



L.E.A.D. Academy Trust

Lead • Empower • Achieve • Drive

# The Birley Academy Safeguarding and Child Protection Policy

**Review frequency:** Annual

**Approval:** Trust Board (The Birley Academy AGB)

**Last Updated:** September 2022

This policy will be updated annually or more frequently in line with any changes to legislation and guidance.

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## **Our vision**

Through outstanding leadership, we, at The Birley Academy, will provide the highest quality education. The Birley Academy fully recognises the contribution it can make to protect pupils and support them in our academy. The aim of the policy is to safeguard and promote our pupils' welfare, safety, and health by fostering an honest, open, caring, and supportive climate. The pupils' welfare is of paramount importance.

We will listen to our pupils. We will not place any value judgement on their concerns or supersede their views with our own cultural or racial profiling in order to ensure we fully listen to what our pupils are saying. We will take our pupils' health and welfare seriously and to act with urgency to prevent harm and keep them safe.

There is a 'whole academy approach to safeguarding' where safeguarding and child protection underpins all our relevant policies and processes. We operate with the best interests of the child at heart.

## **Our principles**

*To achieve our vision, we prioritize the four core principles for which our name stands:*

**Lead** ~ *to show the way; to be first or foremost*

In every aspect of life, the ability to lead is essential. Strong leadership is the key to the success of our academies. We will develop leadership skills in everyone who attends one of them, ensuring the development of pupils as leaders of their own learning.

**Empower** ~ *to give power to; to enable*

At The Birley Academy and L.E.A.D. Academy schools, pupils are empowered to have high aspirations for their futures. We nurture and challenge pupils to take responsibility, make decisions and work together so they grow into confident and resilient young people.

**Achieve** ~ *to accomplish; to get or attain by effort*

We believe in achievement in its broadest sense and that enjoyment of learning is crucial to success. We continually look for and reward achievement in every individual in The Birley Academy. We also know that a strong command of English and mathematics is vital as a foundation for the whole curriculum and prioritize learning in these core subjects.

**Drive** ~ *to cause and guide progress; to impel forward*

We will provide the very best education and training for every individual in our academies and will ensure that this is delivered. We value excellent teaching, underpinned by high quality professional development and will constantly move forwards, using and instigating the best ideas and practice.

We also understand that children need to be motivated if they are to succeed in life and we will provide a stimulating curriculum and environment which will prepare them for their futures with confidence and determination. This curriculum will highlight safety and safeguarding at its heart.

### **Safeguarding at The Birley Academy L.E.A.D. Academy Trust**

*‘Safeguarding and promoting the welfare of children is everyone’s responsibility. Everyone who comes into contact with children and their families has a role to play. In order to fulfil this responsibility effectively, all practitioners should make sure their approach is child centred. This means that they should consider, always, what is in the best interests of the child.’ KCSIE 2022*

Safeguarding arrangements in the Trust and at our academy are underpinned by the 2 key principles:

**Everyone who comes into contact with pupils and their families has a role to play in safeguarding pupils. All AGB members, staff, trainees, and volunteers have a responsibility and role to play to safeguard and promote the welfare of pupils. Staff members will maintain an attitude of “it could happen here” where safeguarding is concerned.**

**When concerned about the welfare of a child, staff will always act in the best interests of the child. The academy operates a pupil-centred approach considering pupils’ views and voices. Wishes and feelings of pupils will always be considered when determining what action to take and services to provide, to protect pupils through ensuring there are systems in place for pupils to express their views and give feedback.**

### **Key Persons Responsible for Safeguarding at The Birley Academy**

**DSLs – Theresa Clark (Assistant Headteacher)**

**DSPs – Mark Jones (Deputy Headteacher)**

**Jessica Abbott (Safeguarding Officer)**

### **LADO – Name and contact details**

- (0114) 273 4855 (select option 1)
- [sheffieldsafeguardinghub@sheffield.gov.uk](mailto:sheffieldsafeguardinghub@sheffield.gov.uk)
- Office hours are Monday – Thursday (8:45am – 5:15pm) Fri (8:45am – 4:45pm)

**Mental Health Lead / team –**

**Nichola Middleton**

**NSPCC dedicated helpline number: 0115 9258602.**

### **The Legal Framework**

Academies within L.E.A.D. Academy Trust still have their relevant local authorities that have an overarching statutory responsibility for safeguarding and promoting the welfare of all children and young people in their area. At The Birley Academy our local authority is Sheffield. The local safeguarding partnership, known as Sheffield Children Safeguarding Partnership, will work with our academy to support us to safeguard our pupils. Whilst local authorities play a lead role, safeguarding pupils and protecting them from harm is everyone's responsibility.

Under Section 11 of the Children Act 2004 duties are placed on a range of organisations and individuals to ensure their functions are discharged with regards to the safeguarding of children and young people. The statutory guidance (*Working Together to Safeguard Children 2018*) does not identify academy trusts as a separate organisation. Nor are academies named under Section 11 of the Children Act 2004 but they are captured under other legislation, for example Sections 157 and 175 of the Education Act 2002, Sections 94 (1) and (2) of the Education and Skills Act 2008, the Education Regulations 2011 and 2014. As The Birley Academy is part of L.E.A.D. Academy Trust we acknowledge our duty in law to work with other organisations to keep our pupils safe.

In September 2022 the DfE published the latest 'Keeping Children Safe in Education' (KCSIE) – statutory guidance for schools and colleges. This guidance contains information on what schools, including academies, should do and sets out the legal duties which they must comply with.

In law, individual academies are deemed to be 'relevant partners' of their local authority and as such are under a duty to cooperate in that local authority's safeguarding partnerships board arrangements. The Education (Independent School Standards) Regulations 2014 place a duty on proprietors of independent schools including academies to make arrangements for ensuring that their functions are exercised with a view to safeguarding and promoting the welfare of children.

### **Links to the Legal Framework**

#### **Working Together to Safeguard Pupils 2019**

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/729914/Working\\_Together\\_to\\_Safeguard\\_Children-2019.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/729914/Working_Together_to_Safeguard_Children-2019.pdf)

#### **Keeping Pupils Safe in Education Sep 2022**

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/835733/Keeping\\_children\\_safe\\_in\\_education\\_2019.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/835733/Keeping_children_safe_in_education_2019.pdf)

## **Disqualification Under the Childcare Act 2006 and supplementary guidance 2019**

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/414345/disqual\\_stat-guidance\\_Feb\\_15\\_3\\_.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/414345/disqual_stat-guidance_Feb_15_3_.pdf)

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/736758/APPENDICES-Disqualification under the childcare act statguidance\\_2\\_.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/736758/APPENDICES-Disqualification_under_the_childcare_act_statguidance_2_.pdf)

## **Information Sharing**

<https://www.gov.uk/government/publications/safeguarding-practitioners-information-sharing-advice>

## **GDPR and Data Protection**

<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/>

## **Education (Independent School Standards) (England) Regulations 2010**

<http://www.legislation.gov.uk/uksi/2010/1997/contents/made>

## **Equality Act 2010 (including Public Sector Equality Duty)**

<https://www.gov.uk/guidance/equality-act-2010-guidance>

## **FGM Act 2003 (as inserted in the Serious Crime Act 2015 Section 74)**

<http://www.legislation.gov.uk/ukpga/2015/9/section/74>

## **Human Rights Act**

<https://www.legislation.gov.uk/ukpga/1998/42/contents>

## **The “Prevent” duty: Section 26 of the Counterterrorism and Security Act 2015**

<http://www.legislation.gov.uk/ukpga/2015/6/section/26/enacted>

## **Statutory guidance on Pupils Missing Education (2016) also applies to academies**

<https://www.gov.uk/government/publications/children-missing-education>

## **‘What to do if you’re worried a child is being abused’: Guidance for all staff, teaching and non-teaching:**

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/419604/What to do if you re worried a child is being abused.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/419604/What_to_do_if_you_re_worried_a_child_is_being_abused.pdf)

## **A Multi-Agency Practice Guidelines: Handling Cases of Forced Marriage:**

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/322307/HMG\\_MULTI\\_AGENCY\\_PRACTICE\\_GUIDELINES\\_v1\\_190614\\_FINAL.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/322307/HMG_MULTI_AGENCY_PRACTICE_GUIDELINES_v1_190614_FINAL.pdf)

## **Contextual Safeguarding**

<https://contextualsafeguarding.org.uk/about/what-is-contextual-safeguarding>

## **Post 16 Education**

### **Education and Training (Welfare of Children Act 2021)**

## **Our Commitment**

The Birley Academy and L.E.A.D. Academy Trust's commitment to safeguarding includes:

Ensuring there is a designated professional lead and a designated Academy Governing Body (AGB) member for safeguarding, who has had the appropriate level of training in order for them to fulfil this role.

Ensuring all staff, governors, visitors and volunteers in our academy understand their responsibility to safeguard pupils.

Having in place safeguarding arrangements which are designed to take account of all possible safeguarding issues both locally, nationally and internationally.

Adopt a 'whole academy' approach towards safeguarding, promoting a culture of vigilance. Creating a culture of safeguarding which permeates throughout our academy.

Ensuring all safeguarding concerns are investigated and an immediate risk assessment is undertaken to keep pupils safe.

Adhering to safe recruitment practices.

Having arrangements in place to ensure we work closely with other agencies and share information with other professionals in line with statutory requirements.

Taking account of the Sheffield Children Safeguarding Partnership procedures and practices established by the Safeguarding Partnership and comply with any requests from that body in a timely manner.

Having in place effective child protection and staff behaviour policies.



Developing a culture in our academy of listening to children and to take into account their wishes and feelings.

Ensure that there is no unlawful discrimination against pupils with protected characteristics. To make sure that these pupils are supported and that we take positive action to deal with any disadvantages these pupils may face.

Providing appropriate supervision and support for staff including undertaking safeguarding induction and training.

Follow our policy for dealing with allegations made against/concerns raised in relation to teachers, including supply teachers, all other staff, volunteers, and contractors.

Having clear procedures in place to handle allegations made against/concerns raised in relation to teachers, including supply teachers, all other staff, volunteers, and contractors of abuse against children. See separate Allegations Policy

Having clear whistleblowing procedures.

Considering how children may be taught about safeguarding, including online, through teaching and learning opportunities as part of a broad and balanced curriculum.

Appointing a designated teacher to promote the educational achievement of children who are looked after, those who are post care and pupils who are adopted, alongside the Local Authority Virtual Headteacher, to ensure staff have the skills, knowledge and understanding necessary to keep these pupils safe.

Putting in place appropriate safeguarding responses to children who go missing from education and those whose parents choose to educate their child at home.

Fulfilling all our statutory responsibilities in respect of safeguarding and promoting the welfare of children.

The Birley Academy's Safeguarding and Child Protection Policy incorporates all the legislation from KCSIE 2022. The Trust has a safeguarding SharePoint site for all academies to access which provides current documents, guidance and resources. In addition, our local Safeguarding Partnership links are provided through the site.

The Birley Academy Safeguarding and Child Protection Policy is monitored and evaluated by the Trust and The Birley Academy DSLs to measure the effectiveness of the policy in the academy. This is carried out through the academy and the Trust's quality assurance cycle, at least on an annual basis.

## **Expectations**

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**We expect staff to have read and be aware of:**

**Keeping Children Safe in Education (2022) [Part One]; and academy leaders and staff that work directly with children should also read Annex A.**

**Safer Working Practices (Safer Recruitment Consortium May 2022).**

**Staff Code of Conduct.**

**Safeguarding and Child Protection Policy.**

**Behaviour Management Policy.**

**Online Safety Policy.**

**Policy for Children Missing Education.**

**GDPR and data protection requirements.**

**Requirements of information sharing.**

**Their local early help processes and their roles in relation to them.**

**All staff are also required to:**

**Take all concerns seriously, particularly when a disclosure is made.**

**Understand that pupils may not feel ready to talk or disclose but a level of professional curiosity will remain.**

**Ensure they consider the wider context of pupils when there are safeguarding concerns.**

**Put the pupil's interests first and act to secure a pupil's safety at all costs.**

**Be vigilant and take responsibility to always maintain the ethos of safeguarding.**

**Understand that every pupil is our responsibility regarding safeguarding.**

**Take responsibility to immediately inform the DSL should there be any changes in personal circumstances that may impact on their ability to work with children.**

### **Employment and Management of Adults Working with Pupils**

We will ensure that The Birley Academy has:

A single point of contact known as the designated senior lead for safeguarding (DSL).

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A single central record of pre-employment checks.

Safe recruitment procedures fully in place.

Appropriate checking procedures (staff, governors, volunteers and organisations working within the academy).

A staff / volunteer handbook and induction that makes clear the expectations and directives for working with pupils, including the management of social media and the management of their relationships and associations in line with legislation.

A policy and procedures for dealing with allegations made against/concerns raised in relation to teachers, including supply teachers, other staff, volunteers, and contractors.

The Birley Academy's safeguarding policy is available to parents/carers and pupils on request as a paper copy or it may be accessed through our website online.

At The Birley Academy safeguarding the welfare of pupils permeates all activity and functions.

This policy therefore complements and supports a range of other academy policies, such as, but not exclusively:

Health and Safety

Fire Safety

Behaviour Management and Physical Intervention

Meeting the Needs of Pupils with Medical Conditions

Providing First Aid

Educational Visits

Intimate Care

Online Safety Including youth producing sexual imagery

Anti-Bullying and Cyber-bullying

Safer Recruitment and Selection, including Single Central Record

School Security

Managing Allegations Against Staff, Including volunteers, contractors

Managing Allegations Against Pupils

Attendance

Pupils Who Runaway or go Missing from Education, Home or Care

PSHE

Staff Behaviour (code of conduct)

Special Educational Needs (SEN)

Relationships and Sex Education

RSHE

Looked After / Previously Looked After

Communication

Complaints procedure Information sharing Whistleblowing

GDPR Data Protection

Equality

Other single curriculum subject policies

Pupils are taught about safeguarding, including online safety, through various teaching and learning opportunities, as part of providing a broad and balanced curriculum. This is detailed in our safeguarding curriculum map.

## Safeguarding Flowchart

Pupil raises concern with an adult or an adult becomes aware that a pupil may be suffering abuse through changes in behaviour or appearance.

