



## St Gabriel's CE Primary School

# Safeguarding & Child Protection Policy

### Our Vision Statement:

Our aim is to nurture children with the confidence and self-belief to achieve their best;  
to have the courage to think for themselves;  
to be resilient in their learning and ambitious in their hopes and dreams;  
to live in harmony, respecting others;  
to search and question throughout life's journey;  
to find personal faith;  
and to learn about the Gospel of hope and love found in Jesus Christ.

*Seeking to nurture:*

Sel**F**-belief   Cour**A**ge   Res**I**lience   Ambi**T**ion   **H**armony

**“Stand firm... be courageous” 1 Corinthians 16:13**

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Next Review: Autumn 2024

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## 1. Scope, Purpose and Aims

- 1.1 The purpose of this policy is to ensure every child who is a pupil at our school is safe and protected from harm.
- 1.2 Safeguarding and promoting the welfare of children is everybody's responsibility.
- 1.3 This policy therefore applies to all school staff including supply and agency staff, and volunteers and gives clear direction on how to safeguard children effectively.
- 1.4 This policy aims to give clear direction to all staff, governors and parents about our moral and statutory responsibilities to safeguard and protect children.
- 1.5 Our school is committed to ensuring that those children who are at risk of, or experiencing significant harm or abuse, are supported and that swift and effective action is taken to ensure they are protected.
- 1.6 Our school fully recognises the contribution it can make to safeguarding and protecting children from harm through prevention, support and protection.
- 1.7 This, and associated policies, will be reviewed annually (as a minimum) and updated if needed, so that they are kept up to date with safeguarding issues as they emerge and evolve, including lessons learnt.
- 1.8 This policy will be available publicly via the school website and paper copies can be provided upon request.

## 2. Definitions

- 2.1 **Safeguarding** is defined as, protecting children from maltreatment, preventing the impairment of children's mental and physical health or development, ensuring that children grow up in circumstances consistent with the provision of safe and effective care and, taking action to enable all children to have the best outcomes.
- 2.2 **Child Protection** is part of safeguarding and promoting welfare. This refers to the activity that is undertaken to protect specific children who are suffering, or are likely to suffer, significant harm.
- 2.3 **Abuse** is defined as 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. Harm can include ill treatment that is not physical as well as the impact of witnessing ill treatment of others.
- 2.4 **Child/ren** refers to anyone who has not yet reached their 18<sup>th</sup> birthday.
- 2.5 **Staff** refers to all those working for or on behalf of the school, full time or part time, in either a paid or voluntary capacity, including supply and agency staff.
- 2.6 **Parent/Carer** refers to birth parents and other adults who are in a parenting role, for example step-parents, foster carers and adoptive parents or legal guardian.
- 2.7 **Governors** refers to individual governors, governing bodies and boards and in the case of academies, this refers to proprietors.
- 2.8 **Children Missing Education (CME)** are children of compulsory school age who are not registered pupils at a school and are not receiving suitable education otherwise than at a school i.e. privately or electively home education (EHE).
- 2.9 **For the purposes of this document we define Children Missing Education as:** All children of compulsory school age who are:
  - 2.9..1 Not on a school roll or receiving a suitable education otherwise than at a school
  - 2.9..2 On the roll of a school but where they have been absent for 10 consecutive days following an agreed leave of absence and no contact has been received from parents.

### **3. Ethos and culture of safeguarding**

- 3.1 Everyone at our school will endeavour to create and maintain an ethos where pupils feel valued, respected and secure.
- 3.2 Children are encouraged to communicate freely with any member of staff about any concerns or worries they may have. They will be listened to and supported in a way that is appropriate to their level of need.
- 3.3 We recognise that staff at our school play a particularly important role in safeguarding children as they are in a position to identify concerns early and therefore prevent concerns from escalating.
- 3.4 Staff will therefore maintain an attitude of 'it could happen here' where safeguarding and abuse is concerned and demonstrate professional curiosity.
- 3.5 School will have a clear set of values and standards, upheld and demonstrated throughout all aspects of school life.
- 3.6 All stakeholders will contribute to a whole school approach to safeguarding that creates a culture of zero tolerance for sexism, misogyny/misandry, homophobia, biphobia and sexual violence/harassment.
- 3.7 Governing bodies and proprietors will create a culture that safeguards and promotes the welfare of children in their school.
- 3.8 Leaders will create the right culture and environment so that staff feel comfortable to discuss matters which may have implications for the safeguarding of children, both within, and where it is appropriate, outside of the workplace,
- 3.9 Governors and leaders will create and embed a culture of openness, trust and transparency in which the school's or college's values and expected behaviour set out in the staff code of conduct are lived, monitored and reinforced constantly by all staff.
- 3.10 There will be a culture that makes clear that there is a zero-tolerance approach to sexual violence and sexual harassment and that it is never acceptable, and it will not be tolerated.

### **4. Curriculum**

- 4.1 Children will be taught about how to keep themselves and others safe, including online.
- 4.2 Our curriculum will be tailored to the specific needs and vulnerabilities of individual children, including children who are victims of abuse, and children with special educational needs or disabilities.
- 4.3 All primary pupils will receive Relationships Education which includes explicit teaching about healthy and respectful relationships.
- 4.4 All pupils will receive Health Education which teaches them how to keep physically and mentally healthy.
- 4.5 This education will be fully inclusive and developed to be age and stage of development appropriate (especially when considering the needs of children with SEND and other vulnerabilities.)
- 4.6 When planning the curriculum, online safety should be considered as part of a whole school approach to keeping children safe online.
- 4.7 LGBT inclusion is part of the statutory Relationships Education, Relationship and Sex Education and Health Education curriculum and should therefore be included.
- 4.8 We actively promote the fundamental British values of democracy, rule of law, individual liberty, mutual respect and tolerance of those with different faiths and beliefs throughout our curriculum.

### **5. Safeguarding Induction and Training**

- 5.1 All staff will undergo safeguarding training (including Prevent, CSE, CCE, online safety) at induction
- 5.2 Induction will include:
  - An explanation of systems within their school or college which support safeguarding
  - This safeguarding and child protection policy

- The school behaviour policy
- Staff behaviour policy / code of conduct
- The schools safeguarding response to children who go missing from education
- Role of the designated safeguarding lead (including the identity of the designated safeguarding lead and any deputies).

