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challenge:  
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excellence**

## **Kempston Challenger Academy**

### **2018 – Child Protection and Safeguarding Policy**

Version: 3rd September 2018 – Awaiting Board approval

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## 1. Aims

The academy aims to ensure that:

- Appropriate action is taken in a timely manner to safeguard and promote children's welfare
- All staff are aware of their statutory responsibilities with respect to safeguarding
- Staff are properly trained in recognising and reporting safeguarding issues

## 2. Legislation and statutory guidance

This policy is based on the Department for Education's statutory guidance, Keeping Children Safe in Education and Working Together to Safeguard Children, and the Governance Handbook. We comply with this guidance and the procedures set out by our local safeguarding children board.

This policy is also based on the following legislation:

- Part 3 of the schedule to the [Education \(Independent Academy Standards\) Regulations 2014](#), which places a duty on academies and independent academies to safeguard and promote the welfare of pupils at the academy
- [The Children Act 1989](#) (and [2004 amendment](#)), which provides a framework for the care and protection of children
- Section 5B(11) of the Female Genital Mutilation Act 2003, as inserted by section 74 of the [Serious Crime Act 2015](#), which places a statutory duty on teachers to report to the police where they discover that female genital mutilation (FGM) appears to have been carried out on a girl under 18
- Statutory guidance on FGM, which sets out responsibilities with regards to safeguarding and supporting girls affected by FGM
- [The Rehabilitation of Offenders Act 1974](#), which outlines when people with criminal convictions can work with children
- Schedule 4 of the [Safeguarding Vulnerable Groups Act 2006](#), which defines what 'regulated activity' is in relation to children
- Statutory guidance on the Prevent duty, which explains academy duties under the Counter-Terrorism and Security Act 2015 with respect to protecting people from the risk of radicalisation and extremism
- This policy also complies with our funding agreement and articles of association.

## 3. Definitions

**Safeguarding and promoting the welfare of children** means:

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

**Child protection** is part of this definition and refers to activities undertaken to prevent children suffering, or being likely to suffer, significant harm.

**Abuse** is a form of maltreatment of a child and may involve inflicting harm or failing to act to prevent harm. Appendix 1 explains the different types of abuse.

**Neglect** is a form of abuse and 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. Appendix 1 defines neglect in more detail.

**Children** includes everyone under the age of 18.

#### **4. Equality statement**

Some children have an increased risk of abuse, and additional barriers can exist for some children with respect to recognising or disclosing it. We are committed to anti-discriminatory practice and recognise children's diverse circumstances. We ensure that all children have the same protection, regardless of any barriers they may face.

We give special consideration to children who:

- Have special educational needs or disabilities
- Are young carers
- May experience discrimination due to their race, ethnicity, religion, gender identification or sexuality
- Have English as an additional language
- Are known to be living in difficult situations – for example, temporary accommodation or where there are issues such as substance abuse or domestic violence
- Are at risk of FGM, sexual exploitation, forced marriage, or radicalisation
- Are asylum seekers

#### **5. Roles and responsibilities**

Safeguarding and child protection is **everyone's** responsibility. This policy applies to all staff, volunteers and governors in the academy and is consistent with the procedures of Bedford Borough Safeguarding Children Board. Our policy and procedures also apply to extended academy and off-site activities.

##### **5.1 All staff**

All staff will read and understand part 1 and Annex A of the Department for Education's statutory safeguarding guidance, Keeping Children Safe in Education 2018, and review this guidance at least annually.

All staff will be aware of:

- Our systems which support safeguarding, including the behaviour policy and staff code of conduct, the role of the designated safeguarding lead (DSL), the behaviour policy, and the safeguarding response to children who go missing from education
- The early help process (sometimes known as the common assessment framework) and their role in it, including identifying emerging problems, liaising with the DSL, and sharing information with other professionals to support early identification and assessment

- The process for making referrals to local authority children's social care and for statutory assessments that may follow a referral, including the role they might be expected to play
- What to do if they identify a safeguarding issue or a child tells them they are being abused or neglected, including specific issues such as FGM, and how to maintain an appropriate level of confidentiality while liaising with relevant professionals
- The signs of different types of abuse and neglect, as well as specific safeguarding issues, such as child sexual exploitation (CSE), FGM and radicalisation

Section 12 and appendix 4 of this policy outline in more detail how staff are supported to do this.

## **5.2 The designated safeguarding lead (DSL)**

Our DSL is Miss Craddock. The DSL takes lead responsibility for child protection and wider safeguarding.

During term time, the DSL will be available during academy hours for staff to discuss any safeguarding concerns.

Out of hours contact details: [acraddock@kempstonchallengeracadem.org](mailto:acraddock@kempstonchallengeracadem.org)

When the DSL is absent or not available, the Headteacher (Mrs Young) and Deputy Headteacher (Mr May) will act as cover.

Out of hours contact details: [jyoung@kempstonchallengeracademy.org](mailto:jyoung@kempstonchallengeracademy.org) / [mmay@kempstonchallengeracademy.org](mailto:mmay@kempstonchallengeracademy.org)

The DSL will be given the time, funding, training, resources and support to:

- Provide advice and support to other staff on child welfare and child protection matters
- Take part in strategy discussions and inter-agency meetings and/or support other staff to do so
- Contribute to the assessment of children
- Refer suspected cases, as appropriate, to the relevant body (local authority children's social care, Channel programme, Disclosure and Barring Service, and/or police), and support staff who make such referrals directly

The DSL will also keep the headteacher informed of any issues, and liaise with local authority case managers and designated officers for child protection concerns as appropriate.

The full responsibilities of the DSL are set out in their job description.

## **5.3 The governing board**

The governing board will approve this policy at each review, and hold the headteacher to account for its implementation.

The governing board will appoint a link governor to monitor the effectiveness of this policy in conjunction with the full governing board. This is always a different person from the DSL. The chair of governors will act as the 'case manager' in the event that an allegation of abuse is made against the headteacher, where appropriate (see appendix 3).

