impairment of their health and development
- Ensure they are growing up in circumstances consistent with the provision of safe and effective care.

# Appendix 2

## Visiting Staff Child Protection Information Leaflet

### WELCOME TO SACRED HEART HIGH SCHOOL

#### School statement

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

#### Key facts about child abuse

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Abuse and neglect can happen to any child, boy or girl, of any race, culture, ethnicity or sexuality. Disabled children and children with SEN are particularly vulnerable.

Many children are unable to disclose what is happening to them and rely on us to interpret their behaviour and spot signs of abuse.

A pupil may:

- have a bruise, burn or injury that seems suspicious
- show signs of pain or discomfort
- be unnaturally passive or withdrawn
- be unpredictable and challenging
- seem anxious, fearful or distressed
- provide an unlikely explanation for their injury or their behaviour.

If you are concerned for a child's health, welfare or safety in any way you must speak to the designated senior person (DSP) **Mrs Sharon O'Donovan** or another senior member of staff before you leave the school site.

Do not question the pupil or try to secure evidence. Your responsibility is to report your concern, not to investigate.

If a pupil tells you something that suggests they are at risk of harm, allow them to tell you as much as they wish and let them know that you must pass the information on to the DSP.

If you become concerned about a pupil's immediate safety, notify the nearest member of staff and tell them why you are concerned.

You should complete a welfare concern form (attached) and hand it to the DSP or a senior member of staff before you leave the school site. Ask a senior member of staff if you would like help to complete the form.

If you have any questions or wish to see our child protection policy please contact the DSP.

# Appendix 3

## Confirmation of Receipt of Child Protection Policy

Name: \_\_\_\_\_

Date of joining school: \_\_\_\_\_

Post: \_\_\_\_\_

Date of induction: \_\_\_\_\_

Name and designation of staff member responsible for induction:

\_\_\_\_\_

I confirm that I have received and read the school 'Safeguarding & Child Protection Policy'.

I have been made aware of my duty to safeguard and promote children's welfare.

The procedure for reporting concerns about a pupil has been explained to me.

I have attended statutory training delivered by the schools' DSP on Monday 2<sup>th</sup> September 2019

I confirm that I have read DfE statutory guidance 'Keeping Children Safe in Education, 2019'

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Date: \_\_\_\_\_

*Please sign and return this form to the Designated Senior Person: Sharon O'Donovan*

# Appendix 4

## DEALING WITH CHILD PROTECTION CONCERNS IN H&F SCHOOLS

### Initial Action

#### 1. ACTION BY PERSON RECEIVING OR IDENTIFYING A CONCERN

- Treat the concern seriously and take all reasonable steps to protect the child
- Call an ambulance if urgent medical attention is needed
- Inform the Contact Initial Contact and Advice Team (ICAT) on 0208753 6610 or 02087488588 if out of hours or the home borough's Children's Services if the child is not an LBHF resident.
- Talk to the child according to age, understanding, language preference and special needs
- Avoid leading questions and keep an open mind
- Do not interrupt, make assumptions, offer suggestions or alternative explanations, or attempt to investigate the concern
- Reassure the child that information will only be passed on a 'need to know' basis; do not promise total confidentiality
- Tell the person with designated responsibility for child protection immediately

#### 2. ACTION BY DESIGNATED PERSON

- Discuss the information with the person receiving the concern in order to decide what action to take (seek advice from the Review and Quality Assurance Section on 02087535269 if in any doubt) but do not attempt to investigate
- If the child has made an allegation against a professional, the designated teacher should now contact the Head of Information and External Relations on 02087533636
- Has the child suffered or is the child at risk of significant harm? If yes, contact the Contact and Assessment Service immediately or the home borough if not LBHF
- Does the concern amount to a possible criminal offence? If yes, contact the Contact and Assessment (see Referring Concerns) or the home borough if not LBHF
- Does the child need additional services? If yes, can the school deal? If not, do you need to contact the LA for support e.g. education psychologist, or should you make a 'child in need' referral to the Contact and Assessment Service

#### 3. CONSENT

- In general, agreement to refer child welfare concerns should be sought from the child, if sufficiently mature, and/or family, provided this will not increase risk of harm or prejudice an investigation

### **REMEMBER**

**Act quickly, delay may prejudice a child's welfare**

#### 4. RECORDING

- The person receiving the concern should record the information including date, time, place, those present and anything said, in the child's own words. This should

be signed and dated by the person receiving and countersigned by the designated person.

- All decisions (including taking no further action), the reasons and those who made them, should be recorded (timed, dated, signed and countersigned as appropriate)
- When calling the Contact and Assessment Service be ready to provide the child's name, date of birth, ethnicity, address, information about the concern as above, details of any siblings and contact details of parent(s)
- You may need to refer to your notes If called to give evidence in court

**For Case consultations please contact the Child Protection Advisers:**

**Tricia Hunte**  
**Charlotte Holt**  
**Piyush Bhattacharya**

Telephone: 020 8753 5125

**Megan Brown**

Safer Organisations (incorporates LADO) and Safeguarding in Education Manager

Telephone: 020 8753 5125

Mobile: 07776 673 020

Email: [megan.brown@lbhf.gov.uk](mailto:megan.brown@lbhf.gov.uk)

**Duty Child Protection Adviser on:**

Telephone: 020 8753 5125

email: [LADO@lbhf.gov.uk](mailto:LADO@lbhf.gov.uk)

If you cannot reach a duty CP Adviser you can reach:

**Megan Brown**

Safer Organisations (incorporates LADO) and Safeguarding in Education Manager

Telephone: 020 8753 5125

Email: [megan.brown@lbhf.gov.uk](mailto:megan.brown@lbhf.gov.uk)

**CSE Lead**

**Emily Harcombe**

Family Support and Child Protection Advisor (Monday to Wednesday only)

Telephone: 020 8753 6918

Mobile: 07467 734 648

Email: [emily.harcombe@lbhf.gov.uk](mailto:emily.harcombe@lbhf.gov.uk)

**Tri-borough FGM**

***Rochelle-Ann Naidoo***

Tri-borough Senior Practitioner

Telephone: 020 7641 1610

Email: [rnaidoo@westminster.gov.uk](mailto:rnaidoo@westminster.gov.uk)