5.3 Prevent awareness training will be included in staff induction.

5.4 Staff will be provided with copies of the above policies along with a copy of Part One of Keeping Children Safe in Education.

5.5 All staff will receive regular and relevant safeguarding and child protection training which is updated regularly.

5.6 All staff will receive safeguarding and child protection (including online safety) updates, as required, and at least annually, to continue to provide them with relevant skills and knowledge to safeguard children effectively.

5.7 Prevent awareness training will be a requirement for all staff.

5.8 It is recommended that staff complete the face to face Prevent training as delivered by the Prevent Team as it provides more bespoke education guidance.

5.9 This will be updated at least biennially.

<https://www.elearning.prevent.homeoffice.gov.uk/edu/screen1.html>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/439598/prevent-duty-departmental-advice-v6.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/439598/prevent-duty-departmental-advice-v6.pdf)

5.10 All governors will receive appropriate safeguarding and child protection (including online) training.

5.11 This training should equip them with the knowledge to provide strategic challenge to test and assure themselves that the safeguarding policies and procedures in place in schools and colleges are effective and support the delivery of a robust whole school approach to safeguarding. This training will be regularly updated.

5.12 Where possible, governors should undertake bespoke governor Prevent training.

5.13 All those involved with the recruitment and employment of staff to work with children will receive appropriate safer recruitment training, the substance of which should at a minimum cover the content of Part three of Keeping Children Safe in Education.

5.14 The designated safeguarding lead (and any deputies) will undergo training to provide them with the knowledge and skills required to carry out the role. This training will be updated at least every two years.

5.15 In addition to this formal training the designated safeguarding leads' (and any deputies') knowledge and skills should be refreshed at regular intervals, as required, and at least annually, to allow them to understand and keep up with any developments relevant to their role.

5.16 The designated safeguarding lead (and any deputies) will undertake Prevent awareness training.

5.17 DSLs will receive training that enables them to have a good understanding of Harmful Sexual Behaviour.

## **6. Staff Responsibilities**

- 6.1 All staff working with children are advised to maintain an attitude of 'it could happen here'
- 6.2 All staff will read at least Part one of Keeping Children Safe in Education 2022 and demonstrate their understanding in their practice
- 6.3 All staff will contribute to a safe environment in which children can learn
- 6.4 All staff are able to identify children who may benefit from early help, be aware of their local early help process and understand their role in it
- 6.5 All staff are expected to complete safeguarding induction
- 6.6 All staff are expected to regularly attend or access safeguarding training relevant to their role
- 6.7 All staff should be aware of the process for making referrals to local authority children's social care
- 6.8 All staff should be aware of the process 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 they might be expected to play in such assessments
- 6.9 All staff should know what to do if a child tells them they are being abused, exploited, or neglected. Staff should know how to manage the requirement to maintain an appropriate level of confidentiality
- 6.10 All staff should be able to reassure victims that they are being taken seriously and that they will be supported and kept safe
- 6.11 All staff should be 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.
- 6.12 All staff should be aware that technology is a significant component in many safeguarding and wellbeing issues
- 6.13 All staff should be aware that children can abuse other children (often referred to as child-on-child abuse), and should challenge inappropriate behaviours between children that are abusive in nature
- 6.14 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.
- 6.15 All staff should be aware of the indicators, which may signal children are at risk from, or are involved with, serious violent crime.
- 6.16 All staff should have the skills, knowledge and understanding to keep looked after children and previously looked after children safe
- 6.17 All staff and volunteers should raise concerns about poor or unsafe practice and potential failures in the school's or college's safeguarding regime

## **7. Governor Responsibilities**

- 7.1 Governing bodies must have regard to Keeping Children Safe In Education, ensuring policies, procedures and training in their schools or colleges are effective and comply with the law at all times.
- 7.2 Governing bodies should have a Safeguarding governor.
- 7.3 Governing bodies should ensure that all governors receive appropriate safeguarding and child protection.
- 7.4 Governing bodies should ensure that those staff who work directly with children read at least Part one of this guidance.
- 7.5 Governing bodies should be aware of their obligations under the Human Rights Act 1998, the Equality Act 2010, (including the Public Sector Equality Duty), and their local multi-agency safeguarding arrangements
- 7.6 Governing bodies should carefully consider how they are supporting their pupils and students with regard to particular protected characteristics - including age, sex, race, sexual orientation, gender reassignment, religion or belief, pregnancy and disability.
- 7.7 Governing bodies should ensure they facilitate a whole school approach to safeguarding.
- 7.8 Governing bodies should ensure an appropriate senior member of staff, from the school leadership team, is appointed to the role of designated safeguarding lead.

- 7.9 Governing bodies should ensure the designated safeguarding lead has the appropriate status and authority within the school to carry out the duties of the post.
- 7.10 Governing bodies should ensure that the school or college contributes to multi-agency working in line with statutory guidance Working Together to Safeguard Children.
- 7.11 Governing bodies recognise the importance of information sharing between practitioners and local agencies.
- 7.12 Governing bodies should ensure that all staff undergo safeguarding and child protection training (including online safety, which amongst other things, includes the understanding of the expectations, applicable roles and responsibilities in relation to filtering and monitoring) at induction.
- 7.13 Governing bodies should ensure that children are taught about how to keep themselves and others safe, including online.
- 7.14 Governing bodies must ensure that appropriate filters and monitoring systems are in place and regularly review the effectiveness of these.
- 7.15 Governing bodies should ensure online safety is a running and interrelated theme whilst devising and implementing their whole school or college approach to safeguarding.
- 7.16 Where governing bodies hire or rent out school or college facilities/premises to organisations or individuals they should ensure that appropriate arrangements are in place to keep children safe.
- 7.17 Governing bodies should ensure they have clear systems and processes in place for identifying possible mental health problems.
- 7.18 Governing bodies of maintained schools must appoint a designated teacher for looked after children.
- 7.19 Governing bodies and proprietors should ensure that those involved with the recruitment and employment of staff to work with children have received appropriate safer recruitment training.