## 5.4 The headteacher

The headteacher is responsible for the implementation of this policy, including:

- Ensuring that staff (including temporary staff) and volunteers are informed of this policy as part of their induction
- Communicating this policy to parents when their child joins the academy and via the academy website
- Ensuring that the DSL has appropriate time, funding, training and resources, and that there is always adequate cover if the DSL is absent
- Ensuring that all staff undertake appropriate safeguarding and child protection training and update this regularly
- Acting as the 'case manager' in the event of an allegation of abuse made against another member of staff or volunteer, where appropriate (see appendix 3)

## 6. Confidentiality

General Data Protection Regulations: please refer to:

- [www.kempstonchallengeracademy.org/wp-content/uploads/KCA-Data-Protection-Policy-June-2018-v4-1.pdf](http://www.kempstonchallengeracademy.org/wp-content/uploads/KCA-Data-Protection-Policy-June-2018-v4-1.pdf)
- [www.kempstonchallengeracademy.org/wp-content/uploads/CMAT-Parental-Privacy-notice-KCA-June-2018-v3.pdf](http://www.kempstonchallengeracademy.org/wp-content/uploads/CMAT-Parental-Privacy-notice-KCA-June-2018-v3.pdf)
- [www.kempstonchallengeracademy.org/wp-content/uploads/CMAT-Pupil-Privacy-notice-June-2018-v3.pdf](http://www.kempstonchallengeracademy.org/wp-content/uploads/CMAT-Pupil-Privacy-notice-June-2018-v3.pdf)
- [Staff Privacy Notice](#)
- [Third Party Requests for Information](#)

You should note that:

- Timely information sharing is essential to effective safeguarding
- Information must only be shared on a 'need-to-know' basis, but you do not need consent to share information if a child is suffering, or at risk of, serious harm
- Staff should never promise a child that they will not tell anyone about an allegation, as this may not be in the child's best interests
- Confidentiality is also addressed in this policy with respect to record-keeping in section 11, and allegations of abuse against staff in appendix 3

## 7. Recognising abuse and taking action

Staff, volunteers and governors must follow the procedures set out below in the event of a safeguarding issue.

### 7.1 If a child is in immediate danger

Make a referral to children's social care and/or the police **immediately** if a child is in immediate danger or at risk of harm. **Anyone can make a referral.**

Tell the DSL (see section 5.2) as soon as possible if you make a referral directly.

To make a direct referral to Bedford Borough use the following webpage for more information:  
[https://www.bedford.gov.uk/health\\_and\\_social\\_care/children\\_young\\_people/safeguarding\\_children\\_board.aspx](https://www.bedford.gov.uk/health_and_social_care/children_young_people/safeguarding_children_board.aspx)

or

<https://www.gov.uk/report-child-abuse-to-local-council>

## 7.2 If a child makes a disclosure to you

If a child discloses a safeguarding issue to you, you should:

- Listen to and believe them. Allow them time to talk freely and do not ask leading questions
- Stay calm and do not show that you are shocked or upset
- Tell the child they have done the right thing in telling you. Do not tell them they should have told you sooner
- Explain what will happen next and that you will have to pass this information on. Do not promise to keep it a secret
- Write up your conversation as soon as possible in the child's own words. Stick to the facts, and do not put your own judgement on it
- Sign and date the write-up and pass it on to the DSL. Alternatively, if appropriate, make a referral to children's social care and/or the police directly (see 7.1), and tell the DSL as soon as possible that you have done so

## 7.3 If you discover that FGM has taken place or a pupil is at risk of FGM

The Department for Education's Keeping Children Safe in Education explains that FGM comprises "all procedures involving partial or total removal of the external female genitalia, or other injury to the female genital organs".

FGM is illegal in the UK and a form of child abuse with long-lasting, harmful consequences. It is also known as 'female genital cutting', 'circumcision' or 'initiation'.

Possible indicators that a pupil has already been subjected to FGM, and factors that suggest a pupil may be at risk, are set out in appendix 4.

**Any teacher** who discovers that an act of FGM appears to have been carried out on a **pupil under 18** must immediately report this to the police, personally. This is a statutory duty, and teachers will face disciplinary sanctions for failing to meet it.

The duty above does not apply in cases where a pupil is *at risk* of FGM or FGM is suspected but is not known to have been carried out. Staff should not examine pupils.

**Any other member of staff** who discovers that an act of FGM appears to have been carried out on a **pupil under 18** must speak to the DSL and follow our local safeguarding procedures.

**Any member of staff** who suspects a pupil is *at risk* of FGM or discovers that a **pupil age 18 or over** appears to have been a victim of FGM, must speak to the DSL and follow our local safeguarding procedures.

The Female Genital Mutilation Act 2003 explains that teachers have a duty to notify the police if they discover that FGM appears to have been carried out on a girl under 18. The discovery could be made through a direct disclosure, or physical evidence.

The notification must be made within one month of the discovery. It can be made in writing or orally.

The duty is removed if the teacher believes the police have previously been notified about the act of FGM.

Legislation.gov.uk (2003) *Female Genital Mutilation Act 2003*. Online. Available at: <https://www.legislation.gov.uk/ukpga/2003/31>

#### **7.4 If you have concerns about a child (as opposed to a child being in immediate danger)**

Figure 1 illustrates the procedure to follow if you have concerns about a child's welfare and the child is not in immediate danger.

Where possible, speak to the DSL first to agree a course of action. Alternatively, make a referral to local authority children's social care directly (see 'Referral' below).

You can also contact the charity NSPCC on 0808 800 5000 if you need advice on the appropriate action.

#### **Early help**

If early help is appropriate, the DSL will support you in liaising with other agencies and setting up an inter-agency assessment as appropriate.

The DSL will keep the case under constant review and the academy will consider a referral to local authority children's social care if the situation does not seem to be improving. Timelines of interventions will be monitored and reviewed.