Adult must record on MyConcern the exact words the pupil has used and if there are any signs of abuse. Use body map in appendix 6. At no point does the adult offer an opinion or probe the pupil or investigate the pupil's statements. The adult must not add personal opinions while recording. Adults must ensure the pupil is safe and feels safe. Adults can not promise confidentiality. If there is a risk that the pupil will not be safe to go home, the concern must be marked as urgent.

The DSL picks up the concern promptly. The DSL must use the decision and rationale to identify the next steps. This may include direct referral to social care or if not, a clear rationale is recorded as to why not and how the school will act to secure and monitor the safety of the pupil. Who will monitor, the regularity of monitoring and how the DSL will review whether this should be escalated to social care at any point should all be recorded.

Safeguarding team to follow up the concern through the monitoring system set up. *Recording of monitoring completed on MyConcern so that regular updates show how the school is keeping the pupil safe. For pupils who have been referred to social care, a similar approach in school should be undertaken to check the pupil's well-being and safety.*

It is absolutely key that information is recorded precisely. Names, dates and times of conversations must be clear. There should be a clear chronology for actions and decisions. MyConcern will provide the basis of this and therefore all notes must be made on the open file.

DSLs along with the safeguarding team will make the decision to close a case once there is firm evidence of the pupil being safe. Evidence of safety must be recorded - how do you know?

Safeguarding is everyone's responsibility. Keeping pupils safe is everyone's responsibility. If there is any cause for concern regarding the behaviour of an adult in school, this must be taken seriously and the allegation or concern against the adult or whistleblowing policy must be followed.

If headteacher or DSL receives information that an allegation has been made against an adult on the school site, they must act in line with the trust policy on managing allegations. The local authority designated officer must be informed and their advice sought immediately. There should be no 'in house' investigation before advice is sought. The headteacher must record on MyConcern the pupil's name and refer to 'an allegation' - no detail. Record how the school has made the pupil safe.

Any further details as to the investigation should be recorded in a confidential file access only by an authorised senior leader. HR must be informed.

## **Scope of the policy**

We will safeguard pupils when we believe they are suffering from:

Abuse

Physical abuse

Emotional abuse

Sexual abuse

Neglect

Child criminal exploitation

Child sexual exploitation (CSE)

Child on Child abuse

County lines

Bullying, including cyber bullying

Domestic abuse

Drugs

Fabricated or induced illness

Faith abuse

Female genital mutilation (FGM)

Forced marriage and honour-based abuse

Gangs and youth violence

Gender based violence/violence against women and girls (VAWG)

Homophobic or transphobic abuse

Mental health

Online and technology abuse

Private fostering

Radicalisation and extremism

Sexting /youth producing sexual imagery

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Trafficking / modern slavery

Wider contextual issues

Challenges faced by pupils experiencing transgender and body dysmorphia issues

Homelessness

***This list is not exhaustive.***

We recognise that some **pupils who have experienced abuse** may in turn abuse others. This requires a considered, sensitive approach in order that the child can receive appropriate help and support.

Some pupils may be **particularly vulnerable** to abuse and harm. The Designated Safeguarding Lead (DSL) is aware of the range of guidance that is available and vigilant to concerns being raised by staff and pupils which need to be reported in accordance with national (Government) and local Safeguarding Partnership procedures without delay. The DSL will also ensure staff working with pupils are alert and knowledgeable to signs which may indicate possible abuse or harm. We consider the risks associated with vulnerability and ensures systems are in place to mitigate risk. This includes EYFS/EAL children who have not yet acquired the language skills to be able to communicate a disclosure.

The available UK evidence on the extent of abuse among **disabled pupils** suggests that some may be especially vulnerable to abuse, for example those who have difficulty communicating. Academy staff who work, in any capacity, with pupils with profound and multiple disabilities, sensory impairment and/or emotional and behaviour problems need to be particularly sensitive to signs of abuse.

Pupils with protected characteristics are also more vulnerable to harm and abuse, as such our academy will be conscious of this and ensure that this is integrated into processes and procedure.

It must also be stressed that in a home where there is **domestic abuse, drug or alcohol abuse and unmanaged mental health challenges**, then pupils may also be vulnerable and in need of support. We will consider the wider context of the pupil in relation to these issues to keep them safe.

### **Safeguarding Roles and Responsibilities of Academy Staff**

#### **Responsibility to Provide a Safe Environment in Which Pupils Can Learn**

The safety of our academy site is of high importance. It is everyone's responsibility to keep our academy safe. We will regularly undertake site safety walks, maintain our equipment

properly and ensure we act upon expert advice during our academy's health and safety audits.

We will train our staff to be aware of the risks associated with building safety and ensure we can evacuate our site should the buildings pose any risk to our pupils. Systems are in place to ensure anyone can report a health and safety issue immediately, through direct emails to the office manager and site manager.

We will seek the views of pupils around the safety of the site and address any concerns with swift action.

### **Academy Leaders and Training**

At The Birley Academy we acknowledge that there are pupils who may need extra help or who are suffering or are likely to suffer significant harm. Leaders must be quick to identify them. All our staff have a responsibility to take appropriate action, working with external services as needed.

Staff induction will include organisation vision, aspirations, and expectation of all staff as well as what is considered acceptable and what is not. They will also receive information about systems within the academy which support safeguarding. This includes the child protection/safeguarding policy, staff behaviour policy (code of conduct), the online safety policy, the role of the DSL and the name of the designated governor.

All staff will:

- Read and sign to say that they have read and understood "Keeping Children Safe in Education part one: safeguarding information for all staff (2022)." This will ensure that all staff understand their safeguarding responsibilities.
- Receive regular safeguarding training which is updated so they are equipped with the knowledge and skills to keep pupils safe.

The key training elements are:

Induction Training – this is mandatory and includes:

- the child protection policy
- the behaviour policy
- the online safety policy
- the staff behaviour policy (sometimes called a code of conduct)
- the safeguarding response to children who go missing from education
- the role of the designated safeguarding lead (including the identity of the designated safeguarding lead and any deputies). (See KCSIE 2022)



- any other local policies and procedures link to individual academies.

DSLs – attend training every two years; and in addition to, formal training, their knowledge and skills should be refreshed at regular intervals, at least annually.

All other staff – will receive regular safeguarding and child protection updates as required, but at least annually, to provide them with relevant skills and knowledge to safeguard children effectively.

Safer Recruitment training is available to all relevant staff and governors who are involved in the recruitment process.

Academy Governing Body will have full safeguarding training on induction and this will be updated at least annually. They will also undergo enhanced DBS and 128 checks.

We will engender the principle that safeguarding is 'everyone's responsibility'.

## **Roles and Responsibilities Within the Trust and The Birley Academy**

### **The Trust Board**

The board will monitor the academy's compliance with statutory requirements and practice and champion child protection issues.

Ensure that all safeguarding concerns are investigated, and an immediate risk assessment undertaken to ensure the safeguarding of children and young people.

Ensure that all staff understand and discharge their safeguarding roles and responsibilities.

Ensure that the effectiveness of this Safeguarding and Child Protection policy is annually reviewed and any statutory updates are implemented immediately. The policy along with Keeping Children Safe in Education September 2022 (KCSIE) is available on the Trust website.

Have safeguarding as a set agenda item on all trust board agendas.

Have a clear understanding of safeguarding across the trust through reports such as MyConcern (the trust's child protection database) and results of the academy's annual safeguarding audits.

Written recruitment and selection policies and procedures in place.

Appoint a board member responsible to the board for monitoring the effectiveness of safeguarding in the trust.

Undertake appropriate safeguarding training annually

### **Roles and Responsibilities of the Directorate**

To produce information for the Trust board in relation to safeguarding to ensure that the board can demonstrate that it is discharging its safeguarding obligations appropriately.

Have a clear understanding of safeguarding across the trust through analysis of reports such as MyConcern and results of the academy's annual safeguarding audits and compliance forms.

Ensure that all staff understand and discharge their safeguarding roles and responsibilities

Ensure all academies carry out an annual audit.

Carry out the Trust's Assurance Cycle in line with the outlined cycle and report to the board in committee meetings when required.

Support academy leaders to carry out their duties fully in relation to both the spirit and letter of statutory guidance for safeguarding.

Challenge academy leaders where safeguarding is not fully compliant with statutory guidance.

Undergo appropriate safeguarding training at least yearly and take responsibility to maintain their knowledge and understanding of safeguarding issues.

### **Roles and Responsibilities of the Trust DSLs**

Liaise with the Local Authority Designated Officer (LADO) (also known as Designated Officer) and partner agencies in event of any allegations of abuse made against the Headteacher.

Undergo training in line with Trust training schedule.

Review safeguarding cases which have triggered the appropriate level of Trust DSL involvement.

Ensure the Trust's assurance cycle is fully maintained.

Meet termly to review the Trust's policy in line with practice.

Meet monthly to review serious incidents, identify lessons learnt and good practice to be shared across the Trust.

Arrange termly DSL network meetings through liaison with the Teaching School Alliance (TSA).

Produce information for the Trust Board in relation to safeguarding in order to ensure that the board can demonstrate that it is discharging its safeguarding obligation effectively.

### **The Role of the Link Safeguarding Member (AGB)**

Support the work of the designated safeguarding lead.

Undertake appropriate safeguarding training in order for them to have the skills and knowledge to fulfil their role.

Meet regularly with the designated safeguarding lead and any other relevant other staff.

Report back to the Academy Governing Body (AGB) about his/her activities to inform them, to facilitate scrutiny and impact of safeguarding; and ensure compliance with statutory duties.

Ensure that safeguarding deficiencies are brought to the AGB and the Governance and Compliance Manager.

Ensure that all staff understand and discharge their safeguarding roles and responsibilities.

Check that the safeguarding and child protection policy and procedure is being followed and is effective in practice.

Check that the training programme for staff reflects the needs of the academy and statutory regulations.

Check that the AGB are kept aware of the safeguarding risks to young people in the academy.

Check that records are kept securely and in one place.

Check that there is appropriate monitoring and tracking in place for vulnerable pupils.

Check that there are appropriate safeguards in place for students placed with Alternative Providers.

Check that there is a consistent approach to safeguarding and child protection across the academy.

Check that the curriculum for safeguarding reflects the risks for pupils in the area.

Check that safer recruitment processes are in place.

Check that the Single Central Record is compliant.

## **Roles and Responsibilities of the Headteacher**

The Headteacher will ensure that:

adopt a 'whole academy' approach towards safeguarding, promoting a culture of vigilance and creating a culture of safeguarding

The policies and procedures adopted by the AGB, and the Trust are fully implemented and followed by all staff.

DSLs are trained appropriately for their role and given time to allow them to carry out their role fully.

People who pose a risk of harm are prevented from working with pupils by adhering to statutory responsibilities to check staff working with pupils, taking proportionate decisions on whether to ask for checks beyond what is required and ensuring volunteers are appropriately supervised.

Sufficient resources are allocated to enable the DSL and other staff to discharge their responsibilities, including recording and monitoring safeguarding activities, taking part in strategy discussions, other inter-agency meetings and contributing to the assessment of pupils.

All staff and volunteers feel able to raise concerns about poor or unsafe practice regarding pupils, and concerns are addressed sensitively and effectively in a timely manner.

The safety and welfare of pupils is addressed through the wider curriculum.

Education Welfare Staff and Social Workers are informed immediately when a child who is 'looked after' or subject to a 'child in need' plan or a protection plan goes missing.

They undertake appropriate training to carry out their safeguarding responsibilities effectively and keep this up to date.

Ensure their Safeguarding Audit is returned promptly every year in the appropriate term.

Ensure the DSL reports to the AGB and Trust Board are up-to-date and accurate information in line with requirements.

Ensure the DSL/Deputy DSL puts formal cover in place when the DSL is away from site.

Appoint a member of staff responsible for looked after pupils, pupils leaving care and those recently adopted.

## **The Roles and Responsibilities of the Designated Safeguarding Lead (DSL)**

The Designated Safeguarding Lead is responsible for safeguarding and child protection along with the Headteacher.

Support staff to see safeguarding in the wider context of a pupils' life, considering the family circumstance, the friendship groups and social context before making decisions about how to act to safeguard pupils.

Adopt a 'whole academy' approach towards safeguarding, promoting a culture of vigilance and creating a culture of safeguarding which permeates throughout our academy.

Support staff to have the skills and knowledge to encourage a culture of listening and reducing barriers to disclosing.

Manage referrals from academy staff or any others from outside the academy.

Work with external agencies and professionals on matters of safety and safeguarding.

Ensure they keep up with the latest advice and guidance relating to safeguarding and child protection.

Take responsibility to raise awareness of safeguarding and child protection among the staff, parents, and pupils.

Ensure that child protection information is transferred to the pupil's new school, within five school days should they move school.

Ensure all staff follow the academy's safeguarding policies fully.

Ensure they act upon MyConcern referrals in a timely manner and always act in the best interests of the pupil.

Ensure the clarity of decision making in relation to child protection is transparent, the reasons for decisions are precise and recorded clearly in the online recording and/or paperwork.

Help promote educational outcomes, the welfare, safeguarding and child protection issues that children, including children with a social worker, are experiencing, or have experienced, with other staff. Ensure that staff know who these children are, understand their academic progress and attainment and maintain a culture of high aspirations for this cohort. Support teaching staff to identify the challenges that children in this group might face and the additional academic support and adjustments that they could make to best support these children.

Ensure the plans to support pupils with safeguarding issues are rigorous, monitored and clearly shared with all those who are identified to support the pupil.

Display the academy's safeguarding chart, identifying all the academy's safeguarding team and ensure it is displayed throughout the academy.

Complete and return the Safeguarding Audit during the appropriate term.

Ensure all the reports to the AGB are up-to-date and accurate information is in line with requirements.

Ensure all supply agency staff and volunteers are appropriately briefed according to the academy's safeguarding procedures.

Provide training and support to parents / carers and pupils.

Ensure all visitors on site are aware of the academy's safeguarding responsibility and procedure.

Work alongside the Headteacher to provide safeguarding training in a timely manner.

Ensure formal cover is in place when they leave the academy site.

Understand the importance of information sharing and ensure all relevant bodies receive information in a timely manner.

**A deputy DSL will always be appointed to cover when the lead DSL is not available.**

### **Roles and Responsibilities of Other Academy Staff**

It is everyone's responsibility to keep pupils safe and all staff are expected to take this responsibility seriously.