**Bi-borough PREVENT**

Contact the local team on: Telephone: 020 8753 5727

Email: [prevent@lbhf.gov.uk](mailto:prevent@lbhf.gov.uk)

Tri-borough Multi-Agency Safeguarding Hub (MASH)

***Karen Duncan***

Tri-borough MASH Business Support Officer

Telephone: 020 7641 3991

Email: [kduncan1@westminster.gov.uk](mailto:kduncan1@westminster.gov.uk)

**Hammersmith and Fulham School Admissions, Attendance, Child employment,  
Elective home education and children missing education (ACE) Team**

***Elizabeth (Liz) Spearman***

Hammersmith and Fulham Head of ACE and Admissions

Telephone: 020 8753 6231

Email: [elizabeth.spearman@lbhf.gov.uk](mailto:elizabeth.spearman@lbhf.gov.uk)

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# Appendix 5

## SAFEGUARDING POLICY RE CONTRACTORS WORKING AT SACRED HEART

### 1 SUMMARY

This policy is to ensure the effective safeguarding of children when contractors are on site at Sacred Heart High School.

### 2 SCOPE

This policy is intended for use when we use contractors, i.e. buildings contractors or other contractors such as cabling contractors for major refurbishment works, major works, undertake routine maintenance or emergency repairs.

### 3 OBJECTIVES

The objective of this policy is to ensure that effective systems are put in place to safeguard children when the above works listed in section 2 are undertaken at Sacred Heart High School.

### 4 INTRODUCTION

All local authorities, schools and further education (FE) colleges in England have a responsibility to safeguard and promote the welfare of children and vulnerable adults in its care<sup>1</sup>.

The Department for Education and Skills issued guidance in 2007 entitled:

*'Safeguarding Children and Safer Recruitment in Education'* (DfES Publications: [www.everychildmatters.gov.uk](http://www.everychildmatters.gov.uk) / [www.teachernet.gov.uk](http://www.teachernet.gov.uk))

This also provided guidance regarding advises on those who come into contact with children on an ad hoc or irregular basis for short periods of time such as building contractors, maintenance companies, delivery personnel and the like.

*'Safeguarding Children and Safer Recruitment in Education'* has since been superseded by the more succinct *'Keeping Children Safe in Education 2014'* but Sacred Heart High School looks to both documents to ensure best practise.

Extracts from both documents citing examples of good practice where contact is on an ad hoc or irregular basis and indicating where Criminal Records Bureau checks are not required are attached as **Annex A**.

The guidance considers what arrangements should be employed by the Headteachers and other designated persons where contractors are employed to work at their premises.

Any reference to a Headteacher in the guidance should be taken to include any person that the Headteacher has designated as the person responsible for safeguarding children at the school.

### 5 RESPONSIBILITIES

Headteachers and Designated Persons are responsible for the safeguarding of the children in their care and they are responsible for ensuring that adequate measures are in place to safeguard pupils whilst contractors are on the premises.

### 6 SAFEGUARDING MEASURES

The aim of the safeguarding measures will be to manage the risk of harm to pupils. The measures adopted shall be proportionate to the risk.

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<sup>1</sup> the Children Acts 1989 & 2004; the Education Act 2002

Safeguarding measures to be considered will include the following:

**1) Segregate**

To avoid contact\* between contractors and pupils as far as possible

**2) Supervise**

To supervise any contact\* that does take place with a member of staff or a suitably vetted volunteer

**3) Code of conduct**

To require contractors to observe a code of conduct

**4) Regulate Access**

To regulate access to the premises

**5) Checks**

To undertake checks where appropriate.

*\* 'Contact' in this context shall be taken to mean any opportunity for contractors' staff to converse with pupils or to communicate with them in any other way, e.g. by passing messages, without a member of staff or suitably vetted volunteer being able to monitor the contact and intervene where necessary.*

## **6.1 Segregate**

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The risk of harm to pupils can be managed if contact between contractors' staff and pupils can be avoided altogether.

Segregation can be achieved by physical means or by time, or by a combination of both.

For larger projects lasting a number of weeks physical separation is normally achieved by the contractors' staff working within secure areas behind fencing, hoardings, barriers and the like where pupils would be excluded for routine health and safety concerns. These types of work will be planned to take place outside of the school term. If delays have occurred and contractors are still on site at the beginning of term, these procedures will be enforced.

Outside such secure areas separation is maintained by confining the movements of the contractors' staff to specific areas and to specific times so as to avoid contact at break times and at the beginning and at the end of the school day. In this context a marked up plan agreed with the contractor to show where and at what times during the day access will be permitted would be useful (**Annex B – Map of Layout of Sacred Heart High School**).

For routine maintenance visits or for emergency repairs lasting less than a day physical separation can be achieved by simply confining the movements of contractors to within clearly defined areas and specific times, using the principles illustrated in **Annex B**. Should any contact between the contractors' staff and pupils occur then it should be supervised by a member of staff or suitably vetted volunteer.

Where works are to be undertaken outside school hours then safeguarding measures should be implemented for any pupil attendance in school outside normal school hours.

## **6.2 Supervise**

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Measures should always be instigated to segregate contractors' staff from pupils as much as is possible. However, where such measures to segregate are in place but

some contact may occur between contractors' staff and pupils then any such contact should always be supervised by a member of staff or suitably vetted volunteer.

As noted above, 'contact' shall be taken to mean any opportunity for contractors' staff to converse with pupils or to communicate with them in any other way, e.g. by passing messages, without a member of staff or suitably vetted volunteer being able to monitor the contact and to intervene where necessary.

'Supervise' will be taken to mean the ability for a member of staff or suitably vetted volunteer to monitor conversation or communication of any kind between contractors' staff and pupils and to intervene where necessary.

The requirement to supervise can be limited to the times when contact is likely to occur, e.g. at break times, class changeover times and at the beginning and at the end of the school day. It is not necessary to monitor the building works themselves, only any contact that might take place between the contractors' staff and pupils.

### **6.3 Code of Conduct**

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A code of conduct is used to inform contractors what might be considered inappropriate behaviour.