## **8. DSL Responsibilities**

- 8.1 The designated safeguarding lead takes lead responsibility for safeguarding and child protection (including online safety). This is explicit in the DSL's job description.
- 8.2 The designated safeguarding lead will keep detailed, accurate, secure written records of concerns and referrals and understand the purpose of this record-keeping.
- 8.3 When a child leaves the school, the designated safeguarding lead will transfer the child protection file to the new school or college within 5 days.
- 8.4 The designated safeguarding lead liaises with the designated teacher, SENCO and other staff to ensure those children who are potentially at greater risk are safeguarded effectively.
- 8.5 The designated safeguarding lead will raise awareness of safeguarding throughout school by:
  - 8.5..1 Ensuring all staff read and understand this policy and at least Part one of Keeping Children Safe in Education
  - 8.5..2 Updating this policy at least annually
  - 8.5..3 Ensure this policy is available publicly
  - 8.5..4 Ensuring that parents know about school's duty to refer suspected cases of abuse
  - 8.5..5 Linking with CSAP and the local authority to make sure staff are aware of any training opportunities
- 8.6 The designated safeguarding lead will provide support to staff to carry out their safeguarding duties.
- 8.7 The designated safeguarding lead will liaise closely with other services such as local authority children's social care.
- 8.8 The designated safeguarding lead (and any deputies) will access and engage with training to provide them with the knowledge and skills required to carry out the role. This training will be updated at least every two years.
- 8.9 The designated safeguarding lead (and any deputies) will undertake Prevent awareness training. This training will be updated in accordance with schools Prevent risk assessment and CSAP advice. See PREVENT Section below



- 8.10 The designated safeguarding lead (and any deputies) are aware of local procedures for making a Prevent referral. See PREVENT Section below.
- 8.11 The designated safeguarding lead (and deputies) will consider whether children are at risk of abuse or exploitation in situations outside their families.
- 8.12 The designated safeguarding lead or a deputy will always be available, during school hours to discuss safeguarding concerns.
- 8.13 The designated safeguarding lead (and deputies) will lead on liaising with other agencies and setting up an Early Help assessment/CAF as appropriate.
- 8.14 The designated safeguarding lead (and deputies) will take a leading role on cases of child-on-child abuse and liaise with other agencies such as the police and children's social care in determining how to manage such cases.
- 8.15 The designated safeguarding lead will be aware of the local response to sexual violence and sexual harassment between children.

## 9. Procedures & Referrals

9.1 In addition to general duties and responsibilities to safeguard and protect children, there are certain circumstances where a specific procedure is required.

### 9.2 Child Protection

Under section 47(1) of the Children Act 1989, Local authorities, with the help of other organisations as appropriate, have a duty to make enquiries under section 47 of the Children Act 1989 if they have reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm.

9.3 If, at any point there is a risk of immediate serious harm to a child a referral should be made to the police or CADS immediately. Anybody can make a referral.

### 9.4 Referral to children's social care

**Telephone Blackburn with Darwen Borough Council's Children's Advice and Duty Service (CADS)  
01254 666400**

[3.1 Making a Referral to Children's Social Care \(proceduresonline.com\)](http://proceduresonline.com)

9.5 A professional making a child protection referral under s.47 must provide information that highlights what the child's unmet needs (underlying risk factors) are as well as high risk indicators that potentially identify the child may be suffering or likely to suffer significant harm.

9.6 If the child's situation does not appear to be improving the staff member with concerns should press for re-consideration.

### 9.7 Consent from parents/carers

The school will normally seek to discuss any concerns about a pupil with their parents/carers if it is safe to do so, and ask for consent to share information and concerns with other agencies e.g. Children's Advice and Duty Service (CADS). Tell them what information you are going to share, who with and why you think it is the right thing to do.

Where the child is in the care of the local authority the DSL should liaise with the Designated Teacher regarding relevant consents/contacts. In the event of any safeguarding concerns arising for children with an allocated social worker the allocated social worker/team/ manager would be contacted in the first instance to share these concerns.

(Consent is not necessary if the DSL is requesting advice from CADS without sharing any information about the child/family involved.)

However, if the DSL believes that informing parents would increase the risk of harm to the child or put anyone else at risk, or cause an unjustifiable delay in making the referral, advice will first be sought from children's social care (particularly if the disclosure is sexual abuse, forced marriage, under Prevent Duty, Female Genital Mutilation or Fabricated and Induced Illness (FII)).

**In summary:**

**You need consent to:**

- Make a referral or request for a service to another agency or arrange a multi-agency meeting
- Consult with other agencies about a family to help you to determine what support they might need where you are sharing their personal details

**You do not need consent to:**

- Have a conversation with the Children's Advice and Duty Service (CADS) or Designated Safeguarding Lead within your organisation where you do not share identifiable details of the family.

**You do not need consent, nor should you delay, but should, wherever possible, inform the family when:**

- You are concerned that a child/young person, family member or other person has come to, or is likely to come to significant harm and you need to share this with other agencies so that they can take steps to ensure their safety.

## **9.8 Allegations**

All concerns or allegations against those working in or on behalf of schools and colleges in a paid or unpaid capacity, this includes, members of staff, supply teachers, volunteers and contractors, should be reported to the Headteacher, or, where the Headteacher is the subject of an allegation, the chair of governors or chair of the management committee and in an independent school it will be the proprietor.

- 9.9 Before contacting the LADO, schools and colleges should conduct basic enquiries in line with local procedures to establish the facts and to help them determine whether there is any foundation to the allegation, being careful not to jeopardise any future police investigation.

[http://panlancashirescb.proceduresonline.com/chapters/p\\_allegations.html](http://panlancashirescb.proceduresonline.com/chapters/p_allegations.html)

## **9.10 Referral to the Local Authority Designated Officer**

The Headteacher and/or Chair of Governors must discuss allegations with the Local Authority Designated Officer (LADO).

## **9.11 Low-Level Concerns**

Concerns about conduct which do not meet the harm threshold must still be referred to the school DSL/Headteacher in a timely manner.

- 9.12 **Referral to the DBS (Disclosure and Barring Service)** must be made if a person in regulated activity has been dismissed or removed due to safeguarding concerns or would have been had they not resigned. This is a legal duty and failure to refer when the criteria are met is a criminal offence.