#### **Referral**

If it is appropriate to refer the case to local authority children's social care or the police, the DSL will make the referral or support you to do so.

If you make a referral directly (see section 7.1), you must tell the DSL as soon as possible. The local authority will make a decision within 1 working day of a referral about what course of action to take and will let the person who made the referral know the outcome. The DSL or person who made the referral must follow up with the local authority if this information is not made available, and ensure outcomes are properly recorded.

If the child's situation does not seem to be improving after the referral, the DSL or person who made the referral must contact the local authority and make sure the case is reconsidered to ensure the concerns have been addressed and the child's situation improves.

#### **7.5 If you have concerns about extremism**

If a child is not at immediate risk of harm, where possible, speak to the DSL first to agree a course of action. Alternatively, make a referral to local authority children's social care directly if appropriate (see 'Referral' above).

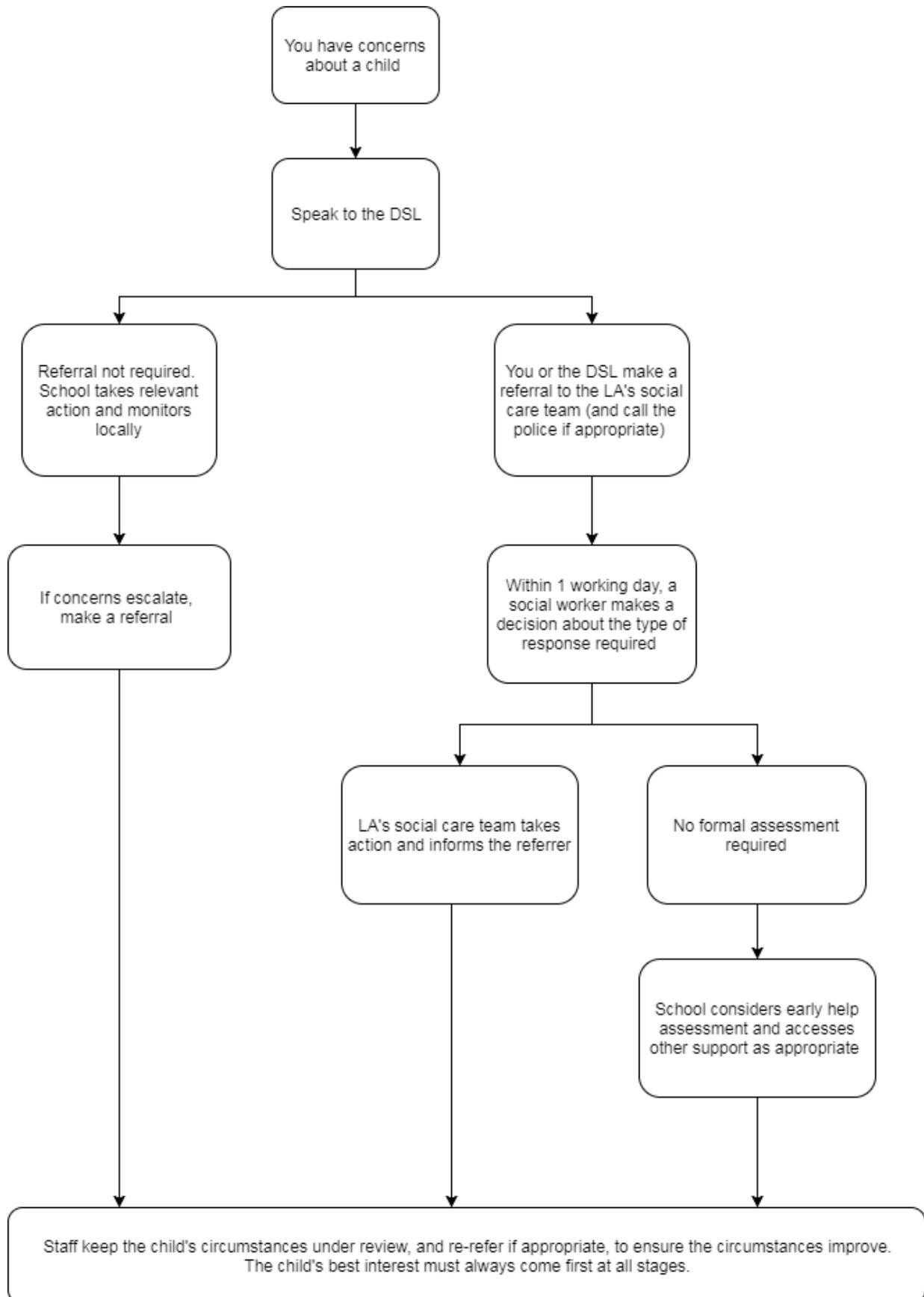
Where there is a concern, the DSL will consider the level of risk and decide which agency to make a referral to. This could include Channel, the government's programme for identifying and supporting individuals at risk of being drawn into terrorism, or the local authority children's social care team.

The Department for Education also has a dedicated telephone helpline, 020 7340 7264, that academy staff and governors can call to raise concerns about extremism with respect to a pupil. You can also email [counter.extremism@education.gov.uk](mailto:counter.extremism@education.gov.uk). Note that this is not for use in emergency situations.

In an emergency, call 999 or the confidential anti-terrorist hotline on 0800 789 321 if you:

- Think someone is in immediate danger
- Think someone may be planning to travel to join an extremist group
- See or hear something that may be terrorist-related

**Figure 1: procedure if you have concerns about a child's welfare (no immediate danger)**



## **7.6 Concerns about a staff member or volunteer**

If you have concerns about a member of staff or volunteer, speak to the headteacher. If you have concerns about the headteacher, speak to the chair of governors.

You can also discuss any concerns about any staff member or volunteer with the DSL. The headteacher/chair of governors/DSL will then follow the procedures set out in appendix 3, if appropriate.

## **7.7 Allegations of abuse made against other pupils**

We recognise that children are capable of abusing their peers. Abuse will never be tolerated or passed off as “banter” or “part of growing up”.