It will enable any inappropriate behaviour to be recognised and challenged by all concerned.

Our code of conduct for contractors is:

- a) avoid contact with children
- b) never be in contact with children without school supervision
- c) stay within the agreed work area and access routes
- d) obtain permission if you need to go outside the agreed work area or access routes.
- e) keep staff informed of where you are and what you are doing
- f) do not use profane or inappropriate language
- g) dress appropriately – shirts to be worn at all times
- h) observe the code at all times
- i) remember your actions no matter how well intentioned could be misinterpreted

This document will become part of the official contract document (where in place) for works.

To ensure the effectiveness of any code it shall be:

- a) issued to contractors when quotations or tenders are invited
- b) stated as a condition on any order for works or building contract

Additionally, where appropriate, the code will be:

- c) highlighted in any pre- start meetings
- d) posted on the building site
- e) included as part of any contractors site safety briefings
- f) issued to contractors staff in the form of a card (the 'Blue Card' **Annex C**)

## 6.4 Identify

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To ensure that as far as possible only bona fide personnel are granted access, a means of identification is to be agreed with contractors in advance of any works taking place.

The means by which contractors' staff are identified will be determined in each case to suit the location and nature of the work being undertaken.

Typical methods may include:

- a) ID badges
- b) Photo ID
- c) Branded work wear
- d) Signing in book

Identification should only ever be used as a supplementary measure to the principal safeguarding measures of segregation and supervision.

## 6.5 Checks

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Whether or not contractors' staff should undergo a CRB check should be determined by a risk assessment.

The risk assessment should take account of the likely amount of contact that the contractors' staff might have with pupils, given that measures to segregate and to supervise should already be in place.

Accordingly CRB checks would not be required where there would be no contact between contractors' staff and pupils; for example where a building was being built on a separate site, or where the works were to be undertaken outside school hours or during school holidays.

Similarly, CRB checks would not normally be required for contractors' staff working on site building an extension or undertaking repairs where they are segregated from pupils and that any contact that did take place was supervised by the school.

However, where a member of the contractors' staff is likely to have either frequent or prolonged contact with pupils then it may be appropriate to obtain a check in addition to measures to supervise any contact. For example, a check may be appropriate where a contractors' representative (e.g. foreman, site manager, etc.) needs to liaise with school staff on a day to day basis.

A check may also be considered appropriate in the case of a contractors' representative where such staff are responsible for ensuring compliance with other safeguarding measures such as segregation, identification, code of conduct etc.

Similarly, where contractors' staff regularly visit Sacred Heart High School during the school day, to undertake routine maintenance (boilers, electrical tests and the like) then a check may be deemed appropriate in addition to measures to supervise any contact.

**Annex A** gives guidance as to when such checks may be deemed appropriate but is in no way comprehensive.

**However, under no circumstances should a member of a contractor's staff be allowed to have any unsupervised contact with pupils, even those who have undergone a CRB check.**

## **7 PLANNING**

The safeguarding measures will be agreed with the contractor well in advance of the works starting on site. This will enable sufficient time for school staff to be briefed on the supervision required and on the access arrangements agreed with contractor.

Where the works are being arranged by Local Authority, the Headteacher will determine what measures should be implemented. This needs to be done at the beginning of the project to ensure that they can be included in the building contract.

## **8 SUMMARY**

Wherever any type of building work is undertaken of any duration, safeguarding measures shall always be implemented and include arrangements to segregate pupils from contractors' staff as far as reasonably practicable and for any contact between them to be supervised by a member of staff or suitably vetted volunteer.

Other steps such as codes of conduct, identification and checks should be considered as supplementary measures where appropriate.

## **ANNEX A: Extracts from Current and Former Guidance**

### **Keeping Children Safe in Education, 2014**

#### **Contractors**

85. Schools and colleges should have arrangements in place with contractors to make sure that the contractor, or any employee of the contractor, working at the school or college has been subject to the appropriate level of DBS check, if any such check is required (for example because the contractor is carrying out teaching or providing some type of care for or supervision of children regularly).

86. Contractors and contractors' employees for whom an appropriate DBS check has not been undertaken should be supervised if they will have contact with children.

87. If a contractor working at a school or college is self-employed, the school or college should consider obtaining the DBS check, as self-employed people are not able to make an application directly to the DBS on their own account.

88. Schools and colleges should always check the identity of contractors and their staff on arrival at the school or college.

**Safeguarding Children and Safer Recruitment in Education' (DfES Publications: [www.everychildmatters.gov.uk](http://www.everychildmatters.gov.uk) / [www.teachernet.gov.uk](http://www.teachernet.gov.uk)):**

#### **Building Works:**

4.74 Children should not be allowed in areas where builders are working, for health and safety reasons, so these workers should have no contact with children. However schools and FE colleges should ensure that arrangements are in place with contractors, via the contract where possible, to make sure that any of the contractors' staff that come into contact with children undergo appropriate checks.

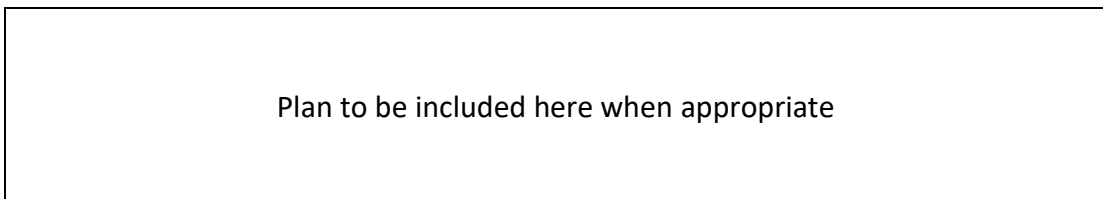
See paragraph 4.23 for emergency call out contractors.