Staff must abide by the academy's policies to keep pupils safe.

Any concerns must be discussed with the DSL and no staff member should keep information to themselves or decide they will not act because they use their own ideas of what is safe or unsafe. Academy policy must be followed.

If staff members are unsure, they should always speak to the DSL to clarify the situation and agree if any action is needed. Staff have a responsibility to record all concerns (using MyConcern or if no login details, then the academy concerns form) and forward this to the DSL or their deputy. All staff will work with the DSL and where appropriate support social workers to take decisions about individual pupils.

All staff, including volunteers and temporary staff must understand how the academy safeguards and promotes the welfare of pupils, including the academy safeguarding and child protection policy, their role, and responsibilities in this (including in relation to early help processes) and how to report any concerns.

All staff must ensure they are always vigilant and ensure any behaviours that may cause even a slight concern are taken seriously. This includes their concerns about fellow practitioners, visitors, or volunteers.

### **Staff Training**

It is our requirement that safeguarding training for staff, including online safety training, is integrated, aligned, and considered as part of the whole academy safeguarding approach and wider staff training and curriculum planning.

All new staff will be given an Induction Pack on Safeguarding. Induction training will ensure staff are able to recognise signs of child abuse and wider safeguarding issues and report any concerns immediately when they arise. (This is essential in respect of staff that are perhaps part-time or work with more than one academy, such as trainee teachers and supply teachers).

The L.E.A.D. Training Pathway for safeguarding will follow a core programme. Different levels of training are available for different roles in the academy.

#### **Timelines for training:**

Designated Safeguarding Lead training: refreshed **within every two years** (Statutory requirement).

Children in Education – Safeguarding Update training: To be refreshed **within every three years** as agreed with the Sheffield Children Safeguarding Partnership

The above training is available through the Safeguarding in Education Service

<https://www.safeguardingsheffieldchildren.org/scsp>

#### **All staff:**

Whole School Refresher Training at least annually with regular in-school updates, including online safety

Three mandatory modules per year on different themes (three year rolling programme, in line with academy context)

Safer recruitment training: To be refreshed every **three years**. Through LEAD Academy Trust accredited trainer or through local training provided by Sheffield LA.

All our staff, academies and AGBs are open to new learning and to keep up to date with changes made to national and local safeguarding policy, procedure and guidance including that provided by our safeguarding partners.

Training covers:

How to identify signs of abuse and when it is appropriate to make a referral.

A working knowledge of how Sheffield Children Safeguarding Partnership operate.

The conduct of a child protection case conference and being able to attend and contribute to these effectively when required to do so.

How to keep detailed, accurate, secure written records of referrals/concerns.

We can also source specific safeguarding training through National College, LEAD Academy Trust TSA training and links to the Sheffield Children Safeguarding Website.

Weekly or regular safeguarding updates will be shared with all staff to ensure they are always fully up to date.

## **Review**

The Birley Academy will evaluate and demonstrate how well we fulfil our statutory responsibilities and exercise professional judgment in keeping pupils safe as outlined in the statutory framework.

The Birley Academy will use the L.E.A.D. Academy Trust safeguarding audit and/or the Sheffield Children Safeguarding Partnership safeguarding audit to ensure we are fully compliant. The audits will be carried out every year and returned to L.E.A.D. We will write a safeguarding action plan linked to the findings of the audit. Our plan will clarify how we will address any areas for development within our practice, who will take their actions and a rigorous timeline for completion of the actions needed to improve our practice. The safeguarding audit will be completed by the DSL, Headteacher and safeguarding team. It will look at the academy's compliance with:

- Academy policy and practice.
- Keeping Children Safe in Education 2022.
- Working Together to Safeguard Children 2018.



- Local safeguarding arrangements.

This audit will assist with the annual safeguarding review of our academy, which will be carried out by the safeguarding team and L.E.A.D safeguarding compliance lead.

### **Designated staff**

Apart from our DSL(s) we have a Designated Teacher for 'looked after' and 'previously looked-after' pupils (Mark Jones). We will ensure that the appropriate members of staff have the skills, knowledge and understanding necessary to keep 'looked after' and 'previously looked after' pupils safe. We also ensure that the appropriate members of staff have the information they need in relation to a pupil's looked after legal status and contact arrangements with birth parents or those with parental responsibility.

Our AGB will have a named, trained Governing Board member for child protection whose training will be refreshed every year.

Staff will be given contact details for the Local Authority Designated Officer and the Central Duty Team, including the out-of-hours team.

### **Safe Environment / Contextual Safeguarding – pupils are safe and feel safe**

All our pupils are taught about safeguarding, including online safety (using non-statutory guidance and information in KCSIE 2022), through various teaching and learning opportunities, as part of providing a broad and balanced curriculum.

At The Birley Academy we adopt an open and accepting attitude towards pupils as part of our responsibility for pastoral care. We are committed to ensuring we take pupils' contextual circumstances into account. This is because what might appear as 'poor quality behaviour' could be part of wider contextual issues that are linked to abuse at home, child-on-child abuse or abuse online for example. Pupils, parents, and staff should be free to talk about any concerns and will see the academy as a safe place when there are difficulties. We will build an ethos of disclosure, and listening and believing, to build our pupils' confidence. Pupils' worries and fears will be taken seriously, and pupils encouraged to seek help from academy staff.

Extra-familial harms take a variety of different forms and children can be vulnerable to multiple harms including (but not limited to) sexual abuse, exploitation, criminal exploitation, county lines and serious youth violence.

At The Birley Academy we will therefore ensure that:

- An ethos where pupils feel secure and are encouraged to talk and are listened too, taken seriously, and responded to appropriately is established and maintained.
- We will regularly seek the views of our pupils in relation to the safety of our academy site, where abuse may occur and where they do not feel safe.
- Pupils are involved in the decision-making, which affects them.
- Pupils know that there are adults in the academy whom they can approach if they are worried or have difficulties and the academy has well developed listening systems.
- Posters are displayed which detail contact numbers for appropriate support services and child protection helplines e.g. local safeguarding arrangements and Childline.
- Proactive curriculum activities and opportunities are provided to equip pupils with the skills they need to stay safe from abuse.
- There is a clear written statement of the standards of behaviour and the boundaries of appropriate behaviour expected of staff and pupils that is understood and endorsed by all.
- Positive and safe behaviour is encouraged among pupils and staff are alert to changes in a pupil's behaviour and recognise that challenging behaviour may be an indicator of abuse.
- Effective working relationships are established with parents and colleagues from partner agencies.
- There is an awareness that personal and family circumstances and lifestyles of some pupils lead to an increased risk of neglect and/or abuse.
- Staff are appropriately trained in safeguarding according to their roles and responsibilities, have regular opportunities for safeguarding briefings and records are kept of all training undertaken.
- Safer recruitment procedures are used to make sure that all appropriate checks are carried out on staff (and volunteers) who work with pupils.
- Volunteers are appropriately supervised.

Any groups using academy premises for the provision of services to pupils have their own safeguarding policies, or adopt the academy policy, and have satisfactorily completed all appropriate checks.

### **Safeguarding as part of the Curriculum**

Relationships Education (for all primary pupils), Relationships and Sex Education (for all secondary pupils) and Health Education (for all pupils) is compulsory.

Through RSHE, PSHE, ICT and other curriculum opportunities, our pupils are helped to talk about their feelings, know about their rights and responsibilities, understand, and respond

to risks, to deal assertively with pressures and know who they can turn to for advice and help both in and out of the academy and how to make a complaint.

We have established a safeguarding curriculum map, which details where and when in the curriculum safeguarding is either explicitly taught or teaching opportunities are identified. This is reviewed regularly to consider national and local developments and context.

The following areas are addressed within RSHE, PSHE, ICT and in the wider curriculum:

- Bullying, including cyber-bullying
- E safety
- Road, fire, and water safety
- Inter-personal relationships and domestic abuse
- Child sexual exploitation (CSE), online and offline
- Honour based abuse and forced marriage
- Female genital mutilation (FGM)
- Radicalisation and extremism
- Relationship education (mandatory in primary schools from September 2020)
- Homelessness
- Gangs
- Risk taking behaviours
- Child-on-child abuse, sexual misconduct, violence, and harassment
- British Values

When children use the academy's network to access the internet, they are protected from inappropriate content by our filtering and monitoring systems. However, many pupils can access the internet using their own data plan. Adults in the academy and parents / carers must be vigilant in their awareness of references direct or indirect linked to safeguarding

### **Academy Safeguarding contact sheets**

These are on a set format and include all necessary emergency contact details. This includes the NSCPCC Whistleblowing Helpline number.

Business cards with all key information relevant to the Local City Safeguarding Partnership will be handed out to all staff, volunteers, supply staff and visitors.

### **Vulnerable Pupils**

We recognise that some pupils will be at increased risk of neglect and or abuse. Many factors can contribute to an increase in risk, including prejudice and discrimination, isolation, social exclusion, communication issues and reluctance on the part of some adults to accept that abuse happens, or who have a high level of tolerance in respect of neglect.

Some children can be potentially at greater risk of harm, in particular children who need a social worker (Child in Need and Child Protection Plans).

Some children may need a social worker due to safeguarding or welfare needs. Children may need this help due to abuse, neglect and complex family circumstances. A pupil's experiences of adversity and trauma can leave them vulnerable to further harm, as well as educationally disadvantaged in facing barriers to attendance, learning, behaviour, and mental health.

Our LA will inform us when a child has a social worker, and the designated safeguarding lead will hold and use this information so that decisions can be made in the best interests of the child's safety, welfare, and educational outcomes. This will be considered as a matter of routine.

Where children need a social worker, this will help us make informed decisions about safeguarding (for example, responding to unauthorised absence or missing education where there are known safeguarding risks) and about promoting welfare (for example, considering the provision of pastoral and/or academic support, alongside action by statutory services).

To ensure that all our pupils receive equal protection, we will give special consideration and attention to other pupils who are / have:

- disabled or have special educational needs (including certain health conditions)
- a mental health need
- living in a known domestic abuse situation
- affected by known parental substance (drugs and/or alcohol) misuse
- asylum seekers/refugees
- new communities
- living away from home, including private fostering arrangements
- vulnerable to being bullied, or engaging in bullying
- go missing from school, particularly on repeat occasions
- living in temporary accommodation
- at risk of child-on-child abuse
- living transient lifestyles
- living in chaotic, neglectful, and unsupportive home situations
- vulnerable to discrimination and maltreatment on the grounds of race, ethnicity, religion, or sexuality, including at risk of honour-based abuse
- at risk of sexual exploitation
- young carers
- 'looked after' pupils, pupils leaving care and those post adoption
- do not have English as a first language
- pupils vulnerable from CCE/CSE

- pupils vulnerable for County Lines
- living with family members in prison
- the wider context of a pupil's wider needs.

Special consideration includes the provision of safeguarding information, resources and support services in community languages and accessible formats.

## **Mental Health**

At The Birley Academy we take our responsibility for supporting and promoting the mental health and wellbeing of our pupils very seriously. We recognise 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. We have clear systems and processes in place for identifying possible mental health problems, including routes to escalate and clear referral and accountability systems. (Academies will need to detail the procedures and provision here)

We also have a member of staff trained as a 'Mental Health First Aider' (Nichola Middleton)

At The Birley Academy we have access to a range of advice to help us identify children in need of extra mental health support, this includes adhering to government guidance and working with external agencies such as:

Mental Health and Behaviour in Schools Guidance

Public Health England resources

Rise Above for links to all materials and lesson plans.

## **Child on child abuse**

At The Birley Academy all our staff are aware that children can abuse other children (often referred to as child on child abuse). And that it can happen both inside and outside of school and online. It is important that all our staff recognise the indicators and signs of child-on-child abuse and know how to identify it and respond to reports. At The Birley Academy we adopt a 'zero tolerance' approach so that all staff understand, that even if there are no reports or concerns raised, it does not mean it is not happening, it may be the case that it is just not being reported. As such it is important if staff have any concerns regarding child-on-child abuse, they should speak to the designated safeguarding lead (or deputy).

It is essential that all staff understand the importance of challenging inappropriate behaviours between peers, many of which are listed below, that are abusive in nature. Downplaying certain behaviours, for example dismissing sexual harassment as “just banter”, “just having a laugh”, “part of growing up” or “boys being boys” can lead to a culture of unacceptable behaviours, an unsafe environment for children and in worst case scenarios a culture that normalises abuse leading to children accepting it as normal and not coming forward to report it.

All staff are clear as to the academy’s policy and procedures with regards to child-on-child abuse and the important role they must play in preventing it and responding where they believe a child may be at risk from it.

We ensure that there are many avenues for pupils to report any form of child-on-child abuse including:

Speaking to a member of staff

Speaking to a DSL

Reporting using the ‘concern’ tab on our websites

Using the NSPCC helpline number 0800

### **Online safety (please read this alongside our separate online safety policy)**

At The Birley Academy we believe it is essential that children are safeguarded from potentially harmful and inappropriate online material. An effective whole school approach to online safety empowers our academy to protect and educate pupils, students, and staff in their use of technology and establishes mechanisms to identify, intervene in, and escalate any concerns where appropriate.

The breadth of issues classified within online safety is considerable, but can be categorised into four areas of risk:

- content: being exposed to illegal, inappropriate, or harmful content, for example: pornography, fake news, racism, misogyny, self-harm, suicide, anti-Semitism, radicalisation, and extremism.
- contact: being subjected to harmful online interaction with other users; for example: peer to peer pressure, commercial advertising and adults posing as children or young adults with the intention to groom or exploit them for sexual, criminal, financial or other purposes.
- conduct: personal online behaviour that increases the likelihood of, or causes, harm; for example, making, sending, and receiving explicit images (e.g consensual and non-consensual

sharing of nudes and semi-nudes and/or pornography, sharing other explicit images and online bullying; and

- commerce - risks such as online gambling, inappropriate advertising, phishing and or financial scams.

We ensure that online safety is a running and interrelated theme. We regularly consider how online safety is reflected as required in all relevant policies and consider online safety when planning the curriculum, any teacher training, the role and responsibilities of the designated safeguarding lead and any parental engagement.

Within our responsibility to safeguard and promote the welfare of children and provide them with a safe environment in which to learn, we are doing all that we reasonably can to limit children's exposure to risks from the academy IT system. As part of this process, we ensure we have appropriate filters and monitoring systems in place.