Most cases of pupils hurting other pupils will be dealt with under our academy’s behaviour policy, but this child protection and safeguarding policy will apply to any allegations that raise safeguarding concerns. This might include where the alleged behaviour:

- Is serious, and potentially a criminal offence
- Could put pupils in the academy at risk
- Is violent
- Involves pupils being forced to use drugs or alcohol
- Involves sexual exploitation or sexual abuse, such as indecent exposure, sexual assault, or sexually inappropriate pictures or videos (including sexting)

If a pupil makes an allegation of abuse against another pupil:

- You must tell the DSL and record the allegation, but do not investigate it
- The DSL will contact the local authority children’s social care team and follow its advice, as well as the police if the allegation involves a potential criminal offence
- The DSL will put a risk assessment and support plan into place for all children involved – both the victim(s) and the child(ren) against whom the allegation has been made – with a named person they can talk to if needed
- The DSL will contact the children and adolescent mental health services (CAMHS), if appropriate

We will minimise the risk of peer-on-peer abuse by:

- Challenging any form of derogatory or sexualised language or behaviour
- Being vigilant to issues that particularly affect different genders – for example, sexualised or aggressive touching or grabbing towards female pupils, and initiation or hazing type violence with respect to boys
- Ensuring our curriculum helps to educate pupils about appropriate behaviour and consent
- Ensuring pupils know they can talk to staff confidentially by sessions delivered in tutor time and in PD lessons

- Ensuring staff are trained to understand that a pupil harming a peer could be a sign that the child is being abused themselves, and that this would fall under the scope of this policy

## **8. Notifying parents**

Where appropriate, we will discuss any concerns about a child with the child's parents. The DSL will normally do this in the event of a suspicion or disclosure. Other staff will only talk to parents about any such concerns following consultation with the DSL.

If we believe that notifying the parents would increase the risk to the child, we will discuss this with the local authority children's social care team before doing so.

In the case of allegations of abuse made against other children, we will normally notify the parents of all the children involved.

## **9. Mobile phones and cameras**

Staff are allowed to bring their personal phones to academy for their own use, but will limit such use to non-contact time when pupils are not present. Staff members' personal phones will remain in their bags or cupboards during contact time with pupils.

Staff will not take pictures or recordings of pupils on their personal phones or cameras. We will follow the General Data Protection Regulation and Data Protection Act 2018 when taking and storing photos and recordings for use in the academy.

## **10. Complaints and concerns about academy safeguarding practices**

### **10.1 Complaints against staff**

Complaints against staff that are likely to require a child protection investigation will be handled in accordance with our procedures for dealing with allegations of abuse made against staff (see appendix 3).

### **10.2 Other complaints**

Any complaint which is raised concerning pupils or site matters will be referred to the Principal and DSL in the first instance. They will then follow their normal procedures and will, if necessary, involve outside agencies..

### **10.3 Whistle-blowing (refer to CMAT policy)**

[Whistleblowing Policy](#)

## **11. Record-keeping**

We will hold records in line with our records retention schedule.

All safeguarding concerns, discussions, decisions made and the reasons for those decisions, must be recorded in writing. If you are in any doubt about whether to record something, discuss it with the DSL.

Non-confidential records will be easily accessible and available. Confidential information and records will be held securely and only available to those who have a right or professional need to see them.

Safeguarding records relating to individual children will be retained for a reasonable period of time after they have left the academy.

Records are paper and electronic based and are kept in a locked secure cupboard in the Safeguarding/student support managers offices which is locked at all times when not being used. Electronic records can only be accessed by appropriate staff. Information is retained for the appropriate amount of time according with government expectations and again are locked and secure. Information with other agencies are shared in meetings, electronically and through secure mail when appropriate.

#### Third Party Requests for Information

In addition:

- Appendix 2 sets out our policy on record-keeping specifically with respect to recruitment and pre-employment checks
- Appendix 4 sets out our policy on record-keeping with respect to allegations of abuse made against staff

## **12. Training**

### **12.1 All staff**

All staff members will undertake safeguarding and child protection training at induction, including on whistle-blowing procedures, to ensure they understand the academy's safeguarding systems and their responsibilities, and can identify signs of possible abuse or neglect. This training will be regularly updated and will be in line with advice from our local safeguarding children board.

All staff will have training on the government's anti-radicalisation strategy, Prevent, to enable them to identify children at risk of being drawn into terrorism and to challenge extremist ideas.

All staff will receive annual online training provided by the Trust's legal representatives (VWV – My OnStream).

Staff will also receive regular safeguarding and child protection updates (for example, through emails, e-bulletins and staff meetings) as required, but at least annually.

Volunteers will receive appropriate training, if applicable.

### **12.2 The DSL and Deputy DSL (or equivalent)**

The DSL and Deputy Headteacher will undertake child protection and safeguarding training at least every 2 years.

In addition, they will update their knowledge and skills at regular intervals and at least annually (for example, through e-bulletins, meeting other DSLs, or taking time to read and digest safeguarding developments).

They will also undertake Prevent awareness training.

### **12.3 Governors**

All governors receive training about safeguarding, to make sure they have the knowledge and information needed to perform their functions and understand their responsibilities.

### **12.4 Recruitment – interview/appointment panels**

At least one person on any interview/appointment panel for a post at the academy will have undertaken safer recruitment training. This will cover, as a minimum, the contents of the Department for Education's statutory guidance, Keeping Children Safe in Education, and be in line with local safeguarding procedures.

An recruitment, all new staff are required to complete online Prevent training and on line Safeguarding Children in Education module(s)

Safeguarding Children In Education

<https://bedfordshirelscb.safeguardingchildren.co.uk>

Prevent training

[http://course.ncalt.com/channel\\_general\\_awareness/01/index.html](http://course.ncalt.com/channel_general_awareness/01/index.html)

All staff undertake annual online Safeguarding Training through the Trust's Solicitors, VWV.