## **9.13 FGM Mandatory Reporting Duty**

- 9.14 There is a statutory duty upon teachers that they must report to the police cases where they discover that an act of FGM appears to have been carried out. It will be rare for teachers to see visual evidence of FGM, and they should not be examining pupils or students, but the same definition of what is meant by "to discover that an act of FGM appears to have been carried out" is used for all professionals to whom this mandatory reporting duty applies.

[Female Genital Mutilation \(proceduresonline.com\)](http://proceduresonline.com/female-genital-mutilation)

## **9.15 Referral to Prevent and Channel Panel**

The designated safeguarding lead (or deputy) will consider a referral to Prevent when there are concerns about a child being radicalised.

[radicalisation \(proceduresonline.com\)](http://proceduresonline.com/radicalisation).

## **10.Record Keeping**

- 10.1 An important part of safeguarding is ensuring that detailed, accurate and secure written records of concerns and referrals are kept.
- 10.2 The record keeping system used in our school is: CPOMS
- 10.3 Staff will receive relevant information and training at induction and when required that enables them to use the school's record keeping system effectively.
- 10.4 All safeguarding and child protection concerns, discussions and decisions made and the reasons for those decisions, will be recorded on CPOMS
- 10.5 Records should include:
  - 10.5..1 a clear and comprehensive summary of the concern
  - 10.5..2 details of how the concern was followed up and resolved, and
  - 10.5..3 a note of any action taken, decisions reached and the outcome
- 10.6 Child protection records are normally exempt from the disclosure provisions of the Data Protection Act, which means that children and parents do not have an automatic right to see them.
- 10.7 If any member of staff receives a request from a pupil or parent to see child protection records, they will refer the request to the Head Teacher or DSL.
- 10.8 Child protection information will be stored and handled in line with guidance from the [Information Commissioner's Office](#) and UK GDPR requirements.
- 10.9 If in doubt about recording requirements, staff will discuss this with the designated safeguarding lead (or a deputy).
- 10.10 Where children leave the school, the designated safeguarding lead will ensure their child protection file is transferred to the new school or college within 5 days for an in-year transfer or within the first 5

days of the start of a new term to allow the new school to have support in place for when the child arrives.

10.11 Confirmation of receipt of a child protection file (if a hard copy format) should be obtained and retained by the school the child has left.

## 11. Information Sharing

- 11.1 Early information sharing is vital for the effective identification, assessment, and allocation of appropriate service provision, whether this is when problems first emerge, or where a child is already a child in need, a child with a protection plan or a looked after child.
- 11.2 Staff will not assume a colleague, or another professional will take action and share information that might be critical in keeping children safe.
- 11.3 Staff will only discuss concerns with the Designated Safeguarding Lead, Headteacher or Chair of Governors (depending on who is the subject of the concern). That person will then decide who else needs to have the information and they will disseminate it on a 'need-to-know' basis.
- 11.4 Where children leave school, the designated safeguarding lead will consider if it would be appropriate to share any information with the new school or college in advance of a child leaving.
- 11.5 [Information sharing advice for safeguarding practitioners - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/information-sharing-advice-for-safeguarding-practitioners) supports staff who have to make decisions about sharing information.
- 11.6 DPA and UK GDPR **do not** prevent the sharing of information for the purposes of keeping children safe and promoting their welfare.
- 11.7 Fears about sharing information **must not** be allowed to stand in the way of the need to safeguard and promote the welfare of children.

## 12. Children potentially at greater risk of harm

- 12.1 Whilst ALL children require safeguarding and protecting, some groups of children, are potentially at greater risk of harm than others.
- 12.2 **Children who need a social worker (Child in Need and Child Protection Plans)**
  - 12.2..1 Where children need a social worker, this should inform decisions about safeguarding and about promoting welfare.
- 12.3 **Children missing from education and children absent from school**
  - 12.3..1 It is recognised that when children go missing from education, particularly persistently, this can act as a vital warning sign to a range of safeguarding issues including neglect, child sexual and child criminal exploitation- particularly county lines.
  - 12.3..2 When a child goes missing from education, local CME procedures will be followed to safeguard the child and help prevent the risk of them going missing in the future.
  - 12.3..3 Further information and the local procedure for referring CME is included in school's/BwD's document: Children Missing Education – Guidance for School.
- 12.4 **Children who are absent for repeated or prolonged periods of time can be at risk of a range of safeguarding possibilities.** Further information and guidance to improve attendance can be found in

[Working together to improve school attendance \(publishing.service.gov.uk\)](https://publishing.service.gov.uk) to support early intervention and prevent the child going missing in the future.

#### **12.5 Elective Home Education (EHE)**

- 12.5..1 Home education can mean some children are less visible to the services that are there to keep them safe.
- 12.5..2 Leaders, including the DSLs and any deputies will familiarise themselves with DfE guidance [Elective home education - GOV.UK \(www.gov.uk\)](https://www.gov.uk/elective-home-education)
- 12.5..3 Where a parent/carer has expressed their intention to remove a child from school with a view to educating at home, the DSL will be informed and will endeavour to co-ordinate a meeting with the LA and other key professionals and parents/carers where possible.
- 12.5..4 This is particularly important when the child has special educational needs or a disability, and/or has a social worker, and/or is otherwise vulnerable.

#### **12.6 Children requiring mental health support**

- 12.6..1 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.
- 12.6..2 Staff will recognise and respond to indicators that a child may require mental health support and alert the DSL as with any other safeguarding concern.
- 12.6..3 DSLs will be aware of and source appropriate mental health support using referral systems and escalation where necessary.

#### **12.7 Looked after children and previously looked after children**

- 12.7..1 We ensure that staff have the skills knowledge and understanding to keep looked after and previously looked after children safe.
- 12.7..2 We promote the educational achievement of registered pupils who are looked after, by working with the local authority and appointing a designated teacher for these children.

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

- 12.8..1 We endeavour to reduce the additional barriers faced by children who are LGBT and provide a safe space for them to speak and share their concerns with a member of staff.