### **Multi-agency working**

We recognise that we have a pivotal role to play in multi-agency safeguarding arrangements and will ensure that we contribute to multi-agency working in line with statutory guidance Working Together to Safeguard Children.

New safeguarding partners and child death review partner arrangements are now in place. Locally, the three safeguarding partners (the local authority; a clinical commissioning group within the local authority; and the chief officer of police within the local authority area have published arrangements to allow us to work together with appropriate relevant agencies to safeguard and promote the welfare of our children, including identifying and responding to their needs.

All senior leaders and DSL are aware of and follow the local arrangements.

### **Working with parents and carers**

We recognise the importance of working with together with parents/carers to educate as well as safeguard and promote the welfare of pupils.

At The Birley Academy we will ensure that:

Parents and carers understand how we work to keep pupils safe through training and support via our academy website.

We work with parents positively, openly, and honestly.

Parents are encouraged to discuss their issues or concerns about safety and welfare of pupils, and they will be listened to and taken seriously.

We will provide parents with information about the support available to keep pupils safe within the academy, locally and nationally.

Up to date and accurate information is kept about pupils i.e. names and contact persons with whom the child normally lives, those with parental responsibility and emergency contact details. If different from the above those authorised to collect the child from school, name and contact details of GP, any relevant court orders or any other factors which may impact on the safety and welfare of the child. The academy will ensure that, if possible, it has three emergency contact details.

Information about pupils given to us by pupils themselves, their parents, or carers or by other agencies will remain confidential unless safeguarding means wider agencies need to be informed.

Staff will be given relevant information on a 'need to know' basis to support the child.

We will ensure parents know that any data we hold on to their children can and will be shared with wider agencies in line with the GDPR requirements should there be 'Special Category Personal Data'. It will be made clear to parents and carers that the academy has a duty to share information when there are any safeguarding concerns.

Parents understand we have a duty to keep records which relate to safeguarding work by the academy, or partner agencies as a requirement of 'Child Sexual Abuse 2014'. These will be kept securely, kept apart from the main pupil record and only accessible to key members of staff. Copies of these records will be securely sent to any school to which the child transfers.

Where we have reason to be concerned about the welfare of a child, we will always seek to discuss this with the pupil's parents or carers first, however, there may be occasions where we are not able to do this.

### **Taking Action on Concerns**

Key points to remember for taking action are:

The Serious Crime Act 2015 sets out a mandatory duty on professionals (including teachers) to notify police when they discover that FGM appears to have been carried out on a girl under 19. In schools, this will usually come from a disclosure.

Teachers must personally report to the police cases where they discover that an act of FGM appears to have been carried out; and discuss any such cases with the safeguarding lead and children's social care. The duty does not apply in relation to at risk or suspected cases.



The designated safeguarding lead will liaise with the three safeguarding partners and work with other agencies in line with 'Working Together to Safeguard Children' and NPCC (National Police Chiefs' Council)- 'When to call the police'. When there is an emergency take the action necessary to help the child, for example, call 999. Report the concern to the DSL or the deputy as soon as you can and by the end of the day at the latest.

If the DSL or their deputy is not around, ensure the information is shared with the most senior person in the academy that day and ensure action is taken to report complex/serious or child protection concerns to Pupil's Social Care. Do not start your own investigation. Share information on a need-to-know basis only – do not discuss the issue with colleagues, friends, or family.

At the conclusion of a case in which an allegation against an adult is substantiated, the designated officer(s) should review the circumstances of the case with the case manager to determine whether there are any improvements to be made to the academy or college's procedures or practice to help prevent similar events in the future. This should include issues arising from the decision to suspend the member of staff, the duration of the suspension and whether suspension was justified. Lessons should also be learnt from the use of suspension when the individual is subsequently reinstated. The designated officer(s) and case manager should consider how future investigations of a similar nature could be carried out without suspending the individual.

### **Reporting Concerns (see Flowchart page 13)**

When adults in the academy have a concern about a child or young person they should:

#### **For pupils at risk of immediate danger or at risk of harm**

Promptly complete a concern form in writing or if you have access to 'MyConcern' complete the referral online. No concern is too small.

Child Protection Forms for written concerns can be found in the Safeguarding Office or with a DSL if there is no access to MyConcern because the adult has no log in access. Any paper copies of concerns **must be** handed into the DSL **immediately**.

If you are using 'MyConcern' the DSL will receive it electronically. The DSL should be contacted to ensure they have received the referral.

A body map can also be used when using 'MyConcern'. Or if using a paper version, it will need to be scanned in by the DSL.

If it is an FGM referral staff must personally report to the police where they discover **an act of FGM has taken place**. A written Child Protection form or 'MyConcern' referral should

also be completed. The case would then be discussed with the DSL and Children's Social Care. **This does not apply in relation to 'at risk' or suspected cases.** For these cases continue with a Child Protection Form or by logging it on MyConcern.

#### **For cases where there is a general concern**

For cases where there is no major risk to the child, but the member of staff still has concerns, such as, never eats breakfast. The member of staff should record their concerns on a 'Concern Form', if not using 'MyConcern'. For staff with access to 'MyConcern' they should select the appropriate category and record their concerns.

All staff will follow Sheffield LA Safeguarding Partnership and Safeguarding Pupils Procedures. These can be found on the academy system under "Safeguarding" and are also located on the local safeguarding policies and guidance page of:

<https://www.safeguardingsheffieldchildren.org/scsp>

The Sheffield Children Safeguarding Partnership thresholds document supports the DSL and academy staff in their decision making about the pupil's needs and the appropriate assessment and interventions.

It is not the responsibility of the academy staff to investigate welfare concerns or determine the truth of any disclosure or allegation; this is the responsibility of Children's Social Care. All staff however have a duty to recognise concerns and maintain an open mind. Accordingly, all concerns regarding the welfare of pupils will be recorded as early as possible and discussed with the DSL (or another senior member of staff in their absence) prior to any discussion with parents.

If anyone suspects a child has emerging, complex/serious needs or there are child protection concerns, information about abuse and neglect can be found in Appendix 1.

There will be occasions when adults suspect that a child may be at risk but have no 'real' evidence. The pupil's behaviour and or appearance may have changed, their attendance at school may have reduced, their ability to concentrate and focus may have altered, or they may have noticed other physical but inconclusive signs. In these circumstances, the adult will try to give the child the opportunity to talk. The signs they have noticed may be due to a variety of factors and it is fine to ask the child if they are alright or if they can help in any way.

We will record these early concerns using safeguarding concerns sheets or by logging it on MyConcern. If a child or adult does begin to reveal that a child is being harmed, they will follow the advice in the section 'If information is disclosed to you'.

## **If Information is Disclosed to Our Staff**

It takes a lot of courage for a child, parent, carer, or other significant adult to disclose that they are worried or have concerns. They may feel ashamed, the abuser may have threatened what will happen if they tell, they may have lost all trust in adults, or they may believe, or have been told that the abuse is their own fault.

If a child or adult talks to a member of staff about any risks to a pupil's safety or wellbeing they will need to let them know that they must pass the information on – they are not allowed to keep secrets. The point at which they do this is a matter of professional judgement.

Any member of staff who has concerns disclosed to them should always reassure the victim that they are being taken seriously and that they will be supported. The adult should never give the impression that they are creating a problem by reporting abuse, sexual violence, or harassment.

### **During a conversation with the child or adult:**

Allow them to speak freely, listen to what is being said without interruption and without asking leading questions.

Keep questions to a minimum and of an open nature i.e., 'can you tell me what happened?' rather than 'did x hit you?'

Remain calm and do not overreact – the child or adult may stop talking if they feel they are upsetting you.

Give reassuring nods or words of comfort – 'I'm so sorry this has happened', 'I want to help', 'this isn't your fault', 'You are doing the right thing in talking to me'.

Do not be afraid of silences – remember how hard this must be for the child or adult. Under no circumstances ask investigative questions – such as how many times this has happened, whether it happens to siblings too, or what do other family members think about all this.

At an appropriate time, tell the child or adult that to help them you must pass the information on.

Do not automatically offer any physical touch as comfort; it may be anything but comforting to a child who has been abused.

Avoid admonishing the child or adult for not disclosing earlier. Saying 'I do wish you had told me about this when it started' or 'I can't believe what I'm hearing' may be your way of being supportive but they may interpret it that they have done something wrong.

Tell the child or adult what will happen next. The child or adult may agree to go with you to see the Designated Safeguarding Lead. Otherwise let them know that someone will come to see or contact them before the end of the day.

Report verbally to the DSL.

Follow the reporting concerns information for the academy.

Seek support if you feel distressed.

If you are unsure, you should always have a discussion with the DSL to agree the best way forward.

Staff must immediately inform the DSL (Child Protection Form or 'MyConcern') if there is:

- Any suspicion that a child is injured, marked, or bruised in a way, which is not readily attributable to the normal knocks or scrapes received in play.
- Any explanation given which appears inconsistent or suspicious.
- Any behaviour, which give rise to suspicions that a child may have suffered harm.
- Any concerns that a child may be suffering from inadequate care, ill treatment, or emotional maltreatment.
- Any concerns that a child is presenting signs or symptoms of abuse or neglect.
- Any significant changes in a pupil's presentation, including non-attendance.
- Any hint or disclosure of abuse about or by a child/young person.
- Any concerns regarding person(s) who may pose a risk to pupils e.g., living in a household with pupils present.
- Information, which indicates that the child is living with someone who does not have parental responsibility for them (private fostering).
- Any concerns that a child is at risk of forced marriage, so called honour-based violence or female genital mutilation (FGM).
- Homelessness concerns.

### **Notifying parents**

We will normally seek to discuss any needs or concerns about a child with their parents or carers. This must be handled sensitively. Where an early help assessment would benefit the child and their family the most appropriate member of academy staff should approach the parent/carer to take this forward. In situations where there are serious/complex needs or child protection concerns the DSL will contact the parent or carer. However, if the academy believes that notifying parents could increase the risk to the child or exacerbate the

problem, then advice will first be sought from Children's Social Care. (Please see above reference to GDPR and disclosure).

### **Getting help for the child**

If a referral to Social Care is not considered appropriate, consideration will be made to what support the child and family need. The academy will consider what support could be offered within the academy, it may be useful to undertake an EHA to clarify the pupil's needs/strengths and the supports required and/or make a referral for other services. We will ensure a clear system for recording the decisions made. Regular review of the pupils' needs may indicate that the concerns need to be escalated and a referral to an external agency must be made. However, if the DSL and safeguarding team have assessed that the pupil's needs can be met from within the academy, regular recorded updates of decisions will be placed on the MyConcern record. **Full written records of the information that the DSL received, detailing the actions taken or not taken and the reasons for these will be made.**

### **Using the Early Help Assessment (EHA)**

Where parents, carers or pupils tell us that they require support, or academy staff identify that there may be emerging needs and that services might be required an EHA is likely to be beneficial. In such cases staff will have an open discussion with the parents/carers and child about the support and services that might help and agree how they would be accessed.

### **Low level needs**

Where the academy and another service, e.g., school nurse, may be able to meet the needs, take swift action and prevent needs escalating. The EHA pre-assessment checklist and request for support form will be completed to identify and document the needs. This process may identify that an early help assessment may be needed and the action to be taken.

### **Special Educational Needs and Disability**

The Sheffield Academy recognises that there are sometimes additional barriers when recognising signs and abuse in children who have special educational needs/ disabilities. Part 1 Safeguarding Training (KCSIE) covers this area and highlights to staff and volunteers the additional risks.

Children and young people with special educational needs and disabilities can face additional safeguarding challenges because:

- there may be assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability without further exploration

- children with SEN and disabilities can be disproportionately impacted by things like bullying without outwardly showing any signs
- difficulties may arise in overcoming communication barriers.

In our academy, we identify pupils who might need more support to be kept safe or to keep themselves safe. Children in Early Years may also not be able to communicate confidently or effectively and so in our academy's systems are put in place to support communication.

### **Emerging needs**

Where the child or parent are likely to require co-ordinated support from a range of early help services, or where there are concerns for a pupil's well-being or a pupil's needs are not clear, not known or not being met, staff should discuss the use of the early help assessment with the child and/or their parents or carers. Where a multi-agency response is needed a team around the family (TAF) should be formed to bring together practitioners from the different services so that they, along with the family, can work together to meet the pupil's needs.

For more information about the early help assessment process see Sheffield Children Safeguarding Partnership website.

At each stage of the process where serious/complex needs or child protection concerns are identified, a referral to Children's Social Care will be made. See below.

### **Referral to Children's Social Care**

If it is believed that a child has complex/serious needs or where there are child protection concerns, the DSL will make a referral to Pupil's Social Care. See Sheffield Children Safeguarding Partnership threshold document and safeguarding pupils' procedures.

### **Action following referral**

The DSL or other appropriate member of staff will:

- Follow up the referral in writing within 24 hours using any existing assessment e.g., early help assessment or the child referral form.
- Maintain contact with the allocated Social Worker.
- Contribute to the strategy discussion or meetings.
- Provide a report for, attend, and contribute to any initial and review child protection conference.
- Share the content of this report with the parent and if appropriate the child, prior to the meeting.
- Attend core group meetings for any child subject to a child protection plan or child in need meeting for any child subject to a child in need plan.

- Where a child on a 'child protection plan', 'child in need' plan or is 'looked after' moves from the academy or goes missing, immediately inform the key worker in Social Care.
- Press for re-consideration if the pupil's situation does not appear to be improving.

See Sheffield Children Safeguarding Partnership Escalation policy.

### **Confidentiality, sharing information and record keeping**

Information will be shared in line with GDPR.

Staff should only discuss concerns with the Designated Safeguarding Lead, Headteacher or Chair of AGB (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.

Wherever possible consent will be sought to share information however where there are safeguarding concerns about a child, information will be shared with the appropriate organisations such as Social Care. In most cases concerns will be discussed with parents and carers prior to the referral taking place unless doing so would increase risk.

The Trust's policy on confidentiality and information-sharing is available to parents and pupils on request.

### **Record keeping**

Records of concerns documentation and other written information will be stored in a locked facility and any electronic information (MyConcern) will be password protected and only made available to relevant individuals.

Records (paper and electronic) will include:

- a clear and comprehensive summary of concerns
- details of how concerns were followed up and resolved
- notes of any action taken, decisions reached and the outcomes.

