



## **Safeguarding and Child Protection Policy**

Last reviewed: September 2022

**See page 3 for key personnel contact details**

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## KEY PERSONNEL

| TITLE                                     | NAME  | CONTACT DETAILS  |
|---|---|--|
| Designated Safeguarding Lead (DSL)        | Stella Stockwell  | 01235 764822<br>sstockwell@millbrook.vale-academy.org  |
| Deputy DSL                                | Faye Charlton   | 01235 764822<br>fcharlton@millbrook.vale-academy.org   |
| Deputy DSL                                | Calum Jacques   | 01235 764822<br>cison-jacques@vale-academy.org   |
| Deputy DSL                                | Sarah Kilminster  | 01235 764822<br>skilminster@millbrook.vale-academy.org   |
| Executive Headteacher                     | Steven Rose   | srose@vale-academy.org   |
| Local Authority Designated Officer (LADO) | Jo Lloyd - Safeguarding Team,<br>Oxfordshire County Council | 01865 810603<br><a href="mailto:LADO.safeguardingchildren@oxfordshire.gov.uk">LADO.safeguardingchildren@oxfordshire.gov.uk</a> |
| Nominated Safeguarding Governor           | Sarah Martin  | <a href="mailto:smartin1@ka.vale-academy.org">smartin1@ka.vale-academy.org</a>   |
| Chair of Governors                        | Richard Evans   | lgbchairmillbrook@vale-academy.org   |

## **PART 1**

### **1. Introduction**

This safeguarding and child protection policy is in accordance with the principles established by the Children Act 1989, and in line with the following guidance:

- [Keeping children safe in education 2022 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/106522/Keeping-children-safe-in-education-2022.pdf)
- [Working Together to Safeguard Children 2018](#)
- [Education \(Independent School Standards\) Regulations 2014](#)
- [Framework for the Assessment of Children in Need and their Families](#)
- [What to do if you are worried a Child is being Abused 2015](#)
- [Oxfordshire Safeguarding Children Board guidelines](#)
- [Governance Handbook](#)

Our school takes seriously its responsibility under section 11 of the Children Act and duties under “working together” to:

- safeguard and promote the welfare of children;
- work together with safeguarding partners (Local Authority, a Clinical Commissioning Group and the Chief Officer of Police) within local authority area to ensure adequate arrangements exist within our settings;
- identify and support those children who are suffering harm or are likely to suffer harm.

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

- protecting children from maltreatment;
- preventing impairment of children’s mental and physical health and 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.

We recognise that our staff, volunteers and governors have a full and active part to play in protecting our pupils from harm, and that the child’s welfare is our paramount concern. We recognise our moral and statutory responsibility to safeguard and promote the welfare of all children.

We make every effort to provide a safe and welcoming environment underpinned by a culture of openness where both children and adults feel secure, and are able to talk and believe that they are being listened to.

We maintain an attitude of 'it could happen here' where safeguarding is concerned.

Our school should provide a safe, caring, happy, positive and stimulating environment that promotes the social, physical and moral development of the individual child; a place where children can learn and develop happily in a culture that is free from discrimination or bullying.

This policy applies to all staff, volunteers and governors, and these persons must sign to confirm they have read and understood this policy. The following positions will have responsibility for ensuring this takes place:

- The headteacher for staff and volunteers
- The chair of the Local Governing Body for governors

## 2. Terminology

- **Safeguarding and promoting the welfare of children** refers to the process of protecting children from abuse or neglect, alongside preventing the impairment of children's mental and physical health or development. It also means that children are safeguarded to ensure they grow up in circumstances consistent with the provision of safe and effective and nurturing care, to enable them to have optimum life chances and to enter adulthood successfully.
- **Child protection** refers to the processes undertaken to meet statutory obligations laid out in the [Children Act 1989](#) and associated guidance (see [Working Together to Safeguard Children, An Inter-agency Guide to Safeguard and Promote the Welfare of Children](#)) in respect of those children who have been identified as suffering, or being at risk of suffering harm.
- **Staff** refers to all those working for or on behalf of the school, in all school settings, full time or part time, paid or voluntary.
- **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
- **DSL:** Designated Safeguarding Lead
- **LADO:** Local Authority Designated Officer
- **Safeguarding Partners** – all within local authority area
  - Local Authority
  - A Clinical Commissioning Group
  - Chief Officer of Police

### 3. Aims

- The purpose of this policy is to provide all staff, volunteers and governors with the framework they need to keep children safe and secure in our school and to inform parents how we will safeguard their children while they are in our care
- This policy aims to ensure consistent good practice across the school
- This policy aims to demonstrate our school's commitment with regard to safeguarding children

### 4. The role of our staff

Staff are particularly important as they are in a position to identify concerns early, provide help for children, and prevent concerns from escalating.

- Staff have a responsibility to provide a safe environment in which children can learn.
- Our school has a Designated Safeguarding Lead (DSL) who will provide support to staff members to carry out their safeguarding duties and who will liaise closely with other services such as children's social care. The DSL (and any deputies) is most likely to have a complete safeguarding picture and be the most appropriate person to advise on the response to safeguarding concerns.
- All staff should be prepared to identify children who may benefit from early help. Early help means providing support as soon as a problem emerges at any point in a child's life, from the foundation years through to the teenage years.
- Any of our staff members who have a concern about a child's welfare should follow the referral processes (see section 7, below). Staff should expect to support social workers and other agencies following any referral.
- **The Teachers' Standards 2012 state that teachers, including headteachers, should safeguard children's wellbeing and maintain public trust in the teaching professions as part of their professional duties.**

### 5. What staff need to know

- Staff are made aware of the systems that support safeguarding; these are explained to them as part of their induction, including:
  - This Safeguarding and Child Protection Policy
  - Staff Code of Conduct
  - The role of the DSL (including the identity of the DSL and any deputies)
  - Keeping children safe in education Part one
  - Whistleblowing Procedure
  - Allegations of abuse against staff
  - Safer Recruitment Policy
  - The safeguarding response to children who go missing from education
  - What to do if they have a concern about a child

- All staff should receive appropriate safeguarding and child protection training which is regularly updated. In addition, all staff should receive safeguarding and child protection updates (for example, via email, e-bulletins and staff meetings), as required, and at least annually, to provide them with relevant skills and knowledge to safeguard children effectively.
- All staff are made aware of the early help process, and understand their role in this.
- All staff are made aware of the process for making child protection referrals to social care and for statutory assessments under the Children Act 1989, especially section 17 (children in need) and section 47 (a child suffering, or likely to suffer, significant harm) that may follow a referral, along with the role that they might be expected to play in such assessments.
- All staff are aware that children may not feel ready or know how to tell someone that they are being abused, exploited, or neglected, and/or they may not recognise their experiences as harmful. For example, children may feel embarrassed, humiliated or even threatened. This could be due to their vulnerability, disability and/or sexual orientation or language barriers. Staff demonstrate professional curiosity and liaise with the DSL if they have concerns about a child. They recognise it is important to build trusted relationships with children and young people which facilitate communication.
- All staff know what to do if a child tells them he/she is being abused or neglected. Staff understand how to maintain an appropriate level of confidentiality. They understand that this means to involve only those who need to be involved, such as the DSL (or a deputy) and children's social care.
- All staff are aware of the need to reassure victims that they are being taken seriously and that they will be supported and kept safe. A victim will never be given the impression that they are creating a problem by reporting abuse, sexual violence or sexual harassment. A victim will never be made to feel ashamed for making a report.
- **Staff will never promise a child that they will not tell anyone about the allegation/disclosure that the child has made, as this may ultimately not be in the best interests of the child**

## 6. What staff should look out for

- Any child may benefit from early help, but our staff are particularly alert to the potential need for early help for a child who:
  - is disabled and has specific additional needs;
  - has special education needs (whether or not they have a statutory education, health and care plan);
  - is showing signs of being drawn in to anti-social or criminal behaviour, including gang involvement and association with organised crime groups;
  - is a young carer;
  - is frequently missing/goes missing from care or home;