#### **12.9 Children with special educational needs and disabilities (SEND)**

- 12.9..1 We recognise that children with special educational needs or disabilities (SEND) or certain medical or physical health conditions can face additional safeguarding challenges both online and offline. Such barriers include:
  - 12.9..1.1 assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's condition without further exploration
  - 12.9..1.2 being more prone to peer group isolation or bullying (including prejudice-based bullying) than other children
  - 12.9..1.3 being disproportionately impacted by behaviours such as bullying, without outwardly showing any signs, and
  - 12.9..1.4 communication barriers and difficulties in managing or reporting these challenges.
  - 12.9..1.5 cognitive understanding – being unable to understand the difference between fact and fiction in online content and then repeating the content/behaviours in schools or colleges or the consequences of doing so.
- 12.9..2 We therefore consider extra pastoral support and attention for these children, along with ensuring any appropriate support for communication is in place.
- 12.9..3 DSLs liaise with relevant staff, in particular the SENCO when there is a safeguarding concern for a child with SEND.

### **13. Child-on-child abuse**

- 13.1 All child-on-child abuse is unacceptable and will be taken seriously by all staff.
- 13.2 Child-on-child abuse is most likely to include, but is not be limited to:

- 13.2..1 Bullying, including online, prejudice-based and discriminatory bullying
- 13.2..2 Abuse in intimate personal relationships (teenage relationship abuse)
- 13.2..3 Physical abuse which can include hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm
- 13.2..4 Initiation/hazing type violence and rituals
- 13.2..5 Sexual violence, such as rape, assault by penetration and sexual assault
- 13.2..6 Sexual harassment, such as sexual comments, remarks, jokes and online sexual harassment
- 13.2..7 Causing someone to engage in any sexual activity without consent
- 13.2..8 Consensual and non-consensual sharing of nude and semi-nude images
- 13.2..9 Upskirting, which typically involves taking a picture under a person's clothing without their permission
- 13.3 At this school we minimise the risk of child-on-child abuse by:
  - 13.3..1 Developing and maintaining respectful and trusting relationships with all children
  - 13.3..2 Developing and delivering a curriculum that educates children about safe and healthy relationships and behaviour
  - 13.3..3 Having clear and consistent policies and procedures in place which set out the consequences of harmful and abusive behaviour
  - 13.3..4 Creating a culture with a zero-tolerance approach to abuse
  - 13.3..5 Never accepting harmful behaviour as 'banter', 'just having a laugh', 'part of growing up' or 'boys being boys' and never reinforcing harmful gender stereotypes
  - 13.3..6 Challenge inappropriate behaviours between children in accordance with our behaviour and anti-bullying policies
- 13.4 Children can confidentially report any form of abuse, including abuse from peers by speaking with any adult in school or by other means
- 13.5 Particular consideration will be given to how children with SEND are able to report concerns.
- 13.6 We recognise that even if there are no reported cases of child-on-child abuse, such abuse may still be taking place and all staff will maintain an attitude of 'it could happen here' with regards to child-on-child abuse.
- 13.7 All victims of child-on-child abuse will be reassured that they are being taken seriously
- 13.8 All adults in school take concerns and allegations of child-on-child abuse seriously and will refer the concern to the DSL (or deputy) as soon as practically possible.
- 13.9 Designated staff will record of the concern or allegation of child-on-child abuse using CPOMS.
- 13.10 DSLs will provide the initial response to any allegations of child-on-child abuse by speaking with the victim/s and alleged perpetrator/s and make clear records of their conversations/investigations.
- 13.11 When an allegation of sexual violence or harassment is made the designated safeguarding lead (or deputy), will consider the following:
  - informing parents or carers (unless this would put the victim at greater risk)
  - a referral to local authority children's social care if a child is at risk of harm, is in immediate danger, or has been harmed, and
  - when a report of rape, assault by penetration or sexual assault is made, this should be referred to the police.
- 13.12 When there has been a report of **sexual violence**, the designated safeguarding lead (or a deputy) will make an immediate risk and needs assessment.
- 13.13 When there has been a report of sexual harassment, the designated safeguarding lead will consider whether a risk assessment is required.
- 13.14 Risk assessments will be documented and kept under review.
- 13.15 The designated safeguarding lead (or a deputy) should engage with local authority children's social care and specialist services as required [5.31 Peer Abuse \(proceduresonline.com\)](#)
- 13.16 In cases of consensual and non-consensual sharing of nude and semi-nude images and/or videos, the key consideration is for staff not to view or forward such images of a child.

- 13.17 Staff should follow the following guidance: [Sharing nudes and semi-nudes: how to respond to an incident \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/671417/Child_Safeguarding_Guidance_-_Sharing_nudes_and_semi-nudes.pdf)
- 13.18 The designated safeguarding lead will liaise with relevant staff and agencies to assess the level of support required for victim/s, alleged perpetrator/s and any other children affected. This may include:
- Internal pastoral support
  - Early Help Assessment/CAF
  - Referral to specialist services such as Local Authority children's social care.

## **14. Online Safety**

- 14.1 It is essential that children are safeguarded from potentially harmful and inappropriate online material.
- 14.2 We recognise that there are unique risks associated with online safety and the designated safeguarding leads have the relevant knowledge and up to date capability required to manage such risks.
- 14.3 Through our broad and balanced curriculum, children are taught about safeguarding, including in relation to online safety.
- 14.4 Online safety is a running and interrelated theme in our whole school approach to safeguarding, including training for all staff.
- 14.5 There are effective mechanisms in place to identify, intervene in, and escalate any online safety concerns.
- 14.6 There is an effective Online Safety policy in place which outlines such mechanisms in greater detail.

## **15. Domestic Abuse**

- 15.1 The Domestic Abuse Act 2021 recognises and considers Children as Victims of Domestic Abuse, if they are witness to incidents whereby they hear, see and experience the effect of domestic abuse and they



- are related to either the victim of the perpetrator of domestic abuse. The Act enables children to be protected by law and be offered support as necessary. Domestic Abuse Act 2021 ([legislation.gov.uk](https://legislation.gov.uk))
- 15.2 Children can witness and be adversely affected by domestic abuse in the context of their home life where domestic abuse occurs between family members.
- 15.3 We recognise that experiencing domestic abuse and/or violence can have a serious, long lasting emotional and psychological impact on children and therefore offer appropriate support to children and families who experience domestic abuse supported by Operation Encompass.