Safeguarding information will be stored separately from the pupil's school file and the school file will be 'tagged' to indicate that separate information is held.

Copies of these records will be securely sent to any school to which the child transfers within five days of transfer and a confirmation of receipt obtained.

In addition to the child protection file, the DSL will also consider if it would be appropriate to share any additional information with the new school in advance of a child leaving to help them put in place the right support to safeguard the child.

## Disclosure

The Birley Academy may share data with other agencies such as the local authority, funding bodies and other voluntary agencies.

The individual will be made aware in most circumstances how and with whom their information will be shared. There are circumstances where the law allows The L.E.A.D. Academy Trust to disclose data (including sensitive data) without the data subject's consent.

These are:

- Carrying out a legal duty or as authorised by the Secretary of State
- Protecting vital interests of an individual/a service user or other person
- The individual/service user has already made the information public
- Conducting any legal proceedings, obtaining legal advice, or defending any legal rights
- Monitoring for equal opportunities purposes – i.e., race, disability, or religion
- Providing a confidential service where the individual's consent cannot be obtained or where it is reasonable to proceed without consent: e.g., where we would wish to avoid forcing stressed or ill individual users to provide consent signatures.

The Birley Academy regards the lawful and correct treatment of personal information as very important to our successful working, and to maintaining the confidence of those with whom we deal.

The Birley Academy will ensure that personal information is treated lawfully and correctly.

To this end, The Birley Academy will adhere to the Principles of Data Protection, as detailed in the GDPR Data Protection Act 2019.

**Cross Reference:** Freedom of Information Policy; Equality Policy; Data Protection Policy (Academy Level) Information Sharing 2019.

### **Support for those involved in a safeguarding/child protection issue**

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

- Taking all suspicions and disclosures seriously.
- Nominating a link person who will keep all parties informed and be the central point of contact.
- Where a member of staff is the subject of an allegation made by a child, a separate link person will be nominated to avoid any conflict of interest.
- Responding sympathetically to any request from a child or member of staff for time out to deal with distress or anxiety.



- Maintaining confidentiality and sharing information on a need-to-know basis only with relevant individuals and agencies.
- Storing records securely.
- Offering details of helplines, counselling, or other avenues of external support.
- Following the procedures laid down in our whistle blowing, complaints and disciplinary procedures.
- Co-operating fully with relevant statutory agencies.

### **Safer Recruitment and Selection of Academy Staff at The Birley Academy (Also see separate Safer Recruitment Policy)**

We have adopted robust recruitment and selection procedures that minimise the risk of employing people who might abuse pupils or are otherwise unsuitable to work with them. We complete a full range of checks, which are carried out to minimise the possibility of pupils and young people suffering harm from those they consider to be in positions of trust.

We ensure that all appropriate measures are applied in relation to everyone who works in the academy, including volunteers and staff employed by contractors. This is an essential part of creating a safe environment for pupils and young people.

Safer practice in recruitment means thinking about and including issues involving child protection and safeguarding pupils at every stage of the process. This includes obtaining and scrutinising comprehensive information about applicants. For example, obtaining professional references, verifying academic or vocational qualifications, previous employment history, verifying health and physical capacity for the job as well as resolving any discrepancies or anomalies in references.

It also includes ensuring that advertising, job descriptions, person specifications and interview processes includes safeguarding and right to work checks.

Everyone who works in the academy, including volunteers will have appropriate Disclosure and Barring Service (DBS) checks. See DBS policy statement. (See Safer Recruitment Policy)

We will ensure that those involved with the recruitment and employment of staff to work with children have received appropriate safer recruitment training, as laid out in the training spreadsheet and training requirements.

### **Concerns about safeguarding / whistleblowing**

All staff should feel able to raise concerns about poor or unsafe practice and potential failures in the academy's safeguarding regime and we encourage all staff to raise any such

issues with the academy's headteacher at the earliest possible opportunity. In addition, the academy's Whistle-Blowing Policy is available to staff who have concerns in this area.

A whistleblowing disclosure must be about something that affects the general public such as:

- a criminal offence has been committed, is being committed or is likely to be committed
- a legal obligation has been breached
- there has been a miscarriage of justice
- the health or safety of any individual has been endangered
- the environment has been damaged
- information about any of the above has been concealed.

The NSPCC runs a whistleblowing helpline on behalf of the government, the number is

**0800 0280285**

### **'Extended School' and Off-site Arrangements**

Where extended school activities are provided by and managed by the academy, our own safeguarding policy and procedures apply. If other organisations provide services or activities on our site, we will check that they have appropriate procedures in place, including safer recruitment checks and procedures. When our pupils attend offsite activities, we will check that effective child protection arrangements are in place. This includes where pupils are educated off-site in alternative provision as a regular activity. In the case of alternative provision, it is the duty of the academy to check that all the required safeguarding checks have been carried out by the alternative provision. The academy will ensure regular safeguarding checks are carried out at the alternative provision and these checks will be recorded and reviewed by the safeguarding team at the academy. Pupil's views of the provision will be sought as a matter of course.

When services or activities are provided separately by another body. We will seek assurance that the body concerned has appropriate safeguarding and child protection policies and procedures in place; and ensure that there are arrangements in place to liaise with us where appropriate; also ensure safeguarding requirements are included in any transfer of control agreement.

We are committed to keeping children safe whilst on educational visits and residential trips. Our own safeguarding policy and procedures always apply. Please refer to the school Educational Visit Policy for further information regarding safeguarding during educational visits.

## **Work Experience**

At The Birley Academy when we organise work experience placements, we will ensure that the placement provider has policies and procedures in place to protect children from harm.

Children's barred list checks via the DBS might be required on some people who supervise a child under the age of 16 on a work experience placement. We will always consider the specific circumstances of the work experience and, to the nature of the supervision and the frequency of the activity being supervised, to determine what, if any, checks are necessary.

These considerations would include whether the person providing the teaching/training/instruction/supervision to the child on work experience will be:

- unsupervised themselves
- providing the teaching/training/instruction frequently (more than three days in a 30day period, or overnight).

If the person working with the child is unsupervised and the same person is in frequent contact with the child, the work is likely to be regulated activity relating to children. If so, we will ask the employer providing the work experience to ensure that the person providing the instruction or training is not a barred person.

## **Allegations made against/concerns raised in relation to teachers, including supply teachers, other staff, volunteers, and contractors (Read alongside Allegations Management Policy)**

At The Birley Academy, we recognise the possibility that adults (including supply staff, contractors, and volunteers) working in the academy may harm children or behave in a way that might indicate they would pose a risk of harm to children. Any concerns about the conduct of adults in the academy should be taken to the Headteacher without delay. (Or where that is not possible, to the Designated Safeguarding Lead).

Any concerns about the Headteacher should go to the Director of school. If the concern relates to the Director of schools, it is reported to the (Chief Executive Officer) CEO of the Trust. If it relates to the CEO the referral is made to the chair of the Trust. The Director of schools, CEO and Chair of the Trust Board can be contacted through the main office at L.E.A.D Nottingham.

Safe recruitment practices are vital whenever someone is recruited to work with pupils however, this is not the end of the matter. Academies are safe environments for most pupils and most people who work with pupils have their safety and welfare at heart. Everyone in the academy is mindful that some individuals seek access to pupils to abuse them and that the nature of abuse means that pupils often do not disclose. It is crucial that everyone is aware of these issues, and the need to adopt ways of working and appropriate practice to help reduce allegations. It is also important that everyone can raise concerns about what seems to be poor or unsafe practice by colleagues. These concerns and concerns expressed by pupils, parents and others are listened to and taken seriously. Where appropriate, action is taken in accordance with procedures for dealing with allegations made against/concerns raised in relation to teachers, including supply teachers, other staff, volunteers, and contractors.

It is essential that any allegation against a teacher or other member of staff (including supply staff), contractors, or volunteer is dealt with quickly, in a fair and consistent way that provides effective protection for the child and at the same time supports the person who is subject to the allegation.

Where an allegation is made against a teacher or member of staff (including supply staff, contractors, and volunteers) it might indicate that they have:

- behaved in a way that has harmed a child, or may have harmed a child
- possibly committed a criminal offence against or related to a child
- behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children
- behaved or may have behaved in a way that indicates they may not be suitable to work with children.

We will take the allegation seriously and act in accordance with KCSIE 2022. The academy will follow the managing allegations against staff policy and procedures including contractors and volunteers.

### **Monitoring and Evaluation of this policy**

The Birley Academy and LEAD Academy Trust are responsible for monitoring and evaluating the impact of this policy.

The trust board will monitor the impact of the implementation of safeguarding practice through this policy using the Trust's Safeguarding Assurance Cycle.

## Part 2

### Appendix 1

#### Indicators of abuse and neglect

All school and college staff should be aware that abuse, neglect, and safeguarding issues are rarely standalone events that can be covered by one definition or label. In most cases, multiple issues will overlap with one another.

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

**Physical abuse:** a form of abuse, which may involve hitting, shaking, throwing, poisoning, burning, or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.

Physical abuse can happen in any family, but children may be more at risk if their parents have problems with drugs, alcohol and mental health or they live in a home where domestic abuse happens. Babies and disabled children also have a higher risk of suffering physical abuse.

**Some of the following signs may be indicators of physical abuse:**

Children with frequent injuries;  
Children with unexplained or unusual fractures or broken bones;  
Children with unexplained -  
Bruises or cuts;  
Burns or scalds; Bite  
marks.

**Emotional abuse:** the persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child's developmental capability as well as overprotection and limitation of exploration and learning or preventing the child from participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, although it may occur alone.

Although the effects of emotional abuse might take a long time to be recognisable, practitioners will be able to observe it, for example in the way that a parent interacts with their child.

**Some of the following signs may be indicators of emotional abuse:**

Children who are excessively withdrawn, fearful, or anxious about doing something wrong;  
Parents or carers who withdraw their attention from their child, giving the child the 'cold shoulder';  
Parents or carers blaming their problems on their child; and  
Parents or carers who humiliate their child, for example, by name-calling or making negative comparisons.

**Sexual abuse:** Sexual abuse: involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving violence, whether the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing, and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse. Sexual abuse can take place online, and technology can be used to facilitate offline abuse. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children. The sexual abuse of children by other children is a specific safeguarding issue (also known as child-on-child abuse) in education and all staff should be aware of it and of their school or colleges policy and procedures for dealing with it

Many children who are victims of sexual abuse do not recognise themselves as such; they may not understand what is happening and may not understand that it is wrong.

**Some of the following signs may be indicators of sexual abuse:**

Children who display knowledge or interest in sexual acts inappropriate to their age; Children who use sexual language or have sexual knowledge that you wouldn't expect them to have; Children who ask others to behave sexually or play sexual games; and Children with physical sexual health problems, including soreness in the genital or anal areas, sexually transmitted infections or underage pregnancy.

Child sexual exploitation is a form of 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 19 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 using technology.

Potential vulnerabilities include:

Although the following vulnerabilities increase the risk of child sexual exploitation, it must be remembered that not all children with these indicators will be exploited. Child sexual exploitation can occur without any of these issues.

- Having a prior experience of neglect, physical and/or sexual abuse.

- Lack of a safe/stable home environment, now or in the past (domestic violence or parental substance misuse, mental health issues or criminality, for example).
- Recent bereavement or loss.
- Social isolation or social difficulties.
- Absence of a safe environment to explore sexuality.
- Economic vulnerability.
- Homelessness or insecure accommodation status.
- Connections with other children and young people who are being sexually exploited.
- Family members or other connections involved in adult sex work.
- Having a physical or learning disability.
- Being in care (particularly those in residential care and those with interrupted care histories); and
- Sexual identity.

Indicators of child sexual exploitation may include:

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



**Neglect:** the persistent failure to meet a child’s basic physical and/or psychological needs, likely to result in the serious impairment of the child’s health or development. Neglect may occur during pregnancy, for example, because 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 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.

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

Children who are neglected often also suffer from other types of abuse. It is important that practitioners remain alert and do not miss opportunities to take timely action. However, while you may be concerned about a child, neglect is not always straightforward to identify.

Neglect may occur if a parent becomes physically or mentally unable to care for a child. A parent may also have a dependency on alcohol and/or drugs, which could impair their ability to keep a child safe or result in them prioritising buying drugs, or alcohol, over food, clothing, or warmth for the child.

**Some of the following signs may be indicators of neglect:**

- Children who are living in a home that is indisputably dirty or unsafe;
- Children who are left hungry or dirty;
- Children who are left without adequate clothing, e.g. not having a winter coat;
- Children who are living in dangerous conditions, i.e. around drugs, alcohol or violence;
- Children who are often angry, aggressive or self-harm;
- Children who fail to receive basic health care<sup>4</sup>; and
- Parents who fail to seek medical treatment when their children are ill or are injured.

## Appendix 2

### Specific safeguarding issues

All staff should have an awareness of safeguarding issues that can put children at risk of harm. Behaviours linked to issues such as domestic abuse, drug taking, alcohol abuse, deliberately missing education, and sexting (also known as youth produced sexual imagery) put children in danger.

All staff should be aware that safeguarding issues could manifest themselves via child-on-child abuse. This is most likely to include, but may not be limited to:

- bullying (including cyberbullying)
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm
- sexual violence and sexual harassment
- sexting (also known as youth produced sexual imagery); and
- Initiation/hazing type violence and rituals.

All staff should be clear as to the academy's policy and procedures with regards to child-on-child abuse.

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

### Child abduction and community safety incidents

Child abduction is the unauthorised removal or retention of a minor from a parent or anyone with legal responsibility for the child. Child abduction can be committed by parents

or other family members; by people known but not related to the victim (such as neighbours, friends, and acquaintances); and by strangers. Other community safety incidents in the vicinity of a school can raise concerns amongst children and parents, for example, people loitering nearby or unknown adults engaging children in conversation. As children get older and are granted more independence (for example, as they start walking to school on their own) it is important they are given practical advice on how to keep themselves safe.

Further information is available at: [www.actionagainstabduction.org](http://www.actionagainstabduction.org) and [www.clevernevergoes.org](http://www.clevernevergoes.org).