- o is at risk of modern slavery, trafficking or exploitation;
  - o is in a family circumstance presenting challenges for the child, such as substance abuse, adult mental health problems or domestic abuse;
  - o is in an intimate relationship presenting challenges for the child (teenage relationship abuse)
  - o has returned home to their family from care;
  - o is showing early signs of abuse and/or neglect;
  - o is at risk of being radicalised or exploited;
  - o is a privately fostered child;
  - o is misusing drugs or alcohol.
- All staff members are aware of the indicators of abuse and neglect so they are able to identify children who may be in need of help or protection (see Appendix A of this policy for the definitions).
    - All staff should be aware that safeguarding incidents and/or behaviours can be associated with factors outside the school and/or can occur between children outside of this environment. Staff should be aware that extra-familial harms take a variety of different forms and children can be vulnerable to multiple harms including (but not limited to) sexual exploitation, criminal exploitation and serious youth violence.
    - All staff should be aware that technology is a significant component in many safeguarding and wellbeing issues. Children are at risk of abuse online as well as face to face. In many cases, abuse will take place concurrently via online channels and in daily life. Children can also abuse their peers online, this can take the form of abuse, harassing, and misogynistic messages, the non-consensual sharing of indecent images, especially around chat groups, and the sharing of abusive images and pornography, to those who do not want to receive such content.
  - Department for Education advice: What to do if you are worried a child is being abused. Advice for practitioners provides more information on understanding and identifying abuse and neglect:
 

<https://www.gov.uk/government/publications/what-to-do-if-youre-worried-a-child-is-being-abused--2>
  - Staff members are advised to maintain an attitude at all times of **“it could happen here”** where safeguarding is concerned. When concerned about the welfare of a child, staff members should always act **in the best interests of the child**.
  - Knowing what to look for is vital to the early identification of abuse and neglect. If staff are unsure they should **always** speak to the DSL (or deputy DSL).



## 7. What staff should do if they have concerns about a child

- If staff have any **concerns** about a child's welfare, they should act on them immediately. **See Appendix B for a flow chart setting out the process staff should follow.**
- Staff should adhere to this safeguarding policy and speak to the DSL (or deputy DSL).
- Options will then include:
  - Managing any support for the child internally via the school's pastoral support processes;
  - An early help assessment;
  - A referral for statutory services, for example as the child might be in need, is in need, or suffering or likely to suffer harm.
- The DSL or a deputy should always be available to discuss safeguarding concerns. If in exceptional circumstances, the DSL (or deputy DSL) is not available, this should not delay appropriate action being taken. Staff should consider speaking to a member of the senior leadership team and/or take advice from local children's social care. In these circumstances, any action taken should be shared with the DSL (or deputy) as soon as is practically possible.
- Our staff should not assume a colleague or another professional will take action and share information that might be critical in keeping children safe. They should be mindful that early information sharing is vital for effective identification, assessment and allocation of appropriate service provision. [Information sharing advice for safeguarding practitioners](#) supports staff who have to make decisions about sharing information. This advice includes the seven golden rules for sharing information and considerations with regard to the Data Protection Act 2018 and the General Data Protection Regulation (GDPR). If in any doubt about sharing information, staff should speak to the DSL or a deputy DSL. Fears about sharing information must not be allowed to stand in the way of the need to promote the welfare, and protect the safety, of children
- Schools and Colleges should be proactive in sharing information as early as possible to help identify, assess, and respond to risks or concerns about the safety and welfare of children, whether this is when problems are first emerging, or where a child is already known to the local authority children's social care.
- **Early help:** If early help is appropriate, the DSL (or deputy DSL) will generally lead on liaising with other agencies and setting up an inter-agency assessment as appropriate. Staff may be required to support other agencies and professionals in an early help assessment, in some cases acting as the lead professional. Any such cases should be kept under constant review and consideration given to a referral to children's social care for assessment for statutory services, if the child's situation does not appear to be improving or is getting worse.
- **Statutory Assessments:** Where a child is suffering, or is likely to suffer from harm, it is important that [a referral to children's social care](#) (and if appropriate the police) is made immediately.

- **Female Genital Mutilation mandatory reporting duty for teachers:** Whilst our staff should speak to the DSL (or deputy) with regard to any concerns about female genital mutilation (FGM), there is a specific **legal duty on teachers**. If a **teacher**, in the course of their work in the profession, discovers that an act of FGM appears to have been carried out on a girl under the age of 18, the teacher must report this to the police.
- **Record keeping:** All concerns, discussions and decisions made, and the reasons for those decisions, should be recorded in writing. If in doubt about recording requirements, staff should discuss with the DSL (or deputy).
- **Why is all of this important?** It is important for children to receive the right help at the right time to address risks and prevent issues escalating. Research and serious case reviews have repeatedly shown the dangers of failing to take effective action. Examples of this poor practice include:
  - failing to act on and refer the early signs of abuse and neglect;
  - poor record keeping;
  - failing to listen to the views of the child;
  - failing to re-assess concerns when situations do not improve;
  - not sharing information;
  - sharing information too slowly; and
  - a lack of challenge to those who appear not to be taking action.
- **If after a referral the child's situation does not appear to be improving** the DSL (or the person that made the referral) should press for re-consideration to ensure their concerns have been addressed and, most importantly, that the child's situation improves.

## 8. What staff should do if a child is in danger or at risk of harm

- **If a child is in immediate danger or is at risk of harm [a referral should be made to children's social care](#) and/or the police immediately.** Anyone can make a referral. Where referrals are not made by the DSL, the DSL must be informed as soon as possible that a referral has been made.

## 9. What staff should do if they have concerns about another staff member

- If a staff member has concerns about another staff member then this must be referred to the headteacher immediately. Where there are concerns about the headteacher this should be referred to the Chair of the school's Local Governing Body, who must inform the CEO of the Vale Academy Trust and **immediately discuss it with the LADO. See Appendix E.**
- Staff should also report any 'low level' concerns to the headteacher. Details can be found in Appendix E of this policy.
- 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.

- Refer to our Allegations of Abuse Against Staff Policy

## **10. What staff should do if they have concerns about safeguarding practices within the school**

- All staff should feel able to raise concerns about poor or unsafe practice and potential failures in the safeguarding regime and that such concerns will be taken seriously by our school's senior leadership team.
- Appropriate whistleblowing procedures, which are suitably reflected in staff training and staff behaviour policies, are in place for such concerns to be raised. See the Whistleblowing Procedure, a copy of which can be found on the school or Trust website.
- Where a staff member feels unable to raise an issue with their employer or feels that their genuine concerns are not being addressed, other whistleblowing channels are open to them, as detailed in the Whistleblowing Procedure. Staff can also call the NSPCC dedicated helpline on 0800 028 0285 as an alternative route if they feel unable to raise concerns regarding child protection failures internally.

## **PART 2**

### **11. Roles and responsibilities**

**Key safeguarding personnel and contact details for our school can be found on page 3 of this document.**

#### **The Vale Academy Trust**

Our school is a member of the Vale Academy Trust (“the Trust”), and in law it is the Trust which is ultimately accountable for ensuring the safety and wellbeing of all children in Trust schools. However, each school in the Trust has delegated responsibility for its own children; therefore, it is the school staff, supported by the local governing body, who perform the key safeguarding roles.

In our school, we nominate a senior member of staff to coordinate child protection arrangements and he/she is named on page 3 of this document. We will ensure that the DSL or a deputy will always be available (during school hours) for staff to discuss any safeguarding concerns.

#### **The Local Governing Body (LGB)**

The LGB will undertake a regular review of safeguarding and the related policies and procedures that operate in school.

The LGB will ensure that all governors receive appropriate safeguarding and child protection training at induction to give them the knowledge to provide strategic challenge to test and assure themselves that safeguarding policies and procedures in school are effective, and support the delivery of a robust whole-school approach to safeguarding.

The LGB will nominate a governor to be the safeguarding and child protection lead for the LGB, who will perform safeguarding monitoring visits, liaise with the Headteacher and DSL on safeguarding issues, and keep the LGB informed.