## 16.Operation Encompass

- 16.1 Operation Encompass is a police and education early intervention safeguarding partnership which ensures that a child's school is informed that there has been an incident of domestic abuse to which the child or young person has been exposed.
- 16.2 When an Operation Encompass notification is received by school it is transferred onto schools' recording system with actions linked to the notification.
- 16.3 The DSL will conduct an individual assessment of the child's needs, and decide on any school routine modifications that need to be made.
- 16.4 If there are additional concerns around the child's safety and wellbeing due to being aware of previously unknown information, a referral to CADS will be made.

## 17.Honour Based Abuse

- 17.1 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), child marriage, and practices such as breast ironing.
- [https://panlancashirescb.proceduresonline.com/chapters/p\\_honour\\_abuse.html](https://panlancashirescb.proceduresonline.com/chapters/p_honour_abuse.html)

## 18. Child Sexual Exploitation and Child Criminal Exploitation

- 18.1 CSE occurs where an individual or group takes 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/or (b) for the financial advantage or increased status of the perpetrator or facilitator.
- [http://panlancashirescb.proceduresonline.com/chapters/p\\_child\\_sex\\_exp.html](http://panlancashirescb.proceduresonline.com/chapters/p_child_sex_exp.html)
- 18.2 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.
- [https://panlancashirescb.proceduresonline.com/chapters/p\\_ch\\_criminal\\_exp.html](https://panlancashirescb.proceduresonline.com/chapters/p_ch_criminal_exp.html)

### Child Sexual Exploitation (CSE)

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

(Working Together, DFE: 2017)



## Child Criminal Exploitation (CCE)

- *“Child criminal exploitation occurs where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child or young person under the age of 18. The victim may have been criminally exploited even if the activity appears consensual. Child Criminal Exploitation does not always involve physical contact; it can also occur through the use of technology”*

(Criminal exploitation of children and vulnerable adults: county lines, Home Office: 2018)

## 19.Neglect

- 19.1 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.
- 19.2 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 caregivers); or ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child’s basic emotional needs.

19.3 For training resources: Neglect Awareness - [Course library - Blackburn with Darwen Learning \(melearning.university\)](#)

## **20.Prevent Duty**

- 20.1 There is clear guidance for schools and childcare providers on “preventing” children and young people from being drawn into terrorism. <https://www.gov.uk/government/publications/protecting-children-from-radicalisation-the-prevent-duty>
- 20.2 Localised support can be accessed from The Local Prevent Education Officer (Leanne Romney) and the Community Safety Team.
- 20.3 School’s Risk Assessment and Policy document, with support from the Prevent Team as required, is used to assess and manage risks relating to radicalisation.

## **21.Safer Recruitment**

- 21.1 School has in place robust recruitment procedures that deter and prevent people who are unsuitable to work with children from applying for or securing employment, or volunteering opportunities in our school.
- 21.2 School demonstrates its commitment to safeguarding throughout all its recruitment processes such as:
  - Advert
  - Application form
  - Shortlisting
  - Checking employment history and references
  - Interview and selection
- 21.3 Appropriate pre-employment vetting and checks will be undertaken to help identify whether a person may be unsuitable from working with children or is legally prohibited.
- 21.4 All offers of appointment are conditional until satisfactory completion of the mandatory pre-employment checks. These are:
  - 21.4..1 Verification of a candidate’s identity
  - 21.4..2 An enhanced DBS check (including children’s barred list information, for those who will be engaging in regulated activity with children)
  - 21.4..3 When using the DBS update service, the original physical DBS certificate will be checked
  - 21.4..4 Verification of the candidate’s mental and physical fitness to carry out their work responsibilities
  - 21.4..5 Verification of the person’s right to work in the UK, including EU nationals.
  - 21.4..6 A prohibition from teaching check
  - 21.4..7 Checks on people who have lived or worked outside the UK
  - 21.4..8 A check of professional or essential qualifications
  - 21.4..9 Checks to ensure that individuals employed to work in reception classes, or in wraparound care for children up to the age of 8, are not disqualified under the 2018 Childcare Disqualification Regulations.
  - 21.4..10 A check to see if a Section 128 direction has been issued for an individual participating in the management of the school (if an independent school, including academies and free school) or holding or continuing to hold office as a governor of a maintained school.
- 21.5 A single central record of pre-appointment checks is maintained.
- 21.6 The single central record includes all staff, including teacher trainees on salaried routes agency and third-party supply staff.
- 21.7 N/A ref to Independent schools
- 21.8 The single central record indicates when pre-employment checks have been carried out or certificates obtained, and the date on which each check was completed, or certificate obtained.

- 21.9 Written notification is obtained from any agency, or third party organisation, that they have carried out the checks on an individual who will be working at the school or college that the school or college would otherwise perform, including supply staff.
- 21.10 This written notification confirms the certificate has been obtained by either the employment business or another such business.
- 21.11 The date this confirmation was received and whether details of any enhanced DBS certificate have been provided in respect of the member of staff is included on the single central record.
- 21.12 Where the agency or organisation has obtained an enhanced DBS certificate which has disclosed any matter or information, a copy of the certificate is obtained from the agency.
- 21.13 The details of an individual are removed from the single central record once they no longer work at the school.
- 21.14 School do not keep copies of DBS certificates.
- 21.15 A copy of the other documents used to verify the successful candidate's identity, right to work and required qualifications is kept in an individual's personnel file.
- 21.16 We ensure that any contractor, or any employee of the contractor, who is to work at the school or college, has been subject to the appropriate level of DBS check.
- 21.17 The identity of contractors is checked on arrival at the school.
- 21.18 When applicants for initial teacher training are salaried by the school, we ensure that all necessary checks are carried out. This includes an enhanced DBS check with children's barred list information when trainee teachers are engaging in regulated activity relating to children.
- 21.19 Assurances are obtained that the appropriate level of DBS check has been undertaken for visitors who attend school in a professional capacity. Their ID is checked upon arrival at school.
- 21.20 When such assurances cannot be obtained school will check the DBS certificate and corresponding ID.
- 21.21 Risk assessments are undertaken on all volunteers working at the school.
- 21.22 All governors have an appropriate level of DBS check.
- 21.23 New checks on existing staff will only be undertaken when:
  - 21.23..1 an individual working at the school moves from a post that was not regulated activity with children into work which is considered to be regulated activity with children.
  - 21.23..2 there has been a break in service of 12 weeks or more, or
  - 21.23..3 there are concerns about an individual's suitability to work with children.