### Bereavement/Pupil's death

Stages of Grief: There appears to be a series of stages of grief that individuals may go through in a set order:

Shock

Denial

Depression

Guilt

Anxiety

Anger

Growing Acceptance

As a member of staff in the short-term, you can:

- tell pupils the facts of the incidents (stop rumours)
- answer questions honestly
- create a supportive atmosphere where feelings can be expressed
- enable your pupils to share thoughts and feelings
- let them know if you are grieving too
- help your pupils to realise that their grief is natural and normal
- be alert to pupil's behaviour
- be aware of specific problems relating to schoolwork
- make sure your pupils can make use of arrangements in school such as a quiet place and/or someone to talk to
- provide resources for pupils to read and discuss (if appropriate)
- try to keep the normal routines going

- help to create a network whereby pupils who are most affected can meet and talk together with a member of staff (if appropriate) for as long as is necessary.

Be aware that staff responses will vary in implementing the above.

Do not feel guilty if you need some support in working with your class on these issues.

### [Bullying \(racist, disability, homophobic, transphobic\)](#)

Bullying is behaviour that hurts someone else – such as name calling, hitting, pushing, spreading rumours, threatening, or undermining someone. It can happen anywhere – at school, at home or online. It is usually repeated over a long period of time and can hurt a child both physically and emotionally. Bullying that happens online, using social networks and mobile phones, is often called cyberbullying. A child can feel like there is no escape because it can happen wherever they are, at any time of day or night.

In this case, all incidents are recorded in class logs and referred to the Headteacher, Deputy Headteacher or Assistant Headteacher for further investigation and appropriate action.

### [Child-on-Child abuse See appendix 3](#)

Children can abuse other children. This is generally referred to as child-on-child abuse and can take many forms. This can include (but is not limited to) bullying (including cyberbullying); sexual violence and sexual harassment; physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm; sexting and initiating/hazing type violence and rituals.

### [Children and the court system](#)

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

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

Making child arrangements via the family courts following separation can be stressful and entrench conflict in families.

### [Children missing from education \(DfE guidance: Children Missing Education.\)](#)

Children missing from education, particularly persistently, can act as a vital warning sign to a range of safeguarding issues including neglect, sexual abuse, and child sexual and criminal

exploitation including county lines. It may indicate mental health problems, risk of substance abuse, risk of travelling to conflict zones, risk of female genital mutilation, 'honour'-based abuse, or risk of forced marriage. It is important our academy's response to children missing from education supports identifying such abuse and helps prevent the risk of them going missing in the future. This includes when problems are first emerging but also where children are already known to local authority children's social care and need a social worker (such as on a child in need or child protection plan, or as a looked after child), where going missing from education may increase known safeguarding risks within the family or in the community.

All staff should be aware that children going missing, particularly repeatedly, could act as a vital warning sign of a range of safeguarding possibilities. Staff should be aware of their school or college's unauthorised absence and children missing from education procedures.

Knowing where children are during school hours is an extremely important aspect of Safeguarding. We monitor attendance carefully and address poor or irregular attendance immediately. We will always follow up with parents/carers when pupils are not at school. This means we need to have a least two up to date contacts numbers for parents/carers and Trust 'best practice' of three. Parents should remember to update the school as soon as possible if the numbers change.

Procedures to inform the local authority when we plan to take pupils off-roll when they:

- leave school to be home educated
- move away from the school's location
- remain medically unfit beyond compulsory school age
- are in custody for four months or more (and will not return to school afterwards); or
- are permanently excluded

We will ensure that pupils who are expected to attend the school but fail to take up the place will be referred to the local authority.

When a pupil leaves the school, we will record the name of the pupil's new school and their expected start date.

Further information and support, includes:

schools' duties regarding children missing education, including information schools must provide to the local authority when removing a child from the school roll at standard and non-standard transition points can be found in the further information for colleges providing education for a child of compulsory school age can be found in: Full-time-Enrolment of 14- to 16-year-olds in Further Education and Sixth Form Colleges.

General information and advice for schools and colleges can be found in the Government's Missing Children and Adults Strategy.

### Children with family members in prison

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

### Child Sexual Exploitation (CSE) and Child Criminal Exploitation (CCE)

Both CSE and CCE are forms of abuse that occur where an individual or group takes advantage of an imbalance in power to coerce, manipulate or deceive a child into taking part in sexual or criminal activity, in exchange for something the victim needs or wants, and/or for the financial advantage or increased status of the perpetrator or facilitator and/or through violence or the threat of violence. CSE and CCE can affect children, both male and female and can include children who have been moved (commonly referred to as trafficking) for the purpose of exploitation.

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

Some specific forms of CCE can include children being forced or manipulated into transporting drugs or money through county lines, working in cannabis factories, shoplifting or pickpocketing. They can also be forced or manipulated into committing vehicle crime or threatening/committing serious violence to others.

Children can become trapped by this type of exploitation as perpetrators can threaten victims (and their families) with violence, or entrap and coerce them into debt. They may be coerced into carrying weapons such as knives or begin to carry a knife for a sense of protection from harm from others. As children involved in criminal exploitation often commit crimes themselves, their vulnerability as victims is not always recognized by adults and professionals, (particularly older children), and they are not treated as victims despite the harm they have experienced. They may still have been criminally exploited even if the activity appears to be something they have agreed or consented to.

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

Some of the following can be indicators of CCE:

- Children who appear with unexplained gifts or new possessions

- children who associate with other young people involved in exploitation
- children who suffer from changes in emotional wellbeing
- children who misuse drugs and alcohol
- children who go missing for periods of time or regularly come home late
- children who regularly miss school or education or do not take part in education.

### **Child Sexual Exploitation (CCE)**

CSE is a form of child sexual abuse. Sexual abuse may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing, and touching outside clothing. It may include non-contact activities, such as involving children in the production of sexual images, forcing children to look at sexual images or watch sexual activities, encouraging children to behave in sexually inappropriate ways or grooming a child in preparation for abuse including via the internet.

CSE can occur over time or be a one-off occurrence, and may happen without the child's immediate knowledge e.g. through others sharing videos or images of them on social media. CSE can affect any child, who has been coerced into engaging in sexual activities. This includes 16 and 17 year olds who can legally consent to have sex. Some children may not realise they are being exploited e.g. they believe they are in a genuine romantic relationship.

Staff should be aware of the key indicators of children being sexually exploited which can include:

- going missing for periods of time or regularly coming home late
- regularly missing school or education or not taking part in education
- 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
- mood swings or changes in emotional wellbeing
- drug and alcohol misuse; and displaying inappropriate sexualised behaviour.

Staff should also be aware that many children and young people who are victims of sexual exploitation do not recognise themselves as such.

### **There are three main types of child sexual exploitation**

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### **Inappropriate relationships:**

Usually involves just one abuser who has inappropriate power – physical, emotional, or financial – or control over a young person. The young person may believe they have a genuine friendship or loving relationship with their abuser.

### **Boyfriend-Girlfriend / Boyfriend-Boyfriend / Girlfriend-Girlfriend**

Abuser grooms the victim by striking up a normal relationship with them, giving them gifts and meeting in cafés or shopping centres. A seemingly consensual sexual relationship develops but later turns abusive. Victims are required to attend parties and sleep with multiple men/women and threatened with violence if they try to seek help.

### **Organised exploitation and trafficking:**

Victims are trafficked through criminal networks – often between towns and cities – and forced or coerced into sex with multiple men. They may also be used to recruit new victims. This serious organised activity can involve the buying and selling of young people.

### **Child criminal exploitation: county lines**

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

Exploitation is an integral part of the county lines offending model with children and vulnerable adults exploited to move [and store] drugs and money. Offenders will often use coercion, intimidation, violence (including sexual violence) and weapons to ensure compliance of victims. Children can be targeted and recruited into county lines in several locations including schools, further and higher educational institutions, pupil referral units, special educational needs schools, children’s homes, and care homes. Children are often recruited to move drugs and money between locations and are known to be exposed to techniques such as ‘plugging’, where drugs are concealed internally to avoid detection. Children can easily become trapped by this type of exploitation as county lines gangs create drug debts and can threaten serious violence and kidnap towards victims (and their families) if they attempt to leave the county lines network.

One of the ways of identifying potential involvement in county lines are missing episodes (from both home and school), when the victim may have been trafficked for the purpose of transporting drugs and a referral to the National Referral Mechanism<sup>103</sup> should be considered. If a child is suspected to be at risk of or involved in county lines, a safeguarding referral should be considered alongside consideration of availability of local services/third sector providers who offer support to victims of county lines exploitation.



Further information on the signs of a child's involvement in county lines is available in guidance published by the Home Office.

Like other forms of abuse and exploitation, county lines exploitation:

- can affect any child or young person (male or female) under the age of 19 years
- can affect any vulnerable adult over the age of 19 years
- can still be exploitation even if the activity appears consensual
- can involve force and/or enticement-based methods of compliance and is often accompanied by violence or threats of violence
- can be perpetrated by individuals or groups, males or females, and young people or adults
- is typified by some form of power imbalance in favour of those perpetrating the exploitation. Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, cognitive ability, physical strength, status, and access to economic or other resources.

### Modern Slavery and the National Referral Mechanism

Modern slavery encompasses human trafficking and slavery, servitude and forced or compulsory labour. Exploitation can take many forms, including sexual exploitation, forced labour, slavery, servitude, forced criminality and the removal of organs.

Further information on the signs that someone may be a victim of modern slavery, the support available to victims and how to refer them to the NRM is available in the Modern Slavery Statutory Guidance. Modern slavery: how to identify and support victims - GOV.UK ([www.gov.uk](http://www.gov.uk))

### Cybercrime

Cybercrime is criminal activity committed using computers and/or the internet. It is broadly categorised as either 'cyber-enabled' (crimes that can happen off-line but are enabled at scale and at speed on-line) or 'cyber dependent' (crimes that can be committed only by using a computer). Cyber-dependent crimes include:

- unauthorised access to computers (illegal 'hacking'), for example accessing a school's computer network to look for test paper answers or change grades awarded
- denial of Service (Dos or DDoS) attacks or 'booting'. These are attempts to make a computer, network, or website unavailable by overwhelming it with internet traffic from multiple sources

- making, supplying, or obtaining malware (malicious software) such as viruses, spyware, ransomware, botnets, and Remote Access Trojans with the intent to commit further offence, including those above.

Children with skills and interest in computing and technology may inadvertently or deliberately stray into cyber-dependent crime.

If there are concerns about a child in this area, the designated safeguarding lead (or a deputy), should consider referring into the Cyber Choices programme. This is a nationwide police programme supported by the Home Office and led by the National Crime Agency, working with regional and local policing. It aims to intervene where young people are at risk of committing, or being drawn into, low level cyber-dependent offences and divert them to a more positive use of their skills and interests.

Additional advice can be found at: Cyber Choices, 'NPCC- When to call the Police' and National Cyber Security Centre - [NCSC.GOV.UK](https://www.ncsc.gov.uk)

### Domestic abuse

The Domestic Abuse Act 2021 received Royal Assent on 29 April 2021. The Act introduces the first ever statutory definition of domestic abuse and recognises the impact of domestic abuse on children, as victims in their own right, if they see, hear, or experience the effects of abuse. The statutory definition of domestic abuse, ensures that different types of relationships are captured, including ex-partners and family members. The definition identifies a range of different abusive behaviours, including physical, emotional, and economic abuse and coercive and controlling behaviour. Both the person who is carrying out the behaviour and the person to whom the behaviour is directed towards must be aged 16 or over and they must be "personally connected".

Types of domestic abuse include intimate partner violence, abuse by family members, teenage relationship abuse and child/adolescent to parent violence and abuse. Anyone can be a victim of domestic abuse, regardless of gender, age, ethnicity, socio-economic status, sexuality or background and domestic abuse can take place inside or outside of the home. All children can witness and be adversely affected by domestic abuse in the context of their home life where domestic abuse occurs between family members. Experiencing domestic abuse and/or violence can have a serious, long lasting emotional and psychological impact on children. In some cases, a child may blame themselves for the abuse or may have had to leave the family home as a result. Young people can also experience domestic abuse within their own intimate relationships. This form of child-on-child abuse is sometimes referred to as 'teenage relationship abuse'. Depending on the age of the young people, this may not be recognised in law under the statutory definition of 'domestic abuse' (if one or both parties are under 16). However, as with any child under 18, where there are concerns about safety

or welfare, child safeguarding procedures should be followed and both young victims and young perpetrators should be offered support.

All staff must be aware and alert to indications or allegations of domestic abuse:

- Prolonged and or regular exposure to domestic abuse can have a serious impact on a pupil's development and emotional well-being.
- It will affect social relationships and ability to function at school.
- Pupils may be subject to physical violence themselves.
- Physical and psychological abuse can impair the abused parent's ability to care for and protect the child.
- The impact of domestic abuse is exacerbated when combined with drink or drug misuse.
- Pupils may be pressurised into concealing parental conflict or domestic violence.

Even when violence is not present pupils can suffer extreme anxiety and distress through exposure to parental conflict.

In this case, all information needs recording on a concern form and referring to the DSL. Social Care is likely to be informed following this.

### Operation Encompass

Operation Encompass operates in most police forces across England. It helps police and schools work together to provide emotional and practical help to children. The system ensures that when police are called to an incident of domestic abuse, where there are children in the household who have experienced the domestic incident, the police will inform the key adult (usually the designated safeguarding lead) in school before the child or children arrive at school the following day. This ensures that the school has up to date relevant information about the child's circumstances and can enable support to be given to the child according to their needs. Police forces not signed up to operation encompass will have their own arrangements in place.

### National Domestic Abuse Helpline

Refuge runs the National Domestic Abuse Helpline, which can be called free of charge and in confidence, 24 hours a day on 0808 2000 247. Its website provides guidance and support for potential victims, as well as those who are worried about friends and loved ones. It also has a form through which a safe time from the team for a call can be booked. Additional advice on identifying children who are affected by domestic abuse and how they can be helped is available at:

- NSPCC- UK domestic-abuse Signs Symptoms Effects
- Refuge what is domestic violence/effects of domestic violence on children

- Safelives: young people and domestic abuse.
- Domestic abuse: specialist sources of support - GOV.UK ([www.gov.uk](http://www.gov.uk))(includes information for adult victims, young people facing abuse in their own relationships and parents experiencing child to parent violence/abuse)

### Drugs/Alcohol abuse

Drug abusers often try to conceal their symptoms and downplay their problem. Warning signs include bloodshot eyes, pupils in the eyes being larger or smaller than usual, changes in appetite or sleep patterns, sudden weight loss or weight gain, deterioration of physical appearance, personal, grooming habits, unusual smells on breath, body, or clothing, tremors, slurred speech, or impaired coordination.