**Emergency call out contractors / service visits:**

4.23 It is not necessary to obtain a CRB Disclosure for visitors who will only have contact with children on an ad hoc or irregular basis for short periods of time, or secondary pupils undertaking voluntary work or work experience in other schools. However, it is good practice to ensure that visitors sign in and out, and are escorted whilst on the premises by a member of staff or appropriately vetted volunteer. Examples of people who do not need to apply for a CRB Disclosure include:

- visitors who have business with the head teacher, principal or other staff or who have brief contact with children with a member of staff present;
- visitors or contractors who come on site only to carry out emergency repairs or service equipment and who would not be expected to be left unsupervised on school or FE college premises;
- volunteers or parents who only accompany staff and children on one off outings or trips that do not involve overnight stays, or who only help at specific one off events e.g. a sports day, school fête, college open day;
- secondary pupils on Key Stage 4 work experience in other schools, FE colleges or nursery classes; secondary pupils undertaking work in another school or FE college as part of voluntary service, citizenship or vocational studies; or Key Stage 5 or sixth form pupils in connection with a short careers or subject placement. In these cases the school placing the pupil should ensure that s/he is suitable for the placement in question;
- people who are on site before or after school or college hours and when children are not present,

**ANNEX B: PLAN OF SACRED HEART HIGH SCHOOL SHOWING PROJECT AREA**



**ANNEX C: CONTRACTORS IN SCHOOLS CODE OF CONDUCT 'BLUE CARD'**

## **CONTRACTORS IN SCHOOLS CODE OF CONDUCT**

- avoid contact with children
- never be in contact with children without school supervision
- stay within the agreed work area and access routes
- obtain permission if you need to go outside the agreed work area or access routes
- keep staff informed of where you are and what you are doing
- do not use inappropriate or profane language
- dress appropriately – shirts to be worn at all times
- observe this code at all times
- remember - your actions no matter how well intentioned could be misinterpreted



## ANNEX D: CHECKS ON CONTRACTORS WORKING IN SCHOOLS

CONTACT WITH PUPILS	RECOMMENDED MEASURES	HEADTEACHER /DESIGNATED PERSON RESPONSIBILITIES
<p><b>Nil</b> [e.g. works undertaken on a separate site, during out of hours or in school holiday periods]</p>	<ul style="list-style-type: none"> <li>• contractors’ staff to comply with code of conduct</li> <li>• contractors’ staff to sign in and out of premises</li> <li>• contractors’ staff to wear Company ID at all times</li> <li>• no CRB required</li> </ul>	<ul style="list-style-type: none"> <li>• undertakes a risk assessment</li> <li>• requires contractor to adopt code of conduct</li> <li>• requires to contractor sign in and out of premises</li> <li>• requires contractor to wear ID on site</li> </ul>
<p><b>Minimal</b> [where contractors’ staff are segregated from pupils and any contact that does occur is supervised e.g. new build and major repair projects]</p>	<ul style="list-style-type: none"> <li>• segregate</li> <li>• supervise any contact</li> <li>• contractors’ staff to comply with code of conduct</li> <li>• contractors’ staff to sign in and out of premises</li> <li>• contractors’ staff to wear Company ID at all times</li> <li>• no CRB required</li> </ul>	<ul style="list-style-type: none"> <li>• undertakes a risk assessment</li> <li>• agrees arrangements with LA if LA contractors to be used</li> <li>• ensures segregation arrangements in place</li> <li>• ensures arrangements for any contact to be supervised</li> <li>• requires contractor to adopt code of conduct</li> <li>• requires contractor to sign in and out of premises</li> <li>• requires contractor to wear ID on site</li> <li>• ensures any CRB checks completed before works start</li> <li>• reviews and amends arrangements to accommodate any change</li> </ul>
<p><b>Regular</b> [e.g., where contractors’ staff are segregated from pupils but there is likely to be regular supervised contact, e.g. foremen liaising with schools on new build or major repair projects, service engineers making routine maintenance visits]</p>	<ul style="list-style-type: none"> <li>• segregate</li> <li>• supervise any contact</li> <li>• contractors’ staff to comply with code of conduct</li> <li>• contractors’ staff to sign in and out of premises</li> <li>• contractors’ staff to wear Company ID at all times</li> <li>• consider CRB</li> </ul>	<ul style="list-style-type: none"> <li>• undertakes a risk assessment</li> <li>• agrees arrangements with LA if LA contractors to be used</li> <li>• ensures segregation arrangements in place</li> <li>• ensures arrangements for any contact to be supervised</li> <li>• requires contractor to adopt code of conduct</li> <li>• requires contractor to sign in and out of premises</li> <li>• requires contractor to wear ID on site</li> <li>• ensures any CRB checks completed before works start</li> <li>• reviews and amends arrangements to accommodate any change</li> </ul>

# Appendix 6

## Hammersmith & Fulham Guidance

### SAFEGUARDING CHILDREN IN H&F SCHOOLS (LEGAL FRAMEWORK AND SUPPORTING GUIDANCE)

- Everyone can help to provide a safe environment for children and young people
- Safeguarding not only includes child protection, but also encompasses health and safety, bullying and other issues such as medical needs, school security, drugs and substance misuse
- Safeguarding arrangements in schools should include measures to minimise risks and ensure concerns are addressed

**‘SAFEGUARDING CHILDREN IN EDUCATION’** - details specific responsibilities placed on governing bodies and designated staff within schools. The guidance requires all staff to be trained in child protection at least every 3 years (2 years for designated staff).

The guidance is supported by various pieces of legislation including:

**SS175 AND 157 EDUCATION ACT 2002** – which place a duty on governing bodies of maintained schools & FE institutions and Proprietors of Independent schools to safeguard and promote the welfare of children. A similar duty is also placed on governing bodies of non-maintained special schools

These are statutory duties and failure to have arrangements in place or have regard to guidance, may be grounds for action by the Secretary of State. Failure of individuals may result in disciplinary proceedings.

**THE CHILDREN ACT 1989** - provides the main legislative foundation for the care and protection children. Its overriding consideration is that the child’s welfare is paramount and delay is likely to prejudice a child’s welfare.

**SS17, 27, 47 CHILDREN ACT 1989** - place duty on local authorities, including schools, to assist where children are in need or at risk of harm

**‘WORKING TOGETHER TO SAFEGUARD CHILDREN’** - provides a national framework within which agencies and professionals should work together to put the Children Act into practice. It forms the basis for local policies and procedures

**‘FRAMEWORK FOR THE ASSESSMENT OF CHILDREN IN NEED AND THEIR FAMILIES’** - provides guidance as to how professionals and relevant staff undertake assessments in order to decide:

- whether a child is in need, including those at risk of significant harm
- what actions must be taken and which services would be appropriate

**‘WHAT TO DO IF YOU’RE WORRIED A CHILD IS BEING ABUSED’** - provides practice guidance on what to do if you have concerns about a child’s welfare, what happens once you tell someone and what further contribution you may be asked to make in order to address the child’s needs. It also gives some basic information on the legislative framework for safeguarding children and some useful guidance on information sharing.

# Appendix 7

## Code of Ethical Practice for Staff

All school staff are valued members of the school community. Everyone is expected to set and maintain the highest standards for their own performance, to work as part of a team and to be an excellent role model for our pupils.

All school staff should:

- place the safety and welfare of pupils above all other considerations
- treat all members of the school community, including pupils, parents, colleagues and governors with consideration and respect
- adhere to the principles and procedures contained in the policies in our safeguarding portfolio and in teaching and learning policies
- treat each pupil as an individual and make adjustments to meet individual need
- demonstrate a clear understanding of and commitment to non-discriminatory practice
- recognise the power imbalances between pupils and staff, and different levels of seniority of staff and ensure that power and authority are never misused
- understand that school staff are in a position of trust and that sexual relationships with a pupil, even over the age of 16, may be an offence
- be alert to, and report appropriately, any behaviour that may indicate that a pupil is at risk of harm
- encourage all pupils to reach their full potential
- never condone inappropriate behaviour by pupils or staff
- take responsibility for their own continuing professional development
- refrain from any action that would bring the school into disrepute
- value themselves and seek appropriate support for any issue that may have an adverse effect on their professional practice.

Staff name \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_ / \_\_\_\_ / \_\_\_\_\_

# Appendix 8

## SEXUAL EXPLOITATION

DfE's Child Sexual Exploitation [Guidance], Feb 2017 (extract)

### Section A - Advice for all practitioners who work with children

#### What is child sexual exploitation?

Child sexual exploitation is a form of child sexual abuse. Sexual abuse 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 clothing. It may include non-contact activities, such as involving children in the production of sexual images, forcing children to look at sexual images or watch sexual activities, encouraging children to behave in sexually inappropriate ways or grooming a child in preparation for abuse (including via the internet).

The definition of child sexual exploitation is as follows:

*Child sexual exploitation is a form of child sexual abuse. It occurs where 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.*

Like all forms of child sexual abuse, child sexual exploitation:

- 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;
- can still be abuse even if the sexual activity appears consensual;
- can include both contact (penetrative and non-penetrative acts) and non-contact sexual activity;
- can take place in person or via technology, or a combination of both;
- can involve force and/or enticement-based methods of compliance and may, or may not, be accompanied by violence or threats of violence;
- may occur without the child or young person's immediate knowledge (through others copying videos or images they have created and posting on social media, for example);
- 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; and
- is typified by some form of power imbalance in favour of those perpetrating the abuse. 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.

Child sexual exploitation is a complex form of abuse and it can be difficult for those working with children to identify and assess. The indicators for child sexual exploitation can sometimes be mistaken for 'normal adolescent behaviours'. It requires knowledge, skills, professional

curiosity and an assessment which analyses the risk factors and personal circumstances of individual children to ensure that the signs and symptoms are interpreted correctly and appropriate support is given. Even where a young person is old enough to legally consent to sexual activity, the law states that consent is only valid where they make a choice and have the freedom and capacity to make that choice. If a child feels they have no other meaningful choice, are under the influence of harmful substances or fearful of what might happen if they don't comply (all of which are common features in cases of child sexual exploitation) consent cannot legally be given whatever the age of the child.

**Child sexual exploitation is never the victim's fault, even if there is some form of exchange:** all children and young people under the age of 18 have a right to be safe and should be protected from harm.

One of the key factors found in most cases of child sexual exploitation is the presence of some form of exchange (sexual activity in return for something); for the victim and/or perpetrator or facilitator.

Where it is the victim who is offered, promised or given something they need or want, the exchange can include both tangible (such as money, drugs or alcohol) and intangible rewards (such as status, protection or perceived receipt of love or affection). It is critical to remember the unequal power dynamic within which this exchange occurs and to remember that the receipt of something by a child/young person does not make them any less of a victim. It is also important to note that the prevention of something negative can also fulfil the requirement for exchange, for example a child who engages in sexual activity to stop someone carrying out a threat to harm his/her family.

Whilst there can be gifts or treats involved in other forms of sexual abuse (e.g a father who sexually abuses but also buys the child toys) it is most likely referred to as child sexual exploitation if the 'exchange', as the core dynamic at play, results in financial gain for or enhanced status of, the perpetrator.

Where the gain is only for the perpetrator/facilitator, there is most likely a financial gain (money, discharge of a debt or free/discounted goods or services) or increased status as a result of the abuse.

If sexual gratification, or exercise of power and control, is the only gain for the perpetrator (and there is no gain for the child/young person) this would not normally constitute child sexual exploitation, but should be responded to as a different form of child sexual abuse.

## **How common is child sexual exploitation?**

The signs and indicators of all forms of abuse can be difficult to detect and child sexual exploitation is no exception. A variety of factors can make it difficult to accurately assess how prevalent child sexual exploitation is. Many children who are sexually exploited may have been victims of other forms of abuse; the grooming methods that may be used can mean that children who are sexually exploited do not always recognise they are being abused, which can also affect detection rates. What is clear is that child sexual exploitation can occur in all communities and amongst all social groups and can affect girls and boys. All practitioners should work on the basis that it is happening in their area.

## **Who is vulnerable to child sexual exploitation?**

**Any child, in any community:** Child sexual exploitation is occurring across the country but is often hidden so prevalence data is hard to ascertain. However, areas proactively looking for child sexual exploitation are uncovering a problem. All practitioners should be open to the possibility that the children they work with might be affected.

**Age:** Children aged 12-15 years of age are most at risk of child sexual exploitation although victims as young as 8 have been identified, particularly in relation to online concerns. Equally, those aged 16 or above can also experience child sexual exploitation, and it is important that such abuse is not overlooked due to assumed capacity to consent. Account should be taken of heightened risks amongst this age group, particularly those without adequate economic or systemic support.

**Gender:** Though child sexual exploitation may be most frequently observed amongst young females, boys are also at risk. Practitioners should be alert to the fact that boys may be less likely than females to disclose experiences of child sexual exploitation and less likely to have these identified by others.

**Ethnicity:** Child sexual exploitation affects all ethnic groups.

**Heightened vulnerability factors:** *Working Together* makes clear the requirements for holistic assessment. Sexual exploitation is often linked to other issues in the life of a child or young person, or in the wider community context. Practitioners should be alert to the fact that child sexual exploitation is complex and rarely presents in isolation of other needs and risks of harm (although this may not always be the case, particularly in relation to online abuse). Child sexual exploitation may be linked to other crimes and practitioners should be mindful that a child who may present as being involved in criminal activity is actually being exploited.

**Practitioners should not rely on ‘checklists’ alone but should make a holistic assessment of vulnerability, examining risk and protective factors as set out in the statutory guidance *Working Together*.**

Sexual exploitation can have links to other types of crime. These include:

- Child trafficking;
- Domestic abuse;
- Sexual violence in intimate relationships;
- Grooming (including online grooming);
- Abusive images of children and their distribution;
- Drugs-related offences;
- Gang-related activity;
- Immigration-related offences; and
- Domestic servitude.

The following vulnerabilities are examples of the types of things children can experience that might make them more susceptible to child sexual exploitation:

- Having a prior experience of neglect, physical and/or sexual abuse;
- Lack of a safe/stable home environment, now or in the past (domestic violence or parental substance misuse, mental health issues or criminality, for example);
- Recent bereavement or loss;
- Social isolation or social difficulties;
- Absence of a safe environment to explore sexuality;
- Economic vulnerability;
- Homelessness or insecure accommodation status;

- Connections with other children and young people who are being sexually exploited;
- Family members or other connections involved in adult sex work;
- Having a physical or learning disability;
- Being in care (particularly those in residential care and those with interrupted care histories); and
- Sexual identity.

Not all children and young people with these vulnerabilities will experience child sexual exploitation. **Child sexual exploitation can also occur without any of these vulnerabilities being present.**

## Potential indicators of child sexual exploitation

Children rarely self-report child sexual exploitation so it is important that practitioners are aware of potential indicators of risk, including:

- Acquisition of money, clothes, mobile phones etc., without plausible explanation;
- Gang-association and/or isolation from peers/social networks;
- Exclusion or unexplained absences from school, college or work;
- Leaving home/care without explanation and persistently going missing or returning late;
- Excessive receipt of texts/phone calls;
- Returning home under the influence of drugs/alcohol;
- Inappropriate sexualised behaviour for age/sexually transmitted infections;
- Evidence of/suspicions of physical or sexual assault;
- Relationships with controlling or significantly older individuals or groups;
- Multiple callers (unknown adults or peers);
- Frequenting areas known for sex work;
- Concerning use of internet or other social media;
- Increasing secretiveness around behaviours; and
- Self-harm or significant changes in emotional well-being.

Practitioners should also remain open to the fact that child sexual exploitation can occur without any of these risk indicators being obviously present. Practitioners should also be alert to the fact that some risk assessments have been constructed around indicators of face-to-face perpetration by adults and may not adequately capture online or peer-perpetrated forms of harm. It is also important to remember that risk assessments only capture risk at the point of assessment and that levels of risk vary over time, and that the presence of these indicators may be explained by other forms of vulnerability rather than child sexual exploitation.

The first step for practitioners is to be alert to the potential signs of abuse and neglect and to understand the procedures set out by local multi-agency safeguarding arrangements. Those working with children and families should access training through those multi-agency arrangements to support them in identifying vulnerability, risk and harm. This will help practitioners to know what action to take and to develop a shared understanding about what best practice looks like.

## How are children sexually exploited?

Child sexual exploitation takes many different forms. It can include contact and non-contact sexual activities and can occur online or in person, or a combination of each.

The following illustrative examples, although very different in nature and potentially involving different sexual or other offences, could all fall under the definition of child sexual exploitation:

- A 44 year old female posing as a 17 year old female online and persuading a 12 year old male to send her a sexual image, and then threatening to tell his parents if he doesn't continue to send more explicit images;
- A 14 year old male giving a 17 year old male oral sex because the older male has threatened to tell his parents he is gay if he refuses;
- A 14 year old female having sex with a 16 year old gang member and his two friends in return for the protection of the gang;
- A 13 year old female offering and giving an adult male taxi driver sexual intercourse in return for a taxi fare home;
- A 21 year old male persuading his 17 year old 'girlfriend' to have sex with his friends to pay off a drug debt;
- A mother letting other adults abuse her 8 year old child in return for money;
- A group of men bringing two 17 year old females to a hotel in another town and charging others to have sex with them; and
- Three 15 year old females being taken to a house party and given 'free' alcohol and drugs, then made to have sex with six adult males to pay for this.

These examples are not exhaustive: other forms of child sexual exploitation occur and new forms continue to develop. Nor are they mutually exclusive – some children will suffer abuse across a range of scenarios, either simultaneously or in succession.

Most child abuse occurs within the home. In cases of child sexual exploitation the risk of harm is generally external or in the community.

Child sexual exploitation may occur without the child being aware of events, or understanding that these constitute abuse. Online exploitation includes the exchange of sexual communication or images and can be particularly challenging to identify and respond to. Children, young people and perpetrators are frequently more familiar with, and spend more time in, these environments than their parents and carers. Those who work with and care for children can struggle to remain up-to-date with the latest sites and potential connection points, so practitioners should always seek specialist support if unsure about online environments. Online child sexual exploitation allows perpetrators to initiate contact with multiple potential victims and offers a perception of anonymity, with children and young people, and perpetrators, potentially saying and doing things online they wouldn't do offline. Where exploitation does occur online, the transfer of images can be quickly and easily shared with others. This makes it difficult to contain the potential for further abuse.