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

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

The LGB has a crucial role in monitoring and challenging staff on the effectiveness of safeguarding arrangements, and must ensure that their school:

- has a DSL for safeguarding and child protection who is a member of the senior leadership team and who has undertaken the approved Local Safeguarding Children Board (LSCB) training in inter-agency working, in addition to basic child protection training;
- follows child protection policy and procedures that are consistent with LSCB requirements and which are reviewed annually and made available to parents on request;
- follows procedures for dealing with allegations of abuse made against members of staff, including allegations made against the headteacher;
- follows our Safer Recruitment Policy and procedures that include the requirement for appropriate checks in line with national guidance, and has staff on all interview panels who are Safer Recruitment trained;
- has a training strategy that ensures all staff, including the headteacher, receive child protection training, including online safety, with refresher training at three-yearly intervals (yearly in keeping with OCC good practice). The DSL should receive refresher training at two-yearly intervals. They will also be required to ensure children are taught about safeguarding, including online safety and that this forms part of the curriculum planning;
- holds regular update sessions for staff regarding safeguarding, keeping staff up to date with any changes and ensuring that safeguarding remains a priority within the setting;
- has arrangements to ensure that all temporary staff and volunteers are made aware of the school's arrangements for child protection;
- understand their obligations under the Human Rights Act 1998, the Equality Act 2010 including the Public Sector Equality Duty

**The headteacher of our school will ensure that:**

- These safeguarding and child protection policy and procedures are implemented and followed by all staff in our school;
- sufficient time and resources are allocated to enable the DSL and deputy to carry out their roles effectively, including the assessment of pupils and attendance at strategy discussions and other necessary meetings;
- 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 Procedure ;

- child safety and welfare is addressed through the curriculum.

**Our school will ensure that the DSL:**

- is appropriately trained;
- acts as a source of support and expertise to the school community;
- has an understanding of the procedures of the [Oxfordshire Safeguarding Children Board \(OSCB\)](#);
- keeps written records of all concerns when noted and reported by staff or when disclosed by a child, ensuring that such records are stored securely and reported onward in accordance with this policy guidance, but kept separately from the child's general file;
- refers cases of suspected neglect and/or abuse to children's social care or police in accordance with this guidance and local procedure;
- 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 child with a child protection plan leaves the school, their information is passed to their new school and the child's social worker is informed;
- attends and/or contributes to child protection conferences in accordance with local procedure and guidance;
- 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 this policy;
- ensures that the safeguarding and child protection policy is updated annually;
- liaises with the nominated governor and headteacher (where the DSL role is not carried out by the headteacher) as appropriate;
- keeps a record of staff attendance at child protection training;
- provides an annual safeguarding report to governors which is sent to the Oxfordshire County Council's LADO/Safeguarding team at County Hall no later than the December of the academic year, following the academic year to which the report applies;
- makes this policy available to parents via school websites and school offices.

## Deputy DSLs

Deputy DSLs must be appropriately trained and in the absence of the DSL carry out those functions necessary to ensure the ongoing safety and protection of children. In the event of the long-term absence of the DSL the deputy will assume all of the functions above.

### All staff:

All staff will follow the Oxfordshire Safeguarding Children Board Procedures/Local Authority guidance in all cases of abuse, or suspected abuse (these can be found at [www.OSCB.org.uk](http://www.OSCB.org.uk)).

All staff will therefore:

- implement and follow part 1 of this policy;
- understand that the responsibility to safeguard children requires that all staff appropriately share any concerns they may have about children;
- support the child's development in ways that will foster security, confidence and resilience;
- provide an environment in which children feel safe, secure, valued and respected, and feel confident and know how to approach adults if they are in difficulties;
- provide a systematic means of monitoring children known or thought to be at risk of harm, and ensure they contribute to assessments of need and support plans for those children where appropriate;
- Ensure that detailed and accurate written records of concerns about a child are kept even if there is no need to make an immediate referral. See guidance on record keeping: [Child Protection Record Keeping](#) .

## 12. Supporting Children

- Staff must recognise that a child who is abused, who witnesses violence or who lives in a violent environment may feel helpless and humiliated, may blame him/herself, and find it difficult to develop and maintain a sense of self-worth.
- Staff must accept that research shows that the behaviour of a child in these circumstances may range from that which is perceived to be normal to aggressive or withdrawn.
- Staff will reassure all victims that they are being taken seriously, regardless of how long it has taken them to come forward, and that they will be supported and kept safe.

- **Our school will support all children by:**
  - encouraging the development of self-esteem and resilience in every aspect of life;
  - promoting a caring, safe, happy and positive environment;
  - liaising and working together with all other support services and those agencies involved in the safeguarding of children;
  - carrying out no name consultations with the Locality Community Support Service (LCSS) where appropriate;
  - carrying out Early Help Assessments (EHA) where appropriate to identify what support can be put in place for the child and family;
  - notifying Social Care as soon as there is a significant concern;
  - notifying Social Care when a child attending any school setting is privately fostered;
  - providing continuing support to a pupil (about whom there have been concerns) who leaves the school by ensuring that such concerns and school medical records are forwarded under confidential cover to the Designated Person/DSL at the child's new school immediately.

### **13. Confidentiality**

- All staff recognise that all matters relating to child protection are confidential.
- The DSL will disclose personal information about a child to other members of staff on a need to know basis only.
- However, all staff must be aware that they have a professional responsibility to share information with other agencies in order to safeguard children.
- All staff must be aware that they cannot promise a child to keep secrets which might compromise the child's safety or well-being or that of another.
- Staff will always undertake to share an intention to refer a child to Social Care with their parents unless to do so could put the child at greater risk of harm, or impede a criminal investigation. If in doubt, staff will consult with the Schools Safeguarding Team or Social Care on this point.
- Staff will take no-names consultations with our LCSS, Local Assessment Teams, and Multi-Agency Safeguarding Hub (MASH) teams to discuss any concerns, but understand that if asked by any of these teams for a name the name will be disclosed and it will become a referral.

### **14. Supporting Staff**

- Staff who have encountered a child who has suffered harm, or appears to be likely to suffer harm, may find the situation stressful and upsetting.
- Our school will support such staff by providing an opportunity to talk through their anxieties with the DSL and to seek further support. This could be provided by another



trusted colleague, Occupational Health, and/or a representative of a professional body or trade union, as appropriate.

- Our school has adopted a code of conduct for staff, which forms part of staff induction, and we understand that staff should have access to advice on the boundaries of appropriate behaviour.
- Our school recognises that our DSLs should have access to support and appropriate workshops, courses or meetings as organised by the local authority or other certified training provider.

## **15. Allegations against staff**

- All staff should take care not to place themselves in a vulnerable position with a child. It is always advisable for interviews or work with individual children or parents to be conducted in view of other adults.
- A child may make an allegation against a member of staff, including supply staff and volunteers. If such an allegation is made, the member of staff receiving the allegation will immediately inform the headteacher and follow our Allegations of Abuse against Staff Policy.

## **16. Whistleblowing**

- We recognise that children cannot be expected to raise concerns in an environment where staff fail to do so.
- All staff should be aware of their duty to raise concerns about the attitude or actions of colleagues.
- For further information see the Whistleblowing Procedure.

## **17. Physical Intervention/Positive Handling**

- The policy on physical intervention/positive handling by staff is set out separately in our Behaviour Management Policy and our accompanying local school procedures for behaviour management;
- Such events should be recorded and signed by a witness.
- Staff who are likely to need to use physical intervention should be appropriately trained.
- Any physical intervention of a nature which is both unreasonable and disproportionate to the circumstances and/or causes injury or distress to a child may be considered under child protection or disciplinary procedures.

## 18. Anti-Bullying

- The policy on the prevention and management of bullying is set out in our Anti-Bullying Policy. The policy acknowledges that to allow or condone bullying may lead to consideration under child protection procedures. Bullying is a safeguarding matter that if left unresolved can become a child protection matter. Every school setting will take seriously any bullying concerns and both investigate and take action to protect children where appropriate following our Anti-Bullying Policy;

**See Appendices C and D of this document for a broad description of Anti-Bullying Guidelines.**

- Our school will liaise with the anti-bullying co-ordinator from Oxfordshire County Council, where appropriate: [OCC Anti-Bullying](#)

## 19. Health & Safety

Our Health & Safety Policy reflects the consideration our school gives to the physical wellbeing of children.