Behavioural signs of drug abuse include drop in attendance and performance at school, unexplained need for money or financial problems, may borrow or steal to get it, engaging in secretive or suspicious behaviours, sudden change in friends, favourite hangouts, and hobbies, frequently getting into trouble (fights, accidents, illegal activities).

Psychological warning signs of drug abuse include unexplained change in personality or attitude; sudden mood swings, irritability, or angry outbursts; periods of unusual hyperactivity, agitation, or giddiness; lack of motivation; appears lethargic or “spaced out”; appears fearful, anxious, or paranoid, with no reason.

In this case, complete a concern form and pass to the DSL. Discuss with parents for possible outcomes.

### Elective Home Education

We expect any parents’ decision to home educate to be made with their child’s best education at the heart of the decision. However, home education can mean some children are less visible to the services that are there to keep them safe and supported in line with their needs.

From September 2016 the Education (Pupil Registration) (England) Regulations 2006 were amended so that schools must inform their LA of all deletions from their admission register when a child is taken off roll.

Where a parent/carer has expressed their intention to remove a child from our academy with a view to educating at home, we along with key professionals work together to coordinate a meeting with parents/carers where possible. Ideally, this would be before a final decision has been made, to ensure the parents/carers have considered what is in the best interests of each child. This is particularly important where a child has SEND, is vulnerable, and/or has a social worker.

DfE guidance for local authorities on elective home education sets out the role and responsibilities of LAs and their powers to engage with parents in relation to EHE.

### Extremism and Radicalisation

As part of the Counter Terrorism and Security Act 2015, schools have a duty to 'prevent people being drawn into terrorism'. This has become known as the 'Prevent Duty'.

Where staff are concerned that children and young people are developing extremist views or show signs of becoming radicalized, they should discuss this with the Designated Safeguarding Lead.

The Designated Safeguarding Lead has received training about the Prevent Duty and tackling extremism and is able to support staff with any concerns they may have.

We use the curriculum to ensure that children and young people understand how people with extreme views share these with others, especially using the internet.

We are committed to ensuring that our pupils are offered a broad and balanced curriculum that aims to prepare them for life in modern Britain. Teaching the school's core values alongside the fundamental British Values supports quality teaching and learning, whilst making a positive contribution to the development of a fair, just and civil society.

### Recognising Extremism

Early indicators of radicalisation or extremism may include:

- showing sympathy for extremist causes
- glorifying violence, especially to other faiths or cultures
- making remarks or comments about being at extremist events or rallies outside school
- evidence of possessing illegal or extremist literature
- advocating messages similar to illegal organisations or other extremist groups
- out of character changes in dress, behaviour, and peer relationships (but there are also very powerful narratives, programmes, and networks that young people can come across online so involvement with particular groups may not be apparent.)
- secretive behaviour
- online searches or sharing extremist messages or social profiles
- intolerance of difference, including faith, culture, gender, race, or sexuality
- graffiti, artwork or writing that displays extremist themes
- attempts to impose extremist views or practices on others
- verbalising anti-Western or anti-British views
- advocating violence towards others.

### Preventing radicalisation

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

Extremism is the vocal or active opposition to our fundamental values, including the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs. This also includes calling for the death of members of the armed forces.

Radicalisation refers to the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups.

There is no single way of identifying whether a child is likely to be susceptible to an extremist ideology. Background factors combined with specific influences such as family and friends may contribute to a child's vulnerability. Similarly, radicalisation can occur through many different methods (such as social media) and settings (such as the internet).

However, it is possible to protect vulnerable people from extremist ideology and intervene to prevent those at risk of radicalisation being radicalised. As with other safeguarding risks, staff should be alert to changes in children's behaviour which could indicate that they may need help or protection. Staff should use their judgement in identifying children who might be at risk of radicalisation and act proportionately which may include the designated safeguarding lead (or deputy) making a referral to the Channel programme.

### **The Prevent duty**

All schools and colleges are subject to a duty under section 26 of the Counter- Terrorism and Security Act 2015 (the CTSA 2015), in the exercise of their functions, to have "due regard to the need to prevent people from being drawn into terrorism" This duty is known as the Prevent duty.

The Prevent duty should be seen as part of schools' and colleges' wider safeguarding obligations. Designated safeguarding leads and other senior leaders should familiarise themselves with the Revised Prevent duty guidance: for England and Wales, especially paragraphs 57-76 which are specifically concerned with schools (and also covers childcare). The guidance is set out in terms of four general themes: Risk assessment, working in partnership, staff training, and IT policies.

#### **Additional support**

The department for Education has published advice for schools on the Prevent duty. The advice is intended to complement the Prevent guidance and signposts other sources of advice and support.

There is additional guidance: Prevent duty guidance: for further education institutions in England and Wales that applies to colleges.

Educate Against Hate, a website launched by the Her Majesty's Government has been developed to support and equip school and college leaders, teachers, and parents with information, tools and resources (including on the promotion of fundamental British values) to help recognise and address extremism and radicalisation in young people. The platform provides information on and access to training resources for teachers, staff and school and college leaders, some of which are free such as Prevent e-learning, via the Prevent Training catalogue.

## Channel

Channel is a programme which focuses on providing support at an early stage to people who are identified as being vulnerable to being drawn into terrorism. It provides a mechanism for schools to make referrals if they are concerned that an individual might be vulnerable to radicalisation. An individual's engagement with the programme is entirely voluntary at all stages. Guidance on Channel is available at: [Channel guidance](#), and a Channel awareness e-learning programme is available for staff at: [Channel General Awareness](#).

The school or college's Designated Safeguarding Lead (and any deputies) should be aware of local procedures for making a Channel referral. As a Channel partner, the school or college may be asked to attend a Channel panel to discuss the individual referred to determine whether they are vulnerable to being drawn into terrorism and consider the appropriate support required.

## Terrorism

This is an action that endangers or causes serious violence to a person/people; causes serious damage to property; or seriously interferes or disrupts an electronic system. The use or threat must be designed to influence the government or to intimidate the public and is made for the purpose of advancing a political, religious, or ideological cause.

## Homelessness

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

The Homelessness Reduction Act 2017 places a new legal duty on English councils so that everyone who is homeless or at risk of homelessness will have access to meaningful help

including an assessment of their needs and circumstances, the development of a personalised housing plan, and work to help them retain their accommodation or find a new place to live. The new duties shift focus to early intervention and encourage those at risk to seek support as soon as possible before they are facing a homelessness crisis.

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

### Honour Based Abuse

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

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

### FGM mandatory reporting duty for teachers

Section 5B of the Female Genital Mutilation Act 2003 (as inserted by section 74 of the Serious Crime Act 2015) places a statutory duty upon teachers along with regulated health and social care professionals in England and Wales, to report to the police where they discover (either through disclosure by the victim or visual evidence) that FGM appears to have been carried out on a girl under 19. Those failing to report such cases will face



disciplinary sanctions. It will be rare for teachers to see visual evidence, and they should not be examining pupils, 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.

Teachers must personally report to the police cases where they discover that an act of FGM appears to have been carried out.<sup>100</sup> Unless the teacher has good reason not to, they should still consider and discuss any such case with the school or college’s designated safeguarding lead (or deputy) and involve children’s social care as appropriate. The duty does not apply in relation to at risk or suspected cases (i.e., where the teacher does not discover that an act of FGM appears to have been carried out, either through disclosure by the victim or visual evidence) or in cases where the woman is 19 or over. In these cases, teachers should follow local safeguarding procedures.

Female genital mutilation refers to procedures that intentionally alter or cause injury to the female genital organs for non-medical reasons. The practice is illegal in the UK.

FGM typically takes place between birth and around 15 years old; however, it is believed that most cases happen between the ages of 5 and 8.

#### **Risk factors for FGM include:**

- low level of integration into UK society
- mother or a sister who has undergone FGM
- girls who are withdrawn from PSHE
- visiting female elder from the country of origin
- being taken on a long holiday to the country of origin
- talk about a ‘special’ procedure to become a woman.

#### **Symptoms of FGM**

FGM may be likely if there is a visiting female elder, there is talk of a special procedure or celebration to become a woman, or parents wish to take their daughter out-of-school to visit an ‘at-risk’ country (especially before the summer holidays), or parents who wish to withdraw their children from learning about FGM.

Indications that FGM may have already taken place may include:

- Difficulty walking, sitting, or standing and may even look uncomfortable.
- Spending longer than normal in the bathroom or toilet due to difficulties urinating.
- Spending long periods of time away from a classroom during the day with bladder or menstrual problems.
- Frequent urinary, menstrual or stomach problems.

- Prolonged or repeated absences from school or college, especially with noticeable behaviour changes (e.g., withdrawal or depression) on the girl's return
- Reluctance to undergo normal medical examinations.
- Confiding in a professional without being explicit about the problem due to embarrassment or fear.
- Talking about pain or discomfort between her legs.

### **Things to be aware of in dealing with cases of FGM**

For many people, prosecuting their family is something they simply will not consider.

If the girl is from overseas, fleeing potential FGM and applying to remain in the UK as a refugee is a complicated process and may require professional immigration advice (see [www.ukba.homeoffice.gov.uk/asylum](http://www.ukba.homeoffice.gov.uk/asylum) for more information about the asylum application process).

Professionals need to be extremely sensitive to these fears when dealing with a victim or potential victim from overseas, even if they have indefinite leave to remain (ILR) or a right of abode, as they may not be aware of their true immigration position. These circumstances make them particularly vulnerable.

Do not allow any investigation of their immigration status to impede police enquiries into an offence that may have been committed against the victim or their children. UK

Border Agency officials and police officers may choose to establish an agreement or protocol about how any two simultaneous investigations may work.

Other risk factors include:

- where the family is less integrated within UK society
- where the mother or other women in the extended family have also been subject to FGM
- where a girl has been withdrawn from sex education lessons and there is a reluctance for her to be informed about her body and her rights.

### **Forced marriage**

Forcing a person into a marriage is a crime in England and Wales. 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. A lack of full and free consent can be where a person does not consent or where they cannot consent (if they have learning disabilities, for example). Nevertheless, some communities use religion and culture to

coerce a person into marriage. Schools and colleges can play an important role in safeguarding children from forced marriage.

The Forced Marriage Unit has published statutory guidance and Multi-agency guidelines, with pages 35-36 of which focus on the role of schools and colleges. School and college staff can contact the Forced Marriage Unit if they need advice or information: Contact: 020 7008 0151 or email [fmufco.gov.uk](mailto:fmufco.gov.uk).

### Gang activity and youth violence

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

In this case, all information needs recording on a concern form and referring to the DSL.

### Grooming

Grooming is when someone builds an emotional connection with a child to gain their trust for the purposes of sexual abuse or exploitation. Pupils and young people can be groomed online, or by someone they have met - for example a family member, friend or professional.

Groomers may be male or female. They could be any age. Many pupils and young people do not understand that they have been groomed, or that what has happened is abuse.

In this case, all information needs recording on a concern form and referring to the DSL. A referral will then be made to Social Care and the Police.

### Harmful Sexual Behaviour See Appendix 4

### Mental Health

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

Only appropriately trained professionals should attempt to make a diagnosis of a mental health problem. Staff, however, are well placed to observe children day-to-day and identify those whose behaviour suggests that they may be experiencing a mental health problem or be at risk of developing one.

Where children have suffered abuse and neglect, or other potentially traumatic adverse childhood experiences, this can have a lasting impact throughout childhood, adolescence

and into adulthood. It is key that staff are aware of how these children's experiences, can impact on their mental health, behaviour, and education.

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

The department has published advice and guidance on Preventing and Tackling Bullying, and Mental Health and Behaviour in Schools (which may also be useful for colleges). In addition, Public Health England has produced a range of resources to support secondary school teachers to promote positive health, wellbeing and resilience among young people including its guidance Promoting children and young people's emotional health and wellbeing. Its resources include social media, forming positive relationships, smoking and alcohol. See Rise Above for links to all materials and lesson plans.

### Police and Criminal Evidence Act (1984) – Code C

The Designated Safeguarding Lead (and deputy) are aware of the requirement for children to have an appropriate adult when in contact with Police officers who suspect them of an offence.

PACE states that anyone who appears to be under 18, shall, in the absence of clear evidence that they are older, be treated as a child for the purposes of this Code and any other Code.

PACE also states that If at any time an officer has any reason to suspect that a person of any age may be vulnerable, then that person is entitled to be accompanied by an appropriate adult at any point.

The Designated Safeguarding (or deputy) will communicate any vulnerabilities known by the school to any police officer who wishes to speak to a pupil about an offence they may suspect. This communication will be recorded on MyConcern.

If having been informed of the vulnerabilities, the designated safeguarding lead (or deputy) does not feel that the officer is acting in accordance with PACE, they should ask to speak with a supervisor or contact 101 to escalate their concerns.

A person whom there are grounds to suspect of an offence must be cautioned<sup>1</sup> before questioned about an offence<sup>2</sup>, or asked further questions if the answers they provide the

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<sup>1</sup> The police caution is: "You do not have to say anything. But it may harm your defence if you do not mention when questioned something which you later rely on in Court. Anything you do say may be given in evidence."

<sup>2</sup> A person need not be cautioned if questions are for other necessary purposes, e.g.: (a) solely to establish their identity or ownership of any vehicle; to obtain information in accordance with any relevant statutory requirement; in furtherance of the proper and effective conduct of a search, e.g. to determine the need to search in the exercise of powers of stop and search or to seek co-operation

grounds for suspicion, or when put to them the suspect's answers or silence, (i.e. failure or refusal to answer or answer satisfactorily) may be given in evidence to a court in a prosecution.

A Police Officer must not caution a juvenile or a vulnerable person unless the appropriate adult is present. If a child or a vulnerable person is cautioned in the absence of the appropriate adult, the caution must be repeated in the appropriate adult's presence.