## **22. Safeguarding concerns and allegations made about staff**

- 22.1 **An allegation that may meet the harm threshold** refers to anyone working in the school, including supply teachers, volunteers and contractors that has:
  - 22.1..1.1 behaved in a way that has harmed a child, or may have harmed a child and/or
  - 22.1..1.2 possibly committed a criminal offence against or related to a child, and/or
  - 22.1..1.3 behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children, and/or
  - 22.1..1.4 behaved or may have behaved in a way that indicates they may not be suitable to work with children.
- 22.2 When any such an allegation is made CSAP procedures will be followed. [6.4 Allegations Against Persons who Work with Children \(including Carers and Volunteers\) \(proceduresonline.com\)](#)
- 22.3 **A concern or allegation that does not meet the harm threshold (low-level concern)** refers to anyone working in the school, including supply teachers, volunteers and contractors that have acted in a way that:
  - 22.3..1 is inconsistent with the staff code of conduct, including inappropriate conduct outside of work and

22.3..2 does not meet the harm threshold or is otherwise not serious enough to consider a referral to the LADO.

22.4 All staff are clear about what appropriate behaviour is and are confident in distinguishing expected and appropriate behaviour from inappropriate, problematic or concerning behaviour, in themselves and others.

22.5 All staff will report any low-level safeguarding concerns to the DSL or the Headteacher

22.6 Unprofessional behaviour is challenged, and support is given to the individual to correct it at an early stage.

22.7 Low-level concerns are managed sensitively and proportionately.

22.8 Low-level concerns can help identify any weakness in the school or colleges safeguarding system.

22.9 Employers of supply staff and contractors will be notified of any low-level concerns relating to their employees.

22.10 If there is any doubt as to whether a reported low-level concern meets the harm threshold, advice will be sought from the LADO.

## **23. Associated and related policies**

**Staff Code of Conduct**

**Online Safety Policy**

**ICT & Internet Acceptable Use Policy**

**Attendance Policy**

**Behaviour & Discipline Policy**

**Anti-Bullying Policy**

**SEND Policy**

**Intimate Care Policy**

**PREVENT Policy**

**Prevent Risk Assessment**

**Children Missing in Education – Guidance for Schools (BwD)**

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

## Appendix 1: Types of Abuse – Information for Staff

**Abuse**, including neglect, and safeguarding issues are rarely standalone events that can be covered by 1 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 cyber-bullying), 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**

### **Recruitment and selection process**

The recruitment steps outlined below are based on part 3 of Keeping Children Safe in Education 2023.

To make sure we recruit suitable people, we will ensure that those involved in the recruitment and employment of staff to work with children have received appropriate safer recruitment training.

We have put the following steps in place during our recruitment and selection process to ensure we are committed to safeguarding and promoting the welfare of children.

#### **Advertising**

When advertising roles, we will make clear:

- › Our school's commitment to safeguarding and promoting the welfare of children
- › That safeguarding checks will be undertaken
- › The safeguarding requirements and responsibilities of the role, such as the extent to which the role will involve contact with children
- › Whether or not the role is exempt from the Rehabilitation of Offenders Act 1974 and the amendments to the Exceptions Order 1975, 2013 and 2020. If the role is exempt, certain spent convictions and cautions are 'protected', so they do not need to be disclosed, and if they are disclosed, we cannot take them into account

#### **Application forms**

Our application forms will:

- › Include a statement saying that it is an offence to apply for the role if an applicant is barred from engaging in regulated activity relevant to children (where the role involves this type of regulated activity)
- › Include a copy of, or link to, our child protection and safeguarding policy and our policy on the employment of ex-offenders

#### **Shortlisting**

Our shortlisting process will involve at least 2 people and will:

- › Consider any inconsistencies and look for gaps in employment and reasons given for them
- › Explore all potential concerns

Once we have shortlisted candidates, we will ask shortlisted candidates to:

- › Complete a self-declaration of their criminal record or any information that would make them unsuitable to work with children, so that they have the opportunity to share relevant information and discuss it at interview stage. The information we will ask for includes:
  - If they have a criminal history
  - Whether they are included on the barred list
  - Whether they are prohibited from teaching
  - Information about any criminal offences committed in any country in line with the law as applicable in England and Wales
  - Any relevant overseas information
- › Sign a declaration confirming the information they have provided is true

We will also consider carrying out an online search on shortlisted candidates to help identify any incidents or issues that are publicly available online. Shortlisted candidates will be informed that we may carry out these checks as part of our due diligence process

#### **Seeking references and checking employment history**

We will obtain references before interview, wherever possible. Any concerns raised will be explored further with referees and taken up with the candidate at interview.

When seeking references we will:

- › Not accept open references
- › Liaise directly with referees and verify any information contained within references with the referees

- › Ensure any references are from the candidate's current employer and completed by a senior person. Where the referee is school based, we will ask for the reference to be confirmed by the headteacher/principal as accurate in respect to disciplinary investigations
- › Obtain verification of the candidate's most recent relevant period of employment if they are not currently employed
- › Secure a reference from the relevant employer from the last time the candidate worked with children if they are not currently working with children
- › Compare the information on the application form with that in the reference and take up any inconsistencies with the candidate
- › Resolve any concerns before any appointment is confirmed

## **Interview and selection**

When interviewing candidates, we will:

- › Ask what attracted the candidate to the post
- › Probe any gaps in employment, or where the candidate has changed employment or location frequently, and ask candidates to explain this
- › Explore any potential areas of concern to determine the candidate's suitability to work with children
- › Record all information considered and decisions made

## **Pre-appointment vetting checks**

We will record all information on the checks carried out in the school'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.

### **New staff**

All offers of appointment will be conditional until satisfactory completion of the necessary pre-employment checks.