### **12.5 Staff who have contact with pupils and families**

All staff who have contact with children and families will have supervisions which will provide them with support, coaching and training, promote the interests of children and allow for confidential discussions of sensitive issues.

## **13. Monitoring arrangements**

This policy will be reviewed **annually** by the Headteacher and DSL. At every review, it will be approved by the full governing board.

## **14. Links with other policies**

This policy links to the following policies and procedures:

- Behaviour
- Staff [behaviour/code of conduct]
- Complaints
- Health and safety
- Attendance
- Online safety
- Sex and relationship education
- First aid
- Curriculum
- Privacy notices
- Whistleblowing

**These appendices are based on the Department for Education's statutory guidance, Keeping Children Safe in Education.**

### **Appendix 1: types of abuse**

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

**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.

**Emotional abuse** is the persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child's emotional development. Some level of emotional abuse is involved in all types of maltreatment of a child, although it may occur alone. Emotional abuse 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
- Not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate
- 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
- Seeing or hearing the ill-treatment of another
- Serious bullying (including cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children

**Sexual abuse** involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve:

- Physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing
- 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** 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 abuse.

Once a child is born, neglect may involve a parent or carer failing to:

- Provide adequate food, clothing and shelter (including exclusion from home or abandonment)
- Protect a child from physical and emotional harm or danger

- Ensure adequate supervision (including the use of inadequate care-givers)
- Ensure access to appropriate medical care or treatment

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

## **Appendix 2: safer recruitment and DBS checks – policy and procedures**

We will record all information on the checks carried out in the academy's single central record (SCR). Copies of these checks, where appropriate, will be held in individuals' personnel files. We follow requirements and best practice in retaining copies of these checks, as set out below.

### **Appointing new staff**

When appointing new staff, we will:

- Verify their identity
- Obtain (via the applicant) an enhanced Disclosure and Barring Service (DBS) certificate, including barred list information for those who will be engaging in regulated activity (see definition below). We will not keep a copy of this for longer than 6 months
- Obtain a separate barred list check if they will start work in regulated activity before the DBS certificate is available
- Verify their mental and physical fitness to carry out their work responsibilities
- Verify their right to work in the UK. We will keep a copy of this verification for the duration of the member of staff's employment and for 2 years afterwards
- Verify their professional qualifications, as appropriate
- Ensure they are not subject to a prohibition order if they are employed to be a teacher
- Carry out further additional checks, as appropriate, on candidates who have lived or worked outside of the UK, including (where relevant) any teacher sanctions or restrictions imposed by a European Economic Area professional regulating authority, and criminal records checks or their equivalent
- Check that candidates taking up a management position are not subject to a prohibition from management (section 128) direction made by the secretary of state
- Ask for written information about previous employment history and check that information is not contradictory or incomplete

We will seek references on all short-listed candidates, including internal candidates, before interview. We will scrutinise these and resolve any concerns before confirming appointments.

**Regulated activity** means a person who will be:

- Responsible, on a regular basis in a academy or college, for teaching, training, instructing, caring for or supervising children
- Carrying out paid, or unsupervised unpaid, work regularly in a academy or college where that work provides an opportunity for contact with children
- Engaging in intimate or personal care or overnight activity, even if this happens only once and regardless of whether they are supervised or not

### **Existing staff**

If we have concerns about an existing member of staff's suitability to work with children, we will carry out all the relevant checks as if the individual was a new member of staff. We will also do this if an individual moves from a post that is not regulated activity to one that is. We will refer to the DBS anyone who has harmed, or poses a risk of harm, to a child or vulnerable adult:

- Where the 'harm test' is satisfied in respect of the individual (i.e. that no action or inaction occurred but the present risk that it could was significant)
- Where the individual has received a caution or conviction for a relevant offence
- If there is reason to believe that the individual has committed a listed relevant offence, under the Safeguarding Vulnerable Groups Act 2006 (Prescribed Criteria and Miscellaneous Provisions) Regulations 2009
- If the individual has been removed from working in regulated activity (paid or unpaid) or would have been removed if they had not left

### **Agency and third-party staff**

We will obtain written notification from any agency or third-party organisation that it has carried out the necessary safer recruitment checks that we would otherwise perform. We will also check that the person presenting themselves for work is the same person on whom the checks have been made.

### **Contractors**

We will ensure that any contractor, or any employee of the contractor, who is to work at the academy has had the appropriate level of DBS check. This will be:

- An enhanced DBS check with barred list information for contractors engaging in regulated activity
- An enhanced DBS check, not including barred list information, for all other contractors who are not in regulated activity but whose work provides them with an opportunity for regular contact with children

We will obtain the DBS check for self-employed contractors.

We will not keep copies of such checks for longer than 6 months.

Contractors who have not had any checks will not be allowed to work unsupervised or engage in regulated activity under any circumstances.

We will check the identity of all contractors and their staff on arrival at the academy.

### **Trainee/student teachers**

Where applicants for initial teacher training are salaried by us, we will ensure that all necessary checks are carried out.

Where trainee teachers are fee-funded, we will obtain written confirmation from the training provider that necessary checks have been carried out and that the trainee has been judged by the provider to be suitable to work with children.

### **Volunteers**

We will:

- Never leave an unchecked volunteer unsupervised or allow them to work in regulated activity
- Obtain an enhanced DBS check with barred list information for all volunteers who are new to working in regulated activity
- Obtain an enhanced DBS check without barred list information for all volunteers who are not in regulated activity, but who have an opportunity to come into contact with children on a regular basis, for example, supervised volunteers

- Carry out a risk assessment when deciding whether to seek an enhanced DBS check for any volunteers not engaging in regulated activity

### **Governors**

- All governors [*in academies: trustees and local governors*] will have an enhanced DBS check without barred list information and section 128 check [*section 128 checks are only required for local governors if they have been delegated any management responsibilities*]

. They will have an enhanced DBS check with barred list information if working in regulated activity.