## Children can be perpetrators as well as victims

Children can be both experiencing child sexual exploitation and perpetrating it at the same time. Examples might include a child who is forced to take part in the exploitation of another child under duress, or a child who is forced to introduce other children to their abuser under threats to their family's safety. These situations require a nuanced approach that recognises



and engages with the young person's perpetration within the context of their own victimisation.

Children who perpetrate child sexual exploitation require a different response to adult perpetrators. Responses may involve criminal justice pathways at times, however every child who displays harmful sexual behaviour should also have their safeguarding and welfare needs actively considered in line with *Working Together*.

Different agencies should work together to: (a) identify any prior victimisation and understand how this has contributed to the perpetration; and (b) map the environments and contexts in which peer-perpetrated child sexual exploitation occurs, looking at the social norms or power dynamics at play which may have influenced the perpetration of abuse. Dependent on the issues emerging, this will likely need both an individually-based response and wider work to address harmful social norms or power dynamics that enable the abuse to occur.

# Appendix 9

## Allegations of Abuse Made Against Teachers and Other Staff

Part 4 of Keeping Children Safe in Education (Statutory Guidance for Schools and Colleges, Sept 2016)

### Duties as an employer and an employee

145. This part of the guidance is about managing cases of allegations that might indicate a person would pose a risk of harm if they continue to work in regular or close contact with children in their present position, or in any capacity. It should be used in respect of all cases in which it is alleged that a teacher or member of staff (including volunteers) in a school or college that provides education for children under 18 years of age has:

- behaved in a way that has harmed a child, or may have harmed a child;
- possibly committed a criminal offence against or related to a child; or
- behaved towards a child or children in a way that indicates he or she would pose a risk of harm to children.

146. This part of the guidance relates to members of staff who are currently working in any school or college regardless of whether the school or college is where the alleged abuse took place. 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.

147. Employers have a duty of care to their employees. They should ensure they 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 in a school or college 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.

Initial considerations 148. The procedures for dealing with allegations need to be applied with common sense and judgement. 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. In these cases, local arrangements should be followed to resolve cases without delay.

149. Some rare allegations will be so serious they require immediate intervention by children's social care services and/or police. The designated officer(s) should be informed of all allegations that come to a school or college's attention and appear to meet the criteria so they can consult police and children's social care services as appropriate.

150. The following definitions should 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.

151. In the first instance, the headteacher or principal, or where the headteacher or principal is the subject of an allegation, the chair of governors, chair of the management committee or proprietor of an independent school (the 'case manager') should immediately discuss the allegation with the designated officer(s). The purpose of an initial discussion is for the designated officer(s) and the case manager 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 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.

152. 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.

153. The case manager should inform the accused person about the allegation as soon as possible after consulting the designated officer(s). It is extremely important that the case manager provides them with as much information as possible at that time. However, where a strategy discussion is needed, or police or children's social care services need to be involved, the case manager should not do that until those agencies have been consulted, and have agreed what information can be disclosed to the accused. Employers must consider carefully whether the circumstances of a case warrant a person being suspended from contact with children at the school or college or whether alternative arrangements can be put in place until the allegation or concern is resolved. All options to avoid suspension should be considered prior to taking that step (see further information on suspension which follows).

154. If there is cause to suspect a child is suffering or is likely to suffer significant harm, a strategy discussion should be convened 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 should take into account that teachers and other school and college staff are entitled to use reasonable force to control or restrain children in certain circumstances, including dealing with disruptive behaviour.

155. 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) should discuss the next steps with the case manager. In those circumstances, the options open to the school or college 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.

156. In some cases, further enquiries will be needed to enable a decision about how to proceed. If so, the designated officer(s) should discuss with the case manager how and by whom the investigation will be undertaken. In straightforward cases, the investigation should normally be undertaken by a senior member of the school or college's staff.

157. However, in other circumstances, such as lack of appropriate resource within the school or college, or the nature or complexity of the allegation, the allegation will require an independent investigator. Many local authorities already provide for an independent investigation of allegations, often as part of the personnel services that maintained schools and colleges can buy in from the authority. It is important that local authorities ensure that schools and colleges have access to an affordable facility for independent investigation where that is appropriate.

## Supporting those involved

158. Employers have a duty of care to their employees. They should act to manage and minimise the stress inherent in the allegations process. Support for the individual is vital to fulfilling this duty. Individuals should be informed of concerns or allegations as soon as possible and given an explanation of the likely course of action, unless there is an objection by the children's social care services or the police. The individual should be advised to contact their trade union representative, if they have one, or a colleague for support. They should also be given access to welfare counselling or medical advice where this is provided by the employer.

159. The case manager should 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. For staff in maintained schools and colleges, that may include support via the local authority occupational health or employee welfare arrangements. 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.

160. Parents or carers of a child or children involved should 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 police or children's social care services need to be involved, the case manager should 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 should also be kept informed about the progress of the case, and told the outcome where there is not a criminal prosecution, including the outcome of any disciplinary process. 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 should be told the outcome in confidence.

161. Parents and carers should 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 (see paragraph 163). If parents or carers wish to apply to the court to have reporting restrictions removed, they should be told to seek legal advice. 162. 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, should consider what support the child or children involved may need.

## Confidentiality

163. It is extremely important that when an allegation is made, the school or college makes 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 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.<sup>68</sup> The reporting restrictions also cease to apply 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.

164. 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).

165. In accordance with the Association of Chief Police Officers’ (ACPO) guidance 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.)

166. The case manager should take advice from the designated officer(s), police and children’s social care services to agree the following:

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

## Managing the situation and exit arrangements

### Resignations and ‘settlement agreements’

167. If the accused person resigns, or ceases to provide their services, this should not prevent an allegation being followed up in accordance with this guidance. **A referral to the DBS must be made, if the criteria are met – see paragraph 120 [of Keeping Children Safe in Education, Sept 2016].** 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. A settlement/compromise agreement which prevents the school or college from making a DBS referral when the criteria are met would likely result in a criminal offence being committed as the school or college would not be complying with its legal duty to make the referral.

168. 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 should be given a full opportunity to answer the allegation and make representations about it. But 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, should 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.

169. ‘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.

## **Record keeping**

170. Details of allegations that are found to have been malicious should 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, and a copy provided to the person concerned.

171. 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 should 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.

172. 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.

## **References**

173. Cases in which an allegation was proven to be false, unsubstantiated or malicious should not be included in employer references. A history of repeated concerns or allegations which have all been found to be false, unsubstantiated or malicious should also not be included in any reference.

## **Timescales**

174. It is in everyone's interest to resolve cases as quickly as possible consistent with a fair and thorough investigation. All allegations should be investigated as a priority to avoid any delay. Target timescales are shown below: the time taken to investigate and resolve individual cases depends on a variety of factors including the nature, seriousness and complexity of the allegation, but these targets should be achieved in all but truly exceptional cases. It is expected that 80 per cent of cases should be resolved within one month, 90 per cent within three months, and all but the most exceptional cases should be completed within 12 months.

175. For those cases where it is clear immediately that the allegation is unsubstantiated or malicious, they should be resolved within one week. Where the initial consideration decides that the allegation does not involve a possible criminal offence it will be for the employer to deal with it, although if there are concerns about child protection, the employer should discuss them with the designated officer(s). In such cases, if the nature of the allegation does not require formal disciplinary action, the employer should institute appropriate action within three working days. If a disciplinary hearing is required and can be held without further investigation, the hearing should be held within 15 working days.

## **Oversight and monitoring**

176. 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 the Local Safeguarding Children Board (LSCB) 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.

177. 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.

178. 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.

## **Suspension**

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

180. Suspension should be considered only in a case where there is cause to suspect a child or other children at the school or college is/are at risk of harm or the case is so serious that it might be grounds for dismissal. However, a person should not be suspended automatically: the case manager must consider carefully whether the circumstances warrant suspension from contact with children at the school or college or until the allegation is resolved, and may wish to seek advice from their personnel adviser and the designated officer(s). In cases where the school or college is made aware that the Secretary of State has made an interim prohibition order in respect of an individual at the school or college, it will be necessary to immediately suspend that person from teaching pending the findings of the National College for Teaching and Leadership's (NCTL) investigation.

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

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

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

183. 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.

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

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

## **Information sharing**

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

187. Where the police are involved, wherever possible the employer should ask the police to obtain consent from the individuals involved to share their statements and evidence for use in the employer disciplinary process. This should 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. 188. 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.

## **Specific actions**

### **Following a criminal investigation or a prosecution**

189. 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 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 take into account the result of the police investigation or the



trial, as well as the different standard of proof required in disciplinary and criminal proceedings.

### **On conclusion of a case**

190. If the 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, the designated officer(s) should discuss with the case manager and their personnel adviser whether the school or college will decide to make a referral to the DBS for consideration of whether inclusion on the barred lists is required; and, in the case of a member of teaching staff, whether to refer the matter to the NCTL to consider prohibiting the individual from teaching.<sup>70</sup>

**191. There is a legal requirement for employers 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. See paragraph 120 [of Keeping Children Safe in Education, Sept 2016]**

192. Where it is decided on the conclusion of a case that a person who has been suspended can return to work, the case manager should 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 should 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 or college.

### **In respect of malicious or unsubstantiated allegations**

193. If an allegation is determined to be unsubstantiated or malicious, the designated officers(s) should 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, principal or proprietor should consider whether any disciplinary action is appropriate against the pupil 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 was not a pupil.

### **Learning lessons**

194. At the conclusion of a case in which an allegation is substantiated, the designated officer(s) should review the circumstances of the case with the case manager to determine whether there are any improvements to be made to the school or college's procedures or practice to help prevent similar events in the future. This should include issues arising from the decision to suspend the member of staff, the duration of the suspension and whether or not suspension was justified. Lessons should also be learnt from the use of suspension when the individual is subsequently reinstated. The designated officers(s) and case manager should consider how future investigations of a similar nature could be carried out without suspending the individual.

### **Further information**

195. See the Crown Prosecution Service published [guidance for the police under the Protection from Harassment Act 1997](#).

# Appendix 10

## Categories of Abuse and its Impact

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

### **Physical abuse**

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces illness in a child (this used to be called Munchausen's Syndrome by Proxy, but is now more usually referred to as fabricated or induced illness).

### **Emotional abuse**

Emotional abuse is the persistent emotional maltreatment of a child, such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate or valued only for meeting the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say and how they communicate. It may feature age – or developmentally-inappropriate expectations being imposed on children. These may include interactions that are beyond the child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying, (including cyber bullying) 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.

### **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 clothes. They may 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 of abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can commit acts of sexual abuse as can other children.

### **Neglect**

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

treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

Definitions taken from Working Together to Safeguard Children (HM Government, 2010).

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

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

Remember, it is your responsibility to report your concerns. It is not your responsibility to investigate or decide whether a child has been abused.

A child who is being abused or neglected may:

- have bruises, bleeding, burns, fractures or other injuries
- Be reluctant to talk about injury
- show signs of pain or discomfort
- keep arms and legs covered, even in warm weather
- be concerned about changing for PE or swimming
- look unkempt and uncared for
- change their eating habits
- Regression to wetting or soiling
- Frequent urinary tract infection or trips to the toilet
- Unwillingness to talk about home life or parents
- have difficulty in making or sustaining friendships
- appear fearful be reckless with regard to their own or other's safety
- self-harm
- frequently miss school or arrive late
- show signs of not wanting to go home
- display a change in behaviour – from quiet to aggressive, or happy-go-lucky to withdrawn
- challenge authority
- become disinterested in their school work
- be constantly tired or preoccupied
- be wary of physical contact
- be involved in, or particularly knowledgeable about drugs or alcohol

- display sexual knowledge or behaviour beyond that normally expected for their age.

Individual indicators will rarely, in isolation, provide conclusive evidence of abuse. They should be viewed as part of a jigsaw, and each small piece of information will help the DSP to decide how to proceed. It is very important that you report your concerns – you do not need ‘absolute proof’ that the child is at risk.

### **Impact of abuse**

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

# **APPENDIX 11**

## **CHILD ON CHILD SEXUAL VIOLENCE AND SEXUAL HARASSMENT**

Following a report of child on child sexual violence or harassment a decision must be made whether to:

- Manage the case internally
- Seek early help with a multi agency approach
- Refer to children's social care
- Report the case to the police