When appointing new staff, we will:

- › Verify their identity
- › Obtain (via the applicant) an enhanced DBS certificate, including barred list information for those who will be engaging in regulated activity (see definition below). We will obtain the certificate before, or as soon as practicable after, appointment, including when using the DBS update service. We will not keep a copy of the certificate for longer than 6 months, but when the copy is destroyed we may still keep a record of the fact that vetting took place, the result of the check and recruitment decision taken
- › 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. These could include, where available:
  - For all staff, including teaching positions: [criminal records checks for overseas applicants](#)
  - For teaching positions: obtaining a letter from the professional regulating authority in the country where the applicant has worked, confirming that they have not imposed any sanctions or restrictions on that person, and/or are aware of any reason why that person may be unsuitable to teach

We will ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006. Where we take a decision that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment on the individual's personnel file. This will include our evaluation of any risks and control measures put in place, and any advice sought.

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

- › Responsible, on a regular basis in a school or college, for teaching, training, instructing, caring for or supervising children; or

- › Carrying out paid, or unsupervised unpaid, work regularly in a school or college where that work provides an opportunity for contact with children; or
- › 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**

In certain circumstances we will carry out all the relevant checks on existing staff as if the individual was a new member of staff. These circumstances are when:

- › There are concerns about an existing member of staff's suitability to work with children; or
- › An individual moves from a post that is not regulated activity to one that is; or
- › There has been a break in service of 12 weeks or more

We will refer to the DBS anyone who has harmed, or poses a risk of harm, to a child or vulnerable adult where:

- › We believe the individual has engaged in [relevant conduct](#); or
- › We believe the individual has received a caution or conviction for a relevant (automatic barring either with or without the right to make representations) offence, under the [Safeguarding Vulnerable Groups Act 2006 \(Prescribed Criteria and Miscellaneous Provisions\) Regulations 2009](#); or
- › We believe the 'harm test' is satisfied in respect of the individual (i.e. they may harm a child or vulnerable adult or put them at risk of harm); and
- › 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 school has had the appropriate level of DBS check (this includes contractors who are provided through a PFI or similar contract). 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 school.

For self-employed contractors such as music teachers or sports coaches, we will ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006. Where we decide that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment. This will include our evaluation of any risks and control measures put in place, and any advice sought.

### **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.

In both cases, this includes checks to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006.

### **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
- › Carry out a risk assessment when deciding whether to seek an enhanced DBS check without barred list information for any volunteers not engaging in regulated activity. We will retain a record of this risk assessment
- › Ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006. Where we decide that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment. This will include our evaluation of any risks and control measures put in place, and any advice sought

## **Governors**

All governors will have an enhanced DBS check without barred list information.

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

All governors will also have a section 128 check (as a section 128 direction disqualifies an individual from being a maintained school governor).

## **Staff working in alternative provision settings**

Where we place a pupil with an alternative provision provider, we obtain written confirmation from the provider that they have carried out the appropriate safeguarding checks on individuals working there that we would otherwise perform.

## Appendix 3: Allegations of Abuse made against staff – including low level concerns

When any such an allegation is made CSAP procedures will be followed. [6.4 Allegations Against Persons who Work with Children \(including Carers and Volunteers\) \(proceduresonline.com\)](#)

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

This section is based on 'Section 1: Allegations that may meet the harms threshold' in part 4 of Keeping Children Safe in Education.

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

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

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

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

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

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

### **Suspension of the accused until the case is resolved**

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

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

- › Redeployment within the school so that the individual does not have direct contact with the child or children concerned
- › Providing an assistant to be present when the individual has contact with children
- › Redeploying the individual to alternative work in the school so that they do not have unsupervised access to children
- › Moving the child or children to classes where they will not come into contact with the individual, making it clear that this is not a punishment and parents/carers have been consulted

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

### **Definitions for outcomes of allegation investigations**

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

### **Procedure for dealing with allegations**

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

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

We will inform Ofsted of any allegations of serious harm or abuse by any person living, working, or looking after children at the premises (whether the allegations relate to harm or abuse committed on the premises or elsewhere), and any action taken in respect of the allegations. This notification will be made as soon as reasonably possible and always within 14 days of the allegations being made.

If the school 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 Teaching Regulation Agency.

Where the police are involved, wherever possible the school 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 school's disciplinary process, should this be required at a later point.

#### **Additional considerations for supply teachers and all contracted staff**

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

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

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

## **Timescales**

We will deal with all allegations as quickly and effectively as possible and will endeavour to comply with the following timescales, where reasonably practicable:

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

However, these are objectives only and where they are not met, we will endeavour to take the required action as soon as possible thereafter.

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

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

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

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

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

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

If a report is:

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

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

If an allegation is:

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

## Confidentiality and information sharing

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

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

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

## Record-keeping

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

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

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

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

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

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

## References

When providing employer references, we will:

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

## Learning lessons

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

This will include consideration of (as applicable):

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

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

## **Non-recent allegations**

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

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

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

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

The section is based on 'Section 2: Concerns that do not meet the harm threshold' in part 4 of Keeping Children Safe in Education.

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

Concerns may arise through, for example:

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

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

## **Definition of low-level concerns**

The term 'low-level' concern is any concern – no matter how small – that an adult working in or on behalf of the school may have acted in a way that:

- › Is inconsistent with the staff code of conduct, including inappropriate conduct outside of work, **and**
- › Does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the designated officer at the local authority

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

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

If there is any doubt as to whether a reported low-level concern meets the harm threshold, advice will be sought from the LADO.

## **Sharing low-level concerns**

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

We will create this culture by:

- › Ensuring staff are clear about what appropriate behaviour is, and are confident in distinguishing expected and appropriate behaviour from concerning, problematic or inappropriate behaviour, in themselves and others
- › Empowering staff to share any low-level concerns
- › Empowering staff to self-refer
- › Addressing unprofessional behaviour and supporting the individual to correct it at an early stage

- › Providing a responsive, sensitive and proportionate handling of such concerns when they are raised
- › Helping to identify any weakness in the school's safeguarding system

## **Responding to low-level concerns**

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

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

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

## **Record keeping**

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

Records will be:

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

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

## **References**

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

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