All trustees, proprietors and local governors will also have the following checks:

- Right to work in the UK
- Other checks deemed necessary if they have lived or worked outside the UK

### **Adults who supervise pupils on work experience**

When organising work experience, we will ensure that policies and procedures are in place to protect children from harm.

We will also consider whether it is necessary for barred list checks to be carried out on the individuals who supervise a pupil under 16 on work experience. This will depend on the specific circumstances of the work experience, including the nature of the supervision, the frequency of the activity being supervised, and whether the work is regulated activity.

### **Pupils staying with host families**

Where the academy makes arrangements for pupils to be provided with care and accommodation by a host family to which they are not related (for example, during a foreign exchange visit), we will request enhanced DBS checks with barred list information on those people.

Where the academy is organising such hosting arrangements overseas and host families cannot be checked in the same way, we will work with our partner academies abroad to ensure that similar assurances are undertaken prior to the visit.

### **Appendix 3: allegations of abuse made against staff**

This section of this policy applies to all cases in which it is alleged that a current member of staff or volunteer has:

- Behaved in a way that has harmed a child, or may have harmed a child, or
- 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

It applies regardless of whether the alleged abuse took place in the academy. Allegations against a teacher who is no longer teaching and historical allegations of abuse will be referred to the police.

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

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

#### **Suspension**

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

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

- Redeployment within the academy so that the individual does not have direct contact with the child or children concerned
- Providing an assistant to be present when the individual has contact with children
- Redeploying the individual to alternative work in the academy so that they do not have unsupervised access to children
- Moving the child or children to classes where they will not come into contact with the individual, making it clear that this is not a punishment and parents have been consulted
- Temporarily redeploying the individual to another role in a different location, for example to an alternative academy or other work for the academy trust

#### **Definitions for outcomes 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 (this does not imply guilt or innocence)

## Procedure for dealing with allegations

In the event of an allegation that meets the criteria above, the headteacher (or chair of governors where the headteacher is the subject of the allegation) – the ‘case manager’ – will take the following steps:

- Immediately discuss the allegation with the designated officer at the local authority. This is to consider the nature, content and context of the allegation and agree a course of action, including whether further enquiries are necessary to enable a decision on how to proceed, and whether it is necessary to involve the police and/or children’s social care services. (The case manager may, on occasion, consider it necessary to involve the police *before* consulting the designated officer – for example, if the accused individual is deemed to be an immediate risk to children or there is evidence of a possible criminal offence. In such cases, the case manager will notify the designated officer as soon as practicably possible after contacting the police)
- Inform the accused individual of the concerns or allegations and likely course of action as soon as possible after speaking to the designated officer (and the police or children’s social care services, where necessary). Where the police and/or children’s social care services are involved, the case manager will only share such information with the individual as has been agreed with those agencies
- Where appropriate (in the circumstances described above), carefully consider whether suspension of the individual from contact with children at the academy is justified or whether alternative arrangements such as those outlined above can be put in place. Advice will be sought from the designated officer, police and/or children’s social care services, as appropriate
- **If immediate suspension is considered necessary**, agree and record the rationale for this with the designated officer. The record will include information about the alternatives to suspension that have been considered, and why they were rejected. Written confirmation of the suspension will be provided to the individual facing the allegation or concern within 1 working day, and the individual will be given a named contact at the academy and their contact details
- **If it is decided that no further action is to be taken** in regard to the subject of the allegation or concern, record this decision and the justification for it and agree with the designated officer what information should be put in writing to the individual and by whom, as well as what action should follow both in respect of the individual and those who made the initial allegation
- **If it is decided that further action is needed**, take steps as agreed with the designated officer to initiate the appropriate action in academy and/or liaise with the police and/or children’s social care services as appropriate
- Provide effective support for the individual facing the allegation or concern, including appointing a named representative to keep them informed of the progress of the case and consider what other support is appropriate. The LADO is also informed and support is available to staff through the use of trade union representative. Where appropriate the member of staff may wish to avail of support from a nominated colleague or seek medical advice from their doctor.
- Inform the parents or carers of the child/children involved about the allegation as soon as possible if they do not already know (following agreement with children’s social care services and/or the police, if applicable). The case manager will also inform the parents or carers of the requirement to maintain confidentiality about any allegations made against teachers (where this applies) while investigations are ongoing. Any

parent or carer who wishes to have the confidentiality restrictions removed in respect of a teacher will be advised to seek legal advice

- Keep the parents or carers of the child/children involved informed of the progress of the case and the outcome, where there is not a criminal prosecution, including the outcome of any disciplinary process (in confidence)
- Make a referral to the DBS where it is thought that the individual facing the allegation or concern has engaged in conduct that harmed or is likely to harm a child, or if the individual otherwise poses a risk of harm to a child

If the academy is made aware that the secretary of state has made an interim prohibition order in respect of an individual, we will immediately suspend that individual from teaching, pending the findings of the investigation by the National College for Teaching and Leadership.

Where the police are involved, wherever possible the Academy trust will ask the police at the start of the investigation to obtain consent from the individuals involved to share their statements and evidence for use in the academy's disciplinary process, should this be required at a later point.

### **Timescales**

- Any cases where it is clear immediately that the allegation is unsubstantiated or malicious will be resolved within 1 week
- If the nature of an allegation does not require formal disciplinary action, we will institute appropriate action within 3 working days
- If a disciplinary hearing is required and can be held without further investigation, we will hold this within 15 working days

### **Specific actions**

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

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

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

If the allegation is substantiated and the individual is dismissed or the academy ceases to use their services, or the individual resigns or otherwise ceases to provide their services, the case manager and the academy's personnel adviser will discuss with the designated officer whether to make a referral to the DBS for consideration of whether inclusion on the barred lists is required.

If the individual concerned is a member of teaching staff, the case manager and personnel adviser will discuss with the designated officer whether to refer the matter to the NCTL to consider prohibiting the individual from teaching.