**The appropriate adult' means, in the case of a child:**

- the parent, guardian or, if the juvenile is in the care of a local authority or voluntary organisation, a person representing that authority or organisation.
- a social worker of a local authority
- failing these, some other responsible adult aged 18 or over who is not:
  - a police officer;
  - employed by the police;
  - under the direction or control of the chief officer of a police force; or
  - a person who provides services under contractual arrangements (but without being employed by the chief officer of a police force), to assist that force in relation to the discharge of its chief officer's functions,

Further information can be found in the Statutory guidance - [PACE Code C 2019](#).

<https://www.gov.uk/government/publications/pace-code-c-2019/pace-code-c-2019-accessible>

### Prejudice based abuse

Prejudice based abuse or hate crime is any criminal offence which is perceived by the victim or any other person to be motivated by a hostility or prejudice based on a person's real or perceived:

- Disability
- Race
- Religion
- Gender identity
- Sexual orientation

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while carrying out a search; or to seek verification of a written record.

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Although this sort of crime is collectively known as 'Hate Crime' the offender does not have to go as far as being motivated by 'hate', they only have to exhibit 'hostility'. This can be evidenced by:

- threatened or actual physical assault
- derogatory name calling, insults, for example racist jokes or homophobic language
- hate graffiti (e.g., on school furniture, walls, or books)
- provocative behaviour e.g., wearing of badges or symbols belonging to known right wing, or extremist organisations
- distributing literature that may be offensive in relation to a protected characteristic
- verbal abuse
- inciting hatred or bullying against pupils who share a protected characteristic
- prejudiced or hostile comments during discussions within lessons
- teasing in relation to any protected characteristic e.g., sexuality, language, religion, or cultural background
- refusal to co-operate with others because of their protected characteristic, whether real or perceived
- expressions of prejudice calculated to offend or influence the behaviour of others
- attempts to recruit other pupils to organisations and groups that sanction violence, terrorism, or hatred.

We will respond by:

- clearly identifying prejudice-based incidents and hate crimes and monitor the frequency and nature of them within the school
- taking preventative action to reduce the likelihood of such incidents occurring
- recognising the wider implications of such incidents for the school and local community
- providing regular reports of these incidents to the Trust DSLs
- ensuring that staff are familiar with formal procedures for recording and dealing with prejudice-based incidents and hate crimes
- dealing with perpetrators of prejudice-based abuse effectively
- supporting victims of prejudice-based incidents and hate crimes
- ensuring that staff are familiar with a range of restorative practices to address bullying and prevent it happening again.

### Private fostering

A private fostering arrangement is one that is made privately (without the involvement of a local authority) for the care of a child under the age of 16 years (under 19, if disabled) by someone other than a parent or close relative, in their own home, with the intention that it should last for 28 days or more.

A close family relative is defined as a 'grandparent, brother, sister, uncle or aunt' and includes half-siblings and stepparents; it does not include great-aunts or uncles, great grandparents, or cousins.

Parents and private foster carers both have a legal duty to inform the relevant local authority at least six weeks before the arrangement is due to start; not to do so is a criminal offence.

Whilst most privately fostered children are appropriately supported and looked after, they are a potentially vulnerable group who should be monitored by the local authority, particularly when the child has come from another country. In some cases, privately fostered children are affected by abuse and neglect, or be involved in trafficking, child sexual exploitation or modern-day slavery.

Schools have a mandatory duty to report to the local authority where they are aware or suspect that a child is subject to a private fostering arrangement. Although schools have a duty to inform the local authority, there is no duty for anyone, including the private foster carer or social workers to inform the school. However, it should be clear to the school who has parental responsibility.

School staff should notify the designated safeguarding lead when they become aware of private fostering arrangements. The designated safeguarding lead will speak to the family of the child involved to check that they are aware of their duty to inform the LA. The school itself has a duty to inform the local authority of the private fostering arrangements.

On admission to the school, we will take steps to verify the relationship of the adults to the child who is being registered.

### [Pupils Who Go Missing From Home/School](#)

Knowing where children are during school hours is an extremely important aspect of Safeguarding. Missing school can be an indicator of abuse and neglect and may also raise concerns about child sexual exploitation.

We monitor attendance carefully and address poor or irregular attendance without delay.

In response to the guidance in [Keeping Children Safe in Education \(2021\)](#) the school has:

- Staff who understand what to do when children do not attend regularly
- Appropriate policies, procedures and responses for pupils who go missing from education (especially on repeat occasions).
- Staff who know the signs and triggers for travelling to conflict zones, FGM and forced marriage.
- Procedures to inform the local authority when we plan to take pupils off-roll when they:

- leave school to be home educated
- move away from the school's location
- remain medically unfit beyond compulsory school age
- are in custody for four months or more (and will not return to school afterwards); or
- are permanently excluded.

We will ensure that pupils who are expected to attend the school but fail to take up the place will be referred to the local authority.

When a pupil leaves the school, we will record the name of the pupil's new school and their expected start date.

If a pupil runs out of school and does not return, the school must inform parents and then alert the Police.

### Prostitution

Staff should consider the following indicators to make an assessment, being aware that this may include elements of the below:

- Changes in behaviour.
- Lateness.
- Missing from home.
- Non school attendance.
- Unusual or excessive amounts of money or gifts/clothes.
- Signs of physical abuse.
- Lack of concern or care about self.
- Drugs.
- Alcohol.
- Rejection of usual friendship groups and withdrawal.
- Attitude to school rules and discipline.

The child or young person has not committed a crime. They are vulnerable to abuse and violence and must be protected.

A concern form must be completed and given to the DSL who then must report it to Social Care and the Police.

### Witchcraft

This includes abuse that might arise through a belief in spirit possession or other spiritual or religious beliefs. Whilst specific beliefs, practices, terms, or forms of abuse may exist, the underlying reasons for the abuse are often like other contexts in which pupils become at risk of poor outcomes due to factors such as family stress, deprivation, domestic violence,



substance abuse and or mental health problems. In addition, pupils who are different in some way, perhaps because they have a disability, an illness, learning needs, or are exceptionally bright, might be targeted in this kind of abuse. In some cases, there will be no obvious difference and the child will have been targeted because they will have been perceived to be 'spiritually' different.

### **Additional support for academies**

Partnerships - Schools invest time and other resources in partnership activity and this investment should be aimed at improving outcomes for pupils. The Local Authority actively promotes the benefits to schools of partnerships and in this case to safeguard and improve the outcomes for potentially vulnerable pupils. Examples of this are:

Parental E-learning (free): Child Sexual Exploitation is a high-profile issue. Secondary schools and academies are asked to promote this e-learning with their parents and carers as it is an opportunity to improve their awareness in identifying and responding to child sexual exploitation from a preventative or early intervention perspective.

<http://www.paceuk.info/the-problem/keep-them-safe/>

Pint Size Theatre: Secondary Schools and Academies can access a performance of Pintsize Theatre's 'LUVU2' production. It is an interactive play aimed at raising awareness of Child Sexual Exploitation (CSE) with young people aged 13-14

(Year 9). Contact is via email [www.pintsizetheatre.co.uk](http://www.pintsizetheatre.co.uk) or Tel: 0115 8419853.

NSPCC Child line Project: (funded through the DfE) The project is free of charge to all primary schools and pupils in Years 5 & 6. Raising awareness through interactive classroom sessions with trained NSPCC staff, they come into schools, provide an assembly and workshops to raise the awareness with pupils about what is or is not acceptable behaviour and how and where to seek help if worried. Contact for this is - [EGrishin@NSPCC.org.uk](mailto:EGrishin@NSPCC.org.uk) or Tel: 0115 9258602.

### **Further Guidance**

#### Abuse

- What to do if you are worried a child is being abused – DfE advice
- Domestic abuse: Various Information/Guidance - Home Office (HO)
- Faith based abuse: National Action Plan - DfE advice

- Relationship abuse: disrespect nobody - Home Office website
- Tackling Child Sexual Abuse Strategy – Home Office policy paper
- Together we can stop child sexual abuse – HM Government campaign

#### Bullying

- Preventing bullying including cyberbullying - DfE advice

#### Children missing from education, home, or care

- Children missing education - DfE statutory guidance
- Child missing from home or care - DfE statutory guidance
- Children and adults missing strategy - Home Office strategy

#### Children with family members in prison

- National Information Centre on Children of Offenders - Barnardo's in partnership with HM Prison and Probation Service

#### Child Exploitation

- Trafficking: safeguarding children - DfE and HO guidance
- Care of unaccompanied and trafficked children – DfE statutory guidance
- Modern slavery: how to identify and support victims – HO statutory guidance

#### Drugs

- Drug strategy 2017 - Home Office strategy
- Information and advice on drugs - Talk to Frank website
- Drug and Alcohol education — teacher guidance & evidence review – PSHE Association website

“Honour Based Abuse” including FGM and forced marriage

- Female genital mutilation: information and resources- Home Office guidance
- Female genital mutilation: multi agency statutory guidance - DfE, DH, and HO statutory guidance
- [fmu@fcdo.gov.uk](mailto:fmu@fcdo.gov.uk) - Forced Marriage Unit (FMU) statutory guidance
- FGM resource pack – HM Government guidance

Health and Well-being

- Fabricated or induced illness: safeguarding children - DfE, DH, HO
- Rise Above: Free PSHE resources on health, wellbeing, and resilience - Public Health England
- Medical-conditions: supporting pupils at school - DfE statutory guidance
- Mental health and behaviour - DfE advice

Homelessness

- Homelessness: How local authorities should exercise their functions - Ministry of Housing, Communities & Local Government guidance

Private fostering

- Private fostering: local authorities - DfE statutory guidance

Radicalisation

- Prevent duty guidance- Home Office guidance
- Prevent duty: additional advice for schools and childcare providers - DfE advice
- Educate Against Hate website - DfE and Home Office advice
- Prevent for FE and Training - Education and Training Foundation (ETF)

## Violence

- Serious violence strategy - Home Office Strategy
- Factors linked to serious violence and how these factors can be used to identify individuals for intervention – Home Office
- Youth Endowment Fund – Home Office
- Gangs and youth violence: for schools and colleges - Home Office advice
- Ending violence against women and girls 2016-2020 strategy - Home Office strategy
- Violence against women and girls: national statement of expectations for victims -Home Office guidance
- Sexual violence and sexual harassment between children in schools and colleges-DfE advice

## Appendix 3

### **Child-on-child Abuse Appendix**

This appendix sets out our strategy for improving prevention, and identifying and appropriately managing child-on-child abuse. It is reviewed annually, and updated as required, to ensure that it continually addresses the risks to which pupils are or may be exposed.

We recognise that all forms of improper behaviour is abuse, and will never be passed off as ‘banter’, ‘just having a laugh’, or ‘part of growing up’.

We have decided not to use the term ‘victim’ and/or ‘perpetrator’. This is because our academy takes a safeguarding approach to all individuals involved in concerns or allegations about child-on-child abuse, including those who are alleged to have been abused, and those who are alleged to have abused their peers. Research has shown that many children who present with harmful behaviour towards others, in the context of child-on-child abuse, are themselves vulnerable and may have been victimised by peers, parents or adults in the community prior to their abuse of peers.

We have chosen to adopt a wide interpretation of our safeguarding responsibilities so that they apply to all pupils, regardless of age. Although the starting point is that our academy’s response to child-on-child abuse should be the same for all pupils, regardless of age, there may be some different considerations to be made.

Similarly, our response to incidents involving the exchange of 'youth involved' sexual imagery will need to differ depending on the age of the pupils involved. There is also likely to be a more significant criminal justice response in relation to any pupil responsible for abuse who is aged 18 or over.

### **What is child-on-child abuse?**

Pupils can abuse other pupils. This is referred to as child-on-child abuse and can take many forms. This can include (but is not limited to) bullying (including cyberbullying); sexual violence and sexual harassment; physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm; sexting and initiating/hazing type violence and rituals.

child-on-child abuse is most likely to include, but may not be limited to:

- bullying (including cyberbullying, prejudice-based and discriminatory bullying);
- abuse in intimate personal relationships between peers;
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm (this may include an online element which facilitates, threatens and/or encourages physical abuse);
- sexual violence, such as rape, assault by penetration and sexual assault ;( this may include an online element that facilitates, threatens and/or encourages sexual violence);
- sexual harassment, such as sexual comments, remarks, jokes and online sexual harassment, which may be standalone or part of a broader pattern of abuse;
- causing someone to engage in sexual activity without consent, such as forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party;
- consensual and non-consensual sharing of nudes and semi-nude images and or video (also known as sexting or youth produced sexual imagery);
- up skirting, which typically involves taking a picture under a person's clothing without their permission, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm; and
- initiation/hazing type violence and rituals (this could include activities involving harassment, abuse or humiliation used as a way of initiating a person into a group and may also include an online element).

Different gender issues can be prevalent when dealing with child-on-child abuse. This could for example include girls being sexually touched/assaulted or boys being subject to initiation-type violence.

## **Vulnerable Pupils**

Any pupil can be vulnerable to child-on-child abuse due to the strength of peer influence during adolescence but some pupils are particularly vulnerable to abusing or being abused by their peers. Staff will be alert to signs of such abuse amongst all pupils, and individual and situational factors can increase a pupil's vulnerability to abuse by their peers. For example, an image of a pupil could be shared, following which they could become more vulnerable to child-on-child abuse due to how others now perceive them, regardless of any characteristics, which may be inherent in them and/or their family.

Some pupils may be more likely to experience child-on-child abuse because of certain characteristics such as sexual orientation, ethnicity, race or religious beliefs.

We also appreciate that peer group dynamics can also play an important role in determining a pupil's vulnerability to such abuse. For example, pupils who are more likely to follow others and/or who are socially isolated from their peers may be more vulnerable to child-on-child abuse. Pupils who are questioning or exploring their sexuality may also be particularly vulnerable to abuse by their peers.

Research suggests that:

- Child-on-child abuse may affect boys differently from girls, and that this difference may result from societal norms (particularly around power, control and the way in which femininity and masculinity are constructed) rather than biological make-up.
- Barriers to disclosure will also be different. As a result, we recognise that these will play out differently in single sex, mixed or gender- imbalanced environments,
- Pupils with Special Educational Needs and/or Disabilities (SEND) are three times more likely to be abused than those without SEND, and additional barriers can sometimes exist when recognising abuse in pupils with SEND.

These can include:

- assumptions that indicators of possible abuse such as behaviour, mood and injury relate to a pupil's disability without further exploration;
- the potential for pupils with SEND to be disproportionately impacted by behaviours such as bullying and harassment, without