## 20. Children with Special Educational Needs

Our school recognises that children with special educational needs (SEN) and disabilities can face additional safeguarding challenges. This policy reflects the fact that additional barriers can exist when recognising abuse and neglect in this group of children. This can include:

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

## 21. Types of abuse and neglect

**All 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.**

- **Abuse:** a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others (e.g. via the internet). They may be abused by an adult or adults or another child or children.

- **Physical abuse:** a form of abuse which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a parent fabricates the symptoms of, or deliberately induces, illness in a child.
- **Emotional abuse:** the persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child's developmental capability as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, although it may occur alone.
- **Sexual abuse:** involves forcing or enticing a child to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.
- **Neglect:** the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent failing to: provide adequate food, clothing and shelter (including exclusion from home or abandonment); protect a child from physical and emotional harm or danger; ensure adequate supervision (including the use of inadequate care-givers); or ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

## 22. Specific safeguarding issues

- All staff have an awareness of safeguarding issues, some of which are listed below. Staff are made aware that behaviours linked to the likes of drug taking, alcohol abuse, truanting and sexting put children in danger.
- All staff are made aware that safeguarding issues can manifest themselves via child on child abuse. This is most likely to include, but not limited to: bullying (including cyber bullying), gender based violence, sexual violence/sexual harassment, physical abuse, such as hitting, kicking, biting, hair pulling or otherwise causing physical harm, sexting (also

known as youth produced sexual imagery) and initiating/hazing type violence and rituals. Staff are made aware of our policy and procedures with regards to child on child abuse.

**Appendix A contains important additional information about specific forms of abuse and safeguarding issues.**

- We are aware that safeguarding incidents and/or behaviours can be associated with factors outside our school, or can occur between children outside our school. All staff, but especially DSLs (or deputies) should be considering the context within which such incidents and/or behaviours occur. This is known as contextual safeguarding, which simply means assessments of children should consider whether wider environmental factors are present in a child's life that are a threat to their safety and/or welfare. Children's social care assessments should consider such factors so it is important that we provide as much information as possible as part of the referral process. This will allow any assessment to consider all the available evidence and the full context of any abuse.

### **23. Online safety**

Children increasingly work online, and we recognise that it is crucial to safeguard them from potentially harmful and inappropriate online material. As such appropriate filters and monitoring systems are in place, and appropriate teaching around online safety is also delivered.

Where children are being asked to learn online at home, Government advice has been provided to support schools and colleges to do so safely: [safeguarding-and-remote-education](#) Appropriate teaching around online safety should also be delivered. Reference should also be made to the school's COVID-19 Safeguarding Annex, which can be found on the website.

It is important that all staff who interact with children, including online, continue to look out for signs a child may be at risk. Any such concerns should be dealt with in line with this policy and, where appropriate, referrals should still be made to children's social care and as required, the police.

Our school will ensure any use of online learning tools and systems is in line with privacy and data protection/GDPR requirements and that parents/carers are aware what their children are being asked to do.

Below are some things to consider when delivering virtual lessons, especially where webcams are involved:

- No 1:1 sessions – 2 adults minimum
- Staff and children must wear suitable clothing, as should anyone else in the household.
- Any computers used should be in appropriate areas, for example, not in bedrooms; and the background should be blurred.
- The live class should be recorded so that if any issues were to arise, the video can be reviewed.
- Live classes should be kept to a reasonable length of time, or the streaming may prevent the family 'getting on' with their day.
- Language must be professional and appropriate, including any family members in the background.
- Staff must only use platforms provided by our school to communicate with pupils
- Staff should record, the length, time, date and attendance of any sessions held.

All staff are reminded of the following:

- Staff Code of Conduct
- Digital Technology and Acceptable Use Policy
- Social Media Guidance

As many children now have unlimited and unrestricted access to the internet via mobile phone networks, there is a risk that some children, whilst at school, could consensually and non-consensually sexually harass their peers via their mobile and smart technology, share indecent images(:consensually and non-consensually) (often via large chat groups), and view and share pornography and other harmful content. The school has a clear mobile phone policy whereby mobile phones are not permitted to be used/accessed during the school day (if needed to be brought into school, they should be switched off and placed in bags).

## **24. Opportunities to teach safeguarding**

In all school settings children are taught about safeguarding, including online, through teaching and learning opportunities, as part of providing a broad and balanced curriculum. This will include Relationships and Sex Education for all Secondary children and Health Education (for all children in state-funded schools).

## **25. Child Sexual Exploitation (CSE) and Child Criminal Exploitation (CCE)**

Both CSE and CCE are forms of abuse and both occur where an individual or group takes advantage of an imbalance in power to coerce, manipulate or deceive a child into sexual or criminal activity. Whilst age may be the most obvious, the power imbalance can also be due to a range of other factors including gender, sexual identity, cognitive ability, physical strength, status and access to economic or other resources. In some cases, the abuse will be in exchange for something the victim needs or wants and/or will be to the financial benefit or other advantage (such as increased status) of the perpetrator or facilitator. Individuals or groups, males or females, and children or adults can perpetrate the abuse. The abuse can be a one-off occurrence or a series of incidents over time, and range from opportunistic to complex organised abuse. It can involve force and/or enticement-based methods of compliance and may, or may not, be accompanied by acts of violence or threats of violence. Victims can be exploited even when activity appears consensual and it should be noted exploitations as well as being physical can be facilitated and/or take place online. More information includes definitions and indicators are included in Appendix A.

## **26. Children who are lesbian, gay, bi or trans (LGBT)**

Children who are LGBT can be targeted by other children. In some cases, a child who is perceived by other children to be LGBT (whether they are or not) can be just as vulnerable as children who identify as LGBT.

Risks can be compounded where children who are LGBT lack a trusted adult with whom they can be open so staff are aware of key pastoral staff who can support with providing a safe space for them to speak out or share their concerns.

## **27. Allegations of abuse made against other children (child on child abuse)**

All staff recognise that children are capable of abusing their peers. In a situation where child abuse is alleged to have been carried out by another child, our child protection procedures should be adhered to for both the victim and the alleged abuser; this means it should be considered as a child care and protection issue for both children.

Child on child abuse can take many forms, and gender issues can be prevalent when dealing with this type of abuse, this could include, for example:

- Bullying (including cyber-bullying, prejudice-based and discriminatory bullying)
- Abuse in intimate personal relationships between peers
- Physical abuse such as hitting, kicking, biting etc. (this may include an online element which facilitates, threatens and/or encourages physical abuse)
- Sexual harassment such as sexual comments and remarks
- Sexual violence such as assault and non-consensual sexual activity

- Upskirting which typically involves taking a picture under a person's clothing with the intention of viewing genitals and buttocks
- Sexting
- Initiation/hazing type violence rituals

## 28. Serious Violence

All staff should be aware of indicators, which may signal that children are at risk from, or are involved with serious violent crime. These may include increased absence from school, a change in friendships or relationships with older individuals or groups, a significant decline in performance, signs of self-harm or significant change in wellbeing, or signs of assault or unexplained injuries. Unexplained gifts or new possessions could also indicate that children have been approached by, or are involved with, individuals associated with criminal networks or gangs.

All staff should be aware of the associated risks and understand the measures in place to manage these. Advice for schools and colleges is provided in the Home Office's [Preventing Youth Violence and Gang Involvement Policy](#) and its [Criminal Exploitation of Children and Vulnerable Adults: County Lines guidance](#).

## 29. Dealing with disclosures

### Receive

Always stop and listen straight away to someone who wants to tell you about incidents or suspicions of abuse. Listen quietly and actively, giving your undivided attention. Allow silences when needed. Do not show shock or disbelief but take what is said seriously.

### Reassure

Stay calm, no judgements, empathise. **Never make a promise that you can keep what a child has said a secret.** Give reassurance that only those who need to know will be told. Reassure the child that they were right to tell you.

### React

React to the child only as far as is necessary for you to establish whether or not you need to refer this matter, but don't interrogate for full details.

Refrain from asking leading questions.

If you need to try to get more detail about what has been disclosed, use questions such as tell me, explain to me and describe to me.

If you do ask further questions, please remember to record the questions you have asked as well as the responses provided.

Do not criticise the perpetrator; the child may have affection for him/her.

Explain your next steps to the child, i.e. who you will be speaking to and what will happen next.

## **Record**

If possible make brief notes about what they are actually telling you at the time. Keep these notes, however rough they are. If you are unable to make notes at the time write down what was said as soon as you can.

Record what was actually said by the child rather than your interpretation of what they are telling you. Be factual at all times.

Record the date, time, place and any noticeable non-verbal behaviour.

## **Report**

Report the incident to the DSL or Deputy and do not tell any other adults or children what you have been told.

***Never attempt to carry out an investigation of suspected abuse by interviewing the child or any others involved. This is a highly skilled role and any attempts by yourself could affect possible criminal proceedings.***

## **30. Record Keeping**

The DSL is responsible for ensuring that the necessary paperwork is completed and sent to the relevant people and stored in a safe and confidential place. This means that the records will be a coherent factual record of the concerns that are stored on individual children in a clear chronological order.

[http://schools.oxfordshire.gov.uk/cms/sites/schools/files/folders/folders/documents/safeguarding/Keeping\\_Child\\_Protection\\_Records.doc](http://schools.oxfordshire.gov.uk/cms/sites/schools/files/folders/folders/documents/safeguarding/Keeping_Child_Protection_Records.doc)

Front page chronologies should be used and be part of all individual safeguarding files (see link above for details).



# **Appendix A: Specific safeguarding issues**

## **Children and the court system**

Children are sometimes required to give evidence in criminal courts, either for crimes committed against them or for crimes they have witnessed. There are two age appropriate guides to support children, for 5-11-year olds and 12-17 year olds.

They explain each step of the process and support and special measures that are available. There are diagrams illustrating the courtroom structure and the use of video links is explained.

Making child arrangements via the family courts following separation can be stressful and entrench conflict in families. This can be stressful for children. The Ministry of Justice has launched an online child arrangements information tool with clear and concise information on the dispute resolution service. This may be useful for some parents.

## **Children missing from education**

All staff should be aware that children going missing, particularly repeatedly, can act as a vital warning sign of a range of safeguarding possibilities. This may include abuse and neglect, which may include sexual abuse or exploitation and child criminal exploitation. It may indicate mental health problems, risk of substance abuse, risk of travelling to conflict zones, risk of female genital mutilation or risk of forced marriage. Early intervention is necessary to identify the existence of any underlying safeguarding risk and to help prevent the risks of a child going missing in future. Staff should be aware of their school or college's unauthorised absence and children missing from education procedures.

## **Children with family members in prison**

Approximately 200,000 children have a parent sent to prison each year. These children are at risk of poor outcomes including poverty, stigma, isolation and poor mental health. [NICCO](#) provides information designed to support professionals working with offenders and their children, to help mitigate negative consequences for those children.

## **Child Sexual Exploitation (CSE)**

CSE occurs where an individual or group take advantage of an imbalance of power to coerce, manipulate or deceive a child into sexual activity (a) in exchange for something the victim needs or wants and (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. CSE does not always involve physical contact; it can also occur through the use of technology. CSE can affect any child (male or female) under the age of 18 years, including 16 and 17 year olds who can legally consent to have sex. It can include both contact (penetrative and non-penetrative acts) and non-contact sexual activity and may occur without the child's immediate knowledge (e.g. through others copying videos or images they have created and posted on social media).

The above CSE indicators can also be indicators of CCE, as can:

- Children who have older boyfriends or girlfriends
- Children who suffer from sexually transmitted infections or become pregnant

### **Key Facts about CSE**

- Sexual exploitation often starts around the age of 10 years old. Girls are usually targeted from age 10 and boys from age 8.
- It affects both girls and boys and can happen in all communities.
- Any person can be targeted but there are some particularly vulnerable groups, including looked after Children, Children Leaving Care and Children with Disabilities.
- Victims of CSE may also be trafficked (locally, nationally and internationally).
- Over 70% of adults involved in prostitution were sexually exploited as children or teenagers.

Sexual violence or abuse against children represents a major public health and social welfare problem within UK society, affecting 16% of children under 16. That is approximately 2 million children.

### **Good practice – Individuals**

- Recognise the symptoms and distinguish them from other forms of abuse
- Treat the child as a victim of abuse
- Understand the perspective/behaviour of the child and be patient with them
- Help the child to recognise that they are being exploited
- Collate as much information as possible
- Share information with other agencies and seek advice/refer to Social Care

### **Good practice – Organisations**

- Ensure robust safeguarding policies and procedures are in place which cover CSE
- Promote and engage in effective multi-agency working to prevent abuse
- Work to help victims move out of exploitation
- Cooperate to enable successful investigations and prosecutions of perpetrators

### **Child Criminal Exploitation: (CCE)**

CCE is where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child into any criminal activity (a) in exchange for something the victim needs or wants, and (b) for the financial or other advantage of the perpetrator or facilitator and/or (c) through violence or the threat of violence. The victim may have been criminally

exploited even if the activity appears consensual. CCE does not always involve physical contact; it can also occur through the use of technology.

It is important to note that the experience of girls who are criminally exploited can be very different to that of boys. The indicators may not be the same, however professionals should be aware that girls are at risk of criminal exploitation too. It is also important to note that both boys and girls being criminally exploited may be at higher risk of sexual exploitation.

Some of the following can be indicators of CCE:

- Children who appear with unexplained gifts or new possessions
- Children who associate with others involved in exploitation
- Children who suffer from changes in emotional well-being
- Children who misuse drugs and alcohol
- Children who go missing for periods of time or regularly come home late
- Children who regularly miss school or education or do not take part in education

### **County Lines**

County lines is a term used to describe gangs and organised criminal networks involved in exporting illegal drugs (primarily crack cocaine and heroin) into one or more importing areas (within the UK), using dedicated mobile phone lines or other form of 'deal line'.

Exploitation of children is a geographically widespread form of harm that is a typical feature of county lines criminal activity. Offenders will often use coercion, intimidation, violence (including sexual violence) and weapons to ensure compliance of victims. Children can be targeted and recruited into county lines in a number of locations including schools, further and higher educational institutions, pupil referral units, special educational needs schools, children's homes and care homes. Children are often recruited to move drugs and money between locations and are known to be exposed to techniques such as 'plugging', where drugs are concealed internally to avoid detection. Children can easily become trapped by this type of exploitation as county lines gangs create drug debts and can threaten serious violence and kidnap towards victims (and their families) if they attempt to leave the county lines network.

One of the ways of identifying potential involvement in county lines is missing episodes (both from home and school), when the victim may have been trafficked for the purpose of transporting drugs and a referral to the National Referral Mechanism (National Crime Agency – Modern slavery and human-trafficking) should be considered. If a child is suspected to be at risk of or involved in county lines, a safeguarding referral should be considered alongside consideration of availability of local services/third sector providers who offer support to victims of county lines exploitation.

## **Domestic Abuse**

The cross-government definition of domestic violence and abuse is:

Any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can encompass, but is not limited to:

- psychological;
- physical;
- sexual;
- financial; and
- emotional

All children can witness and be adversely affected by domestic abuse in the context of their home life where domestic abuse occurs between family members. Exposure to domestic abuse and/or violence can have a serious, long lasting emotional and psychological impact on children. In some cases, a child may blame themselves for the abuse or may have had to leave the family home as a result.

## **Operation Encompass**

Operation Encompass operates in the majority of police forces across England, including Thames Valley Police. It helps police and schools work together to provide emotional and practical help to children. The system ensures that the police will inform the key adult (designated safeguarding lead) in school before the child or children arrive at school the following day. This ensures that the school has up-to-date relevant information about the child's circumstances and can enable support to be given to the child according to their needs.

## **Homelessness**

Being homeless or being at risk of becoming homeless presents a real risk to a child's welfare. The designated safeguarding lead (and any deputies) should be aware of contact details and referral routes into the Local Housing Authority so they can raise/progress concerns at the earliest opportunity. Indicators that a family may be at risk of homelessness include household debt, rent arrears, domestic abuse and anti-social behaviour, as well as the family being asked to leave a property. Whilst referrals and or discussion with the Local Housing Authority should be progressed as appropriate, this does not, and should not, replace a referral into children's social care where a child has been harmed or is at risk of harm.

The Homelessness Reduction Act 2017 places a new legal duty on English councils so that everyone who is homeless or at risk of homelessness will have access to meaningful help including an assessment of their needs and circumstances, the development of a personalised housing plan, and work to help them retain their accommodation or find a new place to live. The following factsheets usefully summarise the new duties: Homeless Reduction Act Factsheets. The new duties shift focus to early intervention and encourage those at risk to seek support as soon as possible, before they are facing a homelessness crisis.

In most cases school and college staff will be considering homelessness in the context of children who live with their families, and intervention will be on that basis. However, it should also be recognised in some cases 16 and 17 year olds could be living independently from their parents, for example through their exclusion from the family home, and will require a different level of intervention and support. Children's services will be the lead agency for these young people and the designated safeguarding lead (or a deputy) should ensure appropriate referrals are made based on the child's circumstances. The department and the Ministry of Housing, Communities and Local Government have published joint statutory guidance on the provision of accommodation for 16 and 17 year olds who may be homeless and/ or require accommodation.

### **So-called 'honour-based' abuse (HBA)**

So-called 'honour-based' abuse (HBA) encompasses incidents or crimes which have been committed to protect or defend the honour of the family and/or the community, including female genital mutilation (FGM), forced marriage, and practices such as breast ironing. Abuse committed in the context of preserving "honour" often involves a wider network of family or community pressure and can include multiple perpetrators. It is important to be aware of this dynamic and additional risk factors when deciding what form of safeguarding action to take. All forms of HBA are abuse (regardless of the motivation) and should be handled and escalated as such. Professionals in all agencies, and individuals and groups in relevant communities, need to be alert to the possibility of a child being at risk of HBA, or already having suffered HBA.

### **Actions**

If staff have a concern regarding a child that might be at risk of HBA or who has suffered from HBA, they should speak to the designated safeguarding lead (or deputy). As appropriate, they will activate local safeguarding procedures, using existing national and local protocols for multiagency liaison with police and children's social care. Where FGM has taken place, since 31 October 2015 there has been a mandatory reporting duty placed on **teachers** that requires a different approach (see following section).

### **Female Genital Mutilation FGM**

FGM is child abuse and a form of violence against women and girls, and therefore should be dealt with as part of existing child safeguarding/protection structures, policies and procedures.

FGM is illegal in the UK. In England, Wales and Northern Ireland, the practice is illegal under the Female Genital Mutilation Act 2003.

Other than in the excepted circumstances, it is an offence for **any person (regardless of their nationality or residence status)** to:

- perform FGM in England, Wales or Northern Ireland (section 1 of the Act);
- assist a girl to carry out FGM on herself in England, Wales or Northern Ireland (section 2 of the Act); and

- Assist (from England, Wales or Northern Ireland) a non-UK person to carry out FGM outside the UK on a **UK national or permanent UK resident** (section 3 of the Act).

### **Mental Health**

All staff should be aware that mental health problems can, in some cases, be an indicator that a child has suffered or is at risk of suffering abuse, neglect or exploitation.

Only appropriately trained professionals should attempt to make a diagnosis of a mental health problem, so any concerns should be referred to appropriate agencies via the designated safeguarding lead. Staff, however, are well placed to observe and identify those whose behaviour suggests that they may be experiencing a mental health problem or be at risk of developing one and immediate action should be taken, following the school's safeguarding policy.

If staff have a mental health concern about a child that is also a safeguarding concern, immediate action should be taken by following the school child protection policy and speaking to the designated safeguarding lead.

### **Forced Marriage (FM)**

FM is now a specific offence under s121 of the Anti-Social Behaviour, Crime and Policing Act 2014 that came into force on 16 June 2014.

A FM is a marriage conducted without the valid consent of one or both parties, and where duress is a factor. Forced marriage is when someone faces physical pressure to marry (e.g. threats, physical violence or sexual violence) or emotional and psychological pressure (e.g. if someone is made to feel like they're bringing shame on their family). This is very different to an arranged marriage where both parties give consent.

FM is illegal in England and Wales. This includes:

- taking someone overseas to force them to marry (whether or not the forced marriage takes place)
- marrying someone who lacks the mental capacity to consent to the marriage (whether they're pressured to or not)

### **Preventing Radicalisation**

Children are vulnerable to extremist ideology and radicalisation. Similar to protecting children from other forms of harms and abuse, protecting children from this risk should be a part of a school's or college's safeguarding approach.

It is important therefore that all staff recognise their duty to safeguard all children against the following:

- Extremism – the vocal or active opposition to our fundamental values, including democracy, the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs. This also includes calling for the death of members of the armed forces.
- Radicalisation – the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups.
- Terrorism – an action that endangers or causes serious violence to a person/people; causes serious damage to property; or seriously interferes or disrupts an electronic system. The use of threat must be designed to influence the government or to intimidate the public and is made for the purpose of advancing a political, religious or ideological cause.

Schools/settings subject to the Prevent Duty will be expected to demonstrate activity in the following areas –

- Assessing the risk of children being drawn into terrorism
- Demonstrate that they are protecting children from being drawn into terrorism by having robust safeguarding policies.
- Ensure that their safeguarding arrangements take into account the policies and procedures of the Local Safeguarding Children Board.
- Make sure that staff have training that gives them the knowledge and confidence to identify children at risk of being drawn into terrorism, and to challenge extremist ideas which can be used to legitimise terrorism
- Expected to ensure children are safe from terrorist and extremist material when accessing the internet in school

### **Sexting in schools**

<https://schools.oxfordshire.gov.uk/cms/sites/schools/files/folders/folders/documents/safeguarding/SextingResourcePack.pdf>

### **Sexual violence and sexual harassment between children in schools and colleges**

Sexual violence and sexual harassment can occur between two children of **any** age and sex. It can also occur through a group of children sexually assaulting or sexually harassing a single child or group of children.

Children who are victims of sexual violence and sexual harassment will likely find the experience stressful and distressing. This will, in all likelihood, adversely affect their educational attainment. Sexual violence and sexual harassment exist on a continuum and may overlap, they can occur online and offline (both physical and verbal) and are never acceptable. It is important that **all** victims are taken seriously and offered appropriate support. Staff should be aware that some

groups are potentially more at risk. Evidence shows girls, children with SEND and LGBT children are at greater risk.

Staff should be aware of the importance of:

- making clear that sexual violence and sexual harassment is not acceptable, will never be tolerated and is not an inevitable part of growing up;
- not tolerating or dismissing sexual violence or sexual harassment as “banter”, “part of growing up”, “just having a laugh” or “boys being boys”; and
- challenging behaviours (potentially criminal in nature), such as grabbing bottoms, breasts and genitalia, flicking bras and lifting up skirts. Dismissing or tolerating such behaviours risks normalising them.

### **What is Sexual Violence and Sexual Harassment?**

#### **Sexual violence**

It is important that school and college staff are aware of sexual violence and the fact children can, and sometimes do, abuse their peers in this way. When referring to sexual violence we are referring to sexual offences under the Sexual Offences Act 2003 as described below. Sexual violence can happen inside or outside of school and online.

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

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

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

**What is consent?** Consent is about having the freedom and capacity to choose. Consent to sexual activity may be given to one sort of sexual activity but not another, e.g. to vaginal but not anal sex or penetration with conditions, such as wearing a condom. Consent can be withdrawn at any time during sexual activity and each time activity occurs. Someone consents to vaginal, anal or oral penetration only if s/he agrees by choice to that penetration and has the freedom and capacity to make that choice.

#### **Sexual Harassment**

When referring to sexual harassment we mean ‘unwanted conduct of a sexual nature’ that can happen inside or outside of school and online. When we reference sexual harassment, we do so in the context of child on child sexual harassment. Sexual harassment is likely to: violate a child’s dignity, and/or make them feel intimidated, degraded or humiliated and/or create a hostile, offensive or sexualised environment.

Whilst not intended to be an exhaustive list, sexual harassment can include:



- sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance and calling someone sexualised names;
- sexual “jokes” or taunting;
- physical behaviour, such as: deliberately brushing against someone, interfering with someone’s clothes (schools and colleges should be considering when any of this crosses a line into sexual violence - it is important to talk to and consider the experience of the victim) and displaying pictures, photos or drawings of a sexual nature; and
- online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence. It may include:
  - non-consensual sharing of sexual images and videos;
  - sexualised online bullying;
  - unwanted sexual comments and messages, including, on social media; and
  - sexual exploitation; coercion and threats

### **Upskirting**

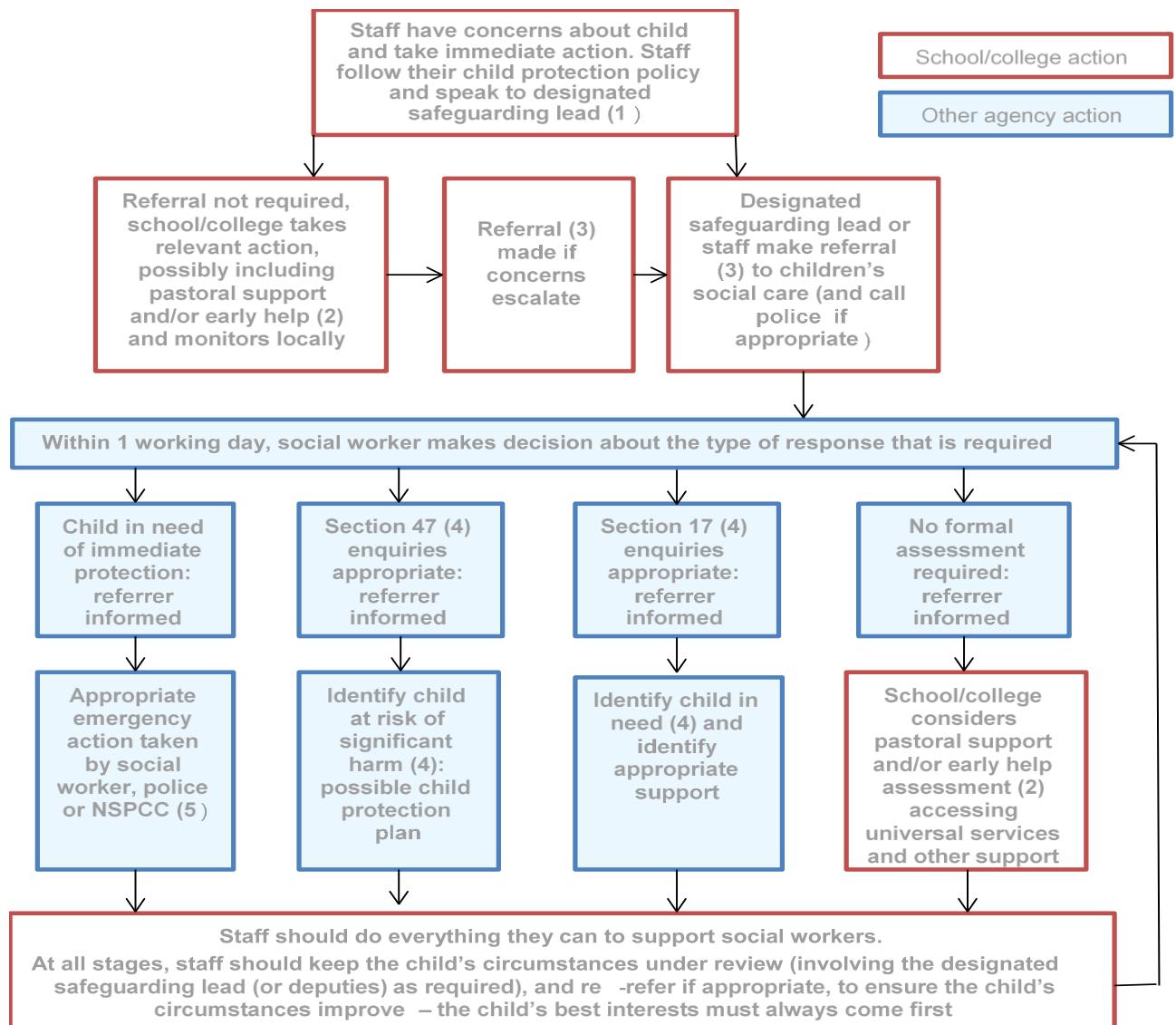
‘Upskirting’, typically involves taking a picture under a person’s clothing without them knowing, with the intention of viewing their genitals or buttocks (with or without underwear) to obtain sexual gratification, or cause the victim humiliation, distress or alarm. It is a criminal offence and anyone of any gender can be a victim.

### **The response to a report of sexual violence or sexual harassment**

The initial response to a report from a child is important. It is essential that all victims are reassured that they are being taken seriously and that they will be supported and kept safe. A victim should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report.

If staff have a concern about a child or a child makes a report to them, they should follow the referral process as set out in Section 7, Part One of this policy. As is always the case, if staff are in any doubt as to what to do they should speak to the designated safeguarding lead (or a deputy).

## Appendix B: Actions where there are concerns about a child



- (1) In cases which also involve a concern or an allegation of abuse against a staff member.
- (2) Early help means providing support as soon as a problem emerges at any point in a child's life. Where a child would benefit from co-ordinated early help, an early help inter-agency assessment should be arranged. Chapter one of [Working Together to Safeguard Children](#) provides detailed guidance on the early help process.
- (3) Referrals should follow the process set out in the local threshold document and local protocol for assessment. Chapter one of [Working Together to Safeguard Children](#).
- (4) Under the Children Act 1989, local authorities are required to provide services for children in need for the purposes of safeguarding and promoting their welfare. Children in need may be assessed under section 17 of the Children Act 1989. Under section 47 of the Children Act 1989, where a local authority has reasonable cause to suspect that a child is suffering or likely to suffer significant harm, it has a duty to make enquiries to decide whether to take action to safeguard or promote the child's welfare. Full details are in Chapter one of [Working Together to Safeguard Children](#). (5) This could include applying for an Emergency Protection Order (EPO).

## **Appendix C: Anti-Bullying guidelines for staff, parents and pupils**

Please refer to our Anti-Bullying Policy for full details.

The table below broadly describes the stages employed in the management of friendship issues through to bullying. Friendship issues are a normal part of growing up and most children will fall out with friends during their school career as they develop and change as people; this is not uncommon and self-management is an important skill to develop. The table below is not definitive, and different strategies may be tried in one particular stage; equally, each stage is not compulsory. How this guidance is used will depend on the child and the circumstances. Formal Bullying Records must be kept for safeguarding purposes for any intervention at Stage 3 and onwards.

|  |  |
|--|--|
| <p><b>Stage 1</b></p> <ul style="list-style-type: none"> <li>• Most friendship and relationship issues resolve</li> </ul>  | <ul style="list-style-type: none"> <li>• 1:1 Intervention by staff. Discussions will take place with relevant children.</li> <li>• Parents may not be informed at this stage as most situations are resolvable and self-management is an important life skill. The member of staff will make a judgement based on knowledge and experience.</li> </ul> |
| <p><b>Stage 2</b></p> <ul style="list-style-type: none"> <li>• Some friendship and relationship issues extend further and need more structure to resolve</li> </ul>  | <ul style="list-style-type: none"> <li>• A Restorative Meeting will be held with a member of staff who is trained in restorative practice.</li> <li>• Parents informed that a Stage 2 Restorative Meeting has been held and the behavioural expectations made clear.</li> </ul>  |
| <p><b>Stage 3</b></p> <ul style="list-style-type: none"> <li>• Rarely friendship issues get to this stage, but may still be resolved this way.</li> <li>• Sustained behaviour (bullying) is now a consideration</li> </ul> | <ul style="list-style-type: none"> <li>• A formal Restorative Meeting will be held by the Lead of Learner Engagement at Oxfordshire County Council (Anti-Bullying Team).</li> <li>• A written record is sent to all parents concerned.</li> <li>• Relevant staff are informed of local actions/ guidance.</li> </ul>                                   |
| <p><b>Stage 4</b></p> <ul style="list-style-type: none"> <li>• Sustained behaviour is now the likely cause</li> </ul>  | <ul style="list-style-type: none"> <li>• A meeting with the parents of the bully(ies) is held to work together to educate and support the bully in changing their behaviour.</li> <li>• Clarity of sanction, should a change in behaviour not be seen, will be made.</li> </ul>  |
| <p><b>Stage 5</b></p>  | <ul style="list-style-type: none"> <li>• Sanctions implemented</li> </ul>  |

**During the stages, any of the following approaches identified in the policy may be considered:**

|  |   |
|--|---|
| <ul style="list-style-type: none"><li>• Co-operative group work</li></ul>  | <ul style="list-style-type: none"><li>• Peer Counselling</li></ul>                                |
| <ul style="list-style-type: none"><li>• Circle of Friends</li></ul>  | <ul style="list-style-type: none"><li>• Buddy Systems</li></ul>                                   |
| <ul style="list-style-type: none"><li>• Support Groups</li></ul>   | <ul style="list-style-type: none"><li>• Peer Mediation</li></ul>                                  |
| <ul style="list-style-type: none"><li>• A child may be requested to keep a diary of Who, What, When and How?</li></ul> | <ul style="list-style-type: none"><li>• Self-esteem support for the victim or the bully</li></ul> |

# APPENDIX D: RESTORATIVE APPROACH TO DEALING WITH AN INCIDENT

The table below broadly describes the stages employed in the restorative approach to dealing with bullying incidents. This is an approach encouraged across the Trust. However, each school has its own procedures tailored to their setting, therefore how this guidance is used will depend on those procedures and the circumstances of the incident. The stages may not be followed in order for serious incidents. Formal Bullying Records must be kept for safeguarding purposes.

| Stage    | Further Information  | Possible Approach  |
|----------|--|--|
| <b>1</b> | As it can be difficult to identify the bully and bullied in situations of conflict, once children are calm enough to engage in conversation, staff will work through the 5 restorative steps (which may be available on their lanyard) with any child involved in conflict/bullying. | <p><b>‘5 Steps of Restorative Practice’?</b></p> <p><b>Step 1:</b> Tell the story - What has happened? Start from the beginning... What happened just before that?</p> <p><b>Step 2:</b> Thoughts and Feelings - What were/are you thinking? What were/are you feeling? How do you think they are feeling?</p> <p><b>Step 3:</b> Ripples of harm – Who has been harmed and how have they been harmed? What has been the most difficult thing for you?</p> <p><b>Step 4:</b> Needs – What do you need in order to find closure? What do you need to move forward? <b>Step 5:</b> What next? What do you think will make things better? What needs to happen?</p> <p>Children may initially do the above on a reflection form, if emotions are running high, and then talk to staff.</p> <p>Appropriate next steps will be agreed (e.g., restorative meeting, letter of apology, etc.) and the class teacher and parents, of all children involved, will be notified. The incident will be recorded.</p> |
| <b>2</b> | Children who continue to behave in a way that is hurtful to others.<br><br>(For serious behaviour incidents, skip immediately to Stage 3)  | Stage 1 will be repeated and the child causing harm will be treated in-line with the school’s Behaviour Policy to safeguard any children who have been harmed by their behaviour. This may, for example, be a period of internal exclusion (1 or 2 days off the playground) and will be decided by the Headteacher/Senior Leadership Team. Staff will offer support to any children who have been harmed and take necessary action to make sure they feel safe and reassured – with the children’s consent, this may involve a restorative meeting that produces a written agreement between all children involved.  |
| <b>3</b> | When negative behaviours persist following Stage 2 intervention(s) or a serious behaviour incident.  | Child/children causing harm will be placed on an Inclusion Support Plan (ISP). An ISP (see below) requires positive and negative behaviours to be identified by a relevant member of staff using a *QCA Behaviour Assessment. The children who have been harmed should be safeguarded from the harmer until the point a meeting can be arranged with the parents of the harmer. In a meeting involving school, parents and the child, the behaviours causing concern must be acknowledged, possible triggers identified, and a SMART action plan put in place. The ISP should be reviewed weekly with key adults in school.<br><br>For any children who have suffered harm, we will assess their needs and, where possible, provide in-school welfare support. For significant cases and cases that constitute a criminal offence, children can be referred to <a href="#">SAFE! Support for Young People Affected by Crime</a> , with the consent of their parent..                                   |

|  |  |  |
|--|--|--|
| <p><b>4</b></p>  | <p>Should negative behaviours persist following the implementation of an Inclusion Support Plan (ISP), the headteacher should seek advice* to further consider how to reduce the risk of recurrence as part of a risk assessment/safety plan and implement appropriate safeguards and support for the child.</p> | <p>If a child reaches Stage 4, the school should also work with the parents to initiate an Early Help Assessment (EHA) and Team Around the Family (TAF) – multi-agency meeting - to consider what action is necessary, and in the child’s best interests. Should the family refuse to engage with school in this process, the school will seek support from the Locality and Community Support Service (LCSS) to engage the family. TAF meetings should take place every 6 weeks. Progress against PSP goals should be reviewed as part of the TAF.</p> <p>* At Stage 4, the headteacher should also refer to the <u>Learner Engagement Team’s Guide for school leaders and agencies supporting school-age children / young people at risk of exclusion from school.</u></p> |
| <p>In all of these cases, a multi-agency meeting should be arranged to reduce the risk of suspension/exclusion:</p> <ul style="list-style-type: none"> <li>▪ If a child has an <b>Education Health and Care Plan</b> you must contact your SEN Officer to discuss the risk of exclusion</li> <li>▪ If the child is a <b>Looked After</b> you must contact the Virtual School for Looked After Children</li> <li>▪ If the child is open to social care (<b>Child in Need or Child Protection</b>) you must contact the social worker</li> </ul> |  |  |

## **Appendix E: Raising concerns about another member of staff**

It is important that safeguarding guidance is followed where it is alleged that anyone working in the school, including supply teachers and volunteers 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
- behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children
- behaved or may have behaved in a way that indicates they may not be suitable to work with children i.e. potentially outside of school, not relating directly to a child but could impact the ability to work with a child for example domestic violence.

### Low-Level Concerns

A low-level concern is any concern - no matter how small, and even if no more than causing a sense of unease or a 'nagging doubt' – that an adult working in or on behalf of the school may have acted in a way that:

- is inconsistent with the staff code of conduct, including inappropriate conduct outside of work and,
- does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to LADO

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

- being over friendly with children
- having favourites
- taking photographs of children on their mobile phone
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door
- using inappropriate sexualised, intimidating or offensive language

It is important that school creates a culture in which **all** concerns about adults (including allegations that do not meet the harms threshold) are shared responsibly and with the right person. This will create an open and transparent culture which will enable schools to identify concerning, problematic or inappropriate behaviour early. This in turn will minimise the risk of abuse and ensure adults working in or on behalf of the school or college are clear about professional boundaries and act within these boundaries, and in accordance with the ethos and values of the institution.

If a staff member has concerns about another staff member then this must be referred to the Headteacher immediately.

Where there are concerns about the Headteacher this should be referred to the Chair of the school's Local Governing Body and the Chief Executive of the Vale Academy Trust, and together they will **discuss it immediately with the LADO.**