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

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

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

## **Unsubstantiated or malicious allegations**

If an allegation is shown to be deliberately invented, or malicious, the headteacher, or other appropriate person in the case of an allegation against the headteacher, will consider whether any disciplinary action is appropriate against the pupil(s) who made it, or whether the police should be asked to consider whether action against those who made the allegation might be appropriate, even if they are not a pupil.

## **Confidentiality**

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

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

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

## **Record-keeping**

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

- A clear and comprehensive summary of the allegation
- Details of how the allegation was followed up and resolved
- Notes of any action taken and decisions reached (and justification for these, as stated above)

If an allegation or concern is not found to have been malicious, the academy will retain the records of the case on the individual's confidential personnel file, and provide a copy to the individual. We will retain these records at least until the individual has reached normal pension age, or for 10 years from the date of the allegation if that is longer.

The records of any allegation that is found to be malicious will be deleted from the individual's personnel file.

## **References**

When providing employer references, we will not refer to any allegation that has been proven to be false, unsubstantiated or malicious, or any history of allegations where all such allegations have been proven to be false, unsubstantiated or malicious.

## **Learning lessons**

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

This will include consideration of (as applicable):

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

## **Appendix 4: specific safeguarding issues**

### **Children missing from education**

A child going missing from education is a potential indicator of abuse or neglect, and such children are at risk of being victims of harm, exploitation or radicalisation.

There are many circumstances where a child may become missing from education, but some children are particularly at risk. These include children who:

- Are at risk of harm or neglect
- Come from Gypsy, Roma, or Traveller families
- Come from the families of service personnel
- Go missing or run away from home or care
- Are supervised by the youth justice system
- Cease to attend a academy
- Come from new migrant families

We will follow our procedures for unauthorised absence and for dealing with children who go missing from education, particularly on repeat occasions, to help identify the risk of abuse and neglect, including sexual exploitation, and to help prevent the risks of going missing in future. This includes informing the local authority if a child leaves the academy without a new academy being named, and adhering to requirements with respect to sharing information with the local authority, when applicable, when removing a child's name from the admission register at non-standard transition points.

Staff will be trained in signs to look out for and the individual triggers to be aware of when considering the risks of potential safeguarding concerns which may be related to being missing, such as travelling to conflict zones, FGM and forced marriage.

If a staff member suspects that a child is suffering from harm or neglect, we will follow local child protection procedures, including with respect to making reasonable enquiries. We will make an immediate referral to the local authority children's social care team, and the police, if the child is in immediate danger or at risk of harm.

### **Child sexual exploitation**

Child sexual exploitation (CSE) is a form of sexual abuse where children are sexually exploited for money, power or status.

This can involve violent, humiliating and degrading sexual assaults, but does not always involve physical contact and can happen online. For example, young people may be persuaded or forced to share sexually explicit images of themselves, have sexual conversations by text, or take part in sexual activities using a webcam.

Children or young people who are being sexually exploited may not understand that they are being abused. They often trust their abuser and may be tricked into believing they are in a loving, consensual relationship.

If a member of staff suspects CSE, they will discuss this with the DSL. The DSL will trigger the local safeguarding procedures, including a referral to the local authority's children's social care team and the police, if appropriate.

Indicators of sexual exploitation can include a child:

- Appearing with unexplained gifts or new possessions
- Associating with other young people involved in exploitation
- Having older boyfriends or girlfriends
- Suffering from sexually transmitted infections or becoming pregnant
- Displaying inappropriate sexualised behaviour
- Suffering from changes in emotional wellbeing
- Misusing drugs and/or alcohol
- Going missing for periods of time, or regularly coming home late
- Regularly missing academy or education, or not taking part in education

## **FGM**

The DSL will make sure that staff have access to appropriate training to equip them to be alert to children affected by FGM or at risk of FGM.

Section 7.3 of this policy sets out the procedures to be followed if a staff member discovers that an act of FGM appears to have been carried out or suspects that a pupil is at risk of FGM.

Indicators that FGM has already occurred include:

- A pupil confiding in a professional that FGM has taken place
- A mother/family member disclosing that FGM has been carried out
- A family/pupil already being known to social services in relation to other safeguarding issues
- A girl:
  - Having difficulty walking, sitting or standing, or looking uncomfortable
  - Finding it hard to sit still for long periods of time (where this was not a problem previously)
  - Spending longer than normal in the bathroom or toilet due to difficulties urinating
  - Having frequent urinary, menstrual or stomach problems
  - Avoiding physical exercise or missing PE
  - Being repeatedly absent from academy, or absent for a prolonged period
  - Demonstrating increased emotional and psychological needs – for example, withdrawal or depression, or significant change in behaviour
  - Being reluctant to undergo any medical examinations
  - Asking for help, but not being explicit about the problem
  - Talking about pain or discomfort between her legs

Potential signs that a pupil may be at risk of FGM include:

- The girl's family having a history of practising FGM (this is the biggest risk factor to consider)

- FGM being known to be practised in the girl's community or country of origin
- A parent or family member expressing concern that FGM may be carried out
- A family not engaging with professionals (health, education or other) or already being known to social care in relation to other safeguarding issues
- A girl:
  - Having a mother, older sibling or cousin who has undergone FGM
  - Having limited level of integration within UK society
  - Confiding to a professional that she is to have a "special procedure" or to attend a special occasion to "become a woman"
  - Talking about a long holiday to her country of origin or another country where the practice is prevalent, or parents stating that they or a relative will take the girl out of the country for a prolonged period
  - Requesting help from a teacher or another adult because she is aware or suspects that she is at immediate risk of FGM
  - Talking about FGM in conversation – for example, a girl may tell other children about it (although it is important to take into account the context of the discussion)
  - Being unexpectedly absent from academy
  - Having sections missing from her 'red book' (child health record) and/or attending a travel clinic or equivalent for vaccinations/anti-malarial medication

The above indicators and risk factors are not intended to be exhaustive.

### **Forced marriage**

Forcing a person into marriage is a crime. A forced marriage is one entered into without the full and free consent of one or both parties and where violence, threats, or any other form of coercion is used to cause a person to enter into a marriage. Threats can be physical or emotional and psychological.

Staff will receive training around forced marriage and the presenting symptoms. We are aware of the 'one chance' rule, i.e. we may only have one chance to speak to the potential victim and only one chance to save them.

If a member of staff suspects that a pupil is being forced into marriage, they will speak to the pupil about their concerns in a secure and private place. They will then report this to the DSL.

The DSL will:

- Speak to the pupil about the concerns in a secure and private place
- Activate the local safeguarding procedures and refer the case to the local authority's designated officer
- Seek advice from the Forced Marriage Unit on 020 7008 0151 or [fm@fco.gov.uk](mailto:fm@fco.gov.uk)
- Refer the pupil to an education welfare officer, pastoral tutor, learning mentor, or academy counsellor, as appropriate

## Preventing radicalisation

Radicalisation refers to the process by which a person comes to support terrorism and forms of extremism. Extremism is vocal or active opposition to fundamental British values, such as democracy, the rule of law, individual liberty, and mutual respect and tolerance of different faiths and beliefs.

Academys have a duty to prevent children from being drawn into terrorism. The DSL will undertake Prevent awareness training and make sure that staff have access to appropriate training to equip them to identify children at risk.

We will assess the risk of children in our academy being drawn into terrorism. This assessment will be based on an understanding of the potential risk in our local area, in collaboration with our local safeguarding children board and local police force. We will ensure that suitable internet filtering is in place, and equip our pupils to stay safe online at academy and at home.

There is no single way of identifying an individual who is likely to be susceptible to an extremist ideology. Radicalisation can occur quickly or over a long period.

Staff will be alert to changes in pupils' behaviour.

The government website [Educate Against Hate](#) and charity [NSPCC](#) say that signs that a pupil is being radicalised can include:

- Refusal to engage with, or becoming abusive to, peers who are different from themselves
- Becoming susceptible to conspiracy theories and feelings of persecution
- Changes in friendship groups and appearance
- Rejecting activities they used to enjoy
- Converting to a new religion
- Isolating themselves from family and friends
- Talking as if from a scripted speech
- An unwillingness or inability to discuss their views
- A sudden disrespectful attitude towards others
- Increased levels of anger
- Increased secretiveness, especially around internet use
- Expressions of sympathy for extremist ideologies and groups, or justification of their actions
- Accessing extremist material online, including on Facebook or Twitter
- Possessing extremist literature
- Being in contact with extremist recruiters and joining, or seeking to join, extremist organisations

Children who are at risk of radicalisation may have low self-esteem, or be victims of bullying or discrimination. It is important to note that these signs can also be part of normal teenage behaviour – staff should have confidence in their instincts and seek advice if something feels wrong.

If staff are concerned about a pupil, they will follow our procedures set out in section 7.5 of this policy, including discussing their concerns with the DSL.

Staff should **always** take action if they are worried.

Further information on the academy's measures to prevent radicalisation are set out in other academy policies and procedures, including list any relevant policies here – for example you may cover this in your curriculum policy, behaviour policy, online/e-safety policy, and/or others.

### **Checking the identity and suitability of visitors**

All visitors will be required to verify their identity to the satisfaction of staff. If the visitor is unknown to the setting, we will check their credentials and reason for visiting before allowing them to enter the setting. Visitors should be ready to produce identification.

Visitors are expected to sign the visitors' book and wear a visitor's badge.

All visitors to our setting, including visiting speakers, will be accompanied by a member of staff at all times. We will not invite into the academy any speaker who is known to disseminate extremist views, and will carry out appropriate checks to ensure that any individual or organisation using academy facilities is not seeking to disseminate extremist views or radicalise pupils or staff.

### **Non-collection of children**

If a child is not collected at the end of the session/day, we will:

- Contact home and a member of staff will wait with the child until they are picked up.
- Information on how to contact parents is on the school SIMS system and the incident will be recorded with a yellow form if the member of staff feels this is appropriate.

### **Missing pupils**

Our procedures are designed to ensure that a missing child is found and returned to effective supervision as soon as possible.

Procedures for the event of a child going missing. In the event of a member of staff fearing that a student has gone missing whilst at school:

- The member of staff who has noticed the missing child will inform the Headteacher immediately.
- The office staff need to be informed as they will act as a point of contact for receiving information about the search for the missing student.
- Whilst a member of staff stays with the rest of the class, all other available members of staff will conduct a thorough search of the school premises as directed by the Headteacher. The following areas will systematically be searched: - All classrooms in the school, including the Sixth form area - All toilets - The Library – Engagement hub – Outdoor areas
- Available staff will begin a search of the area immediately outside of the school premises taking a mobile so that they can contact the school office. – SSMs will also complete a mini bus run of the surrounding area.

- The Class Teacher will be asked to write an incident form, describing the circumstances which lead to the student leaving the school

If the missing child has any special medical or Special Educational Needs/ learning needs then these need to be noted, to be disclosed to police or other agencies.

- If the parents/carers have had no contact from the student, the police will be contacted by dialling 999. The incident should be relayed to other important agencies:
- If the student has an allocated Social Worker, then they should be informed of the disappearance.
- If the student is a Looked After Child, then the Social Worker should be kept informed.
- If the student has a Statement of Special Educational Needs, then the funding Local Authority should be informed of the incident and the outcome.
- If the student remains a missing person, and the police become fully involved, then OFSTED should be informed.

When the student is found

- Members of staff will care for and talk with the child, bearing in mind that he/she may be unaware of having done anything wrong or, alternatively, may also have been afraid and distressed and may now be in need of comfort.
- Other adults present will take the opportunity to speak to the remaining students to ensure that they understand that they must not leave the premises and why.
- Parents and other agencies will be informed of the outcome of the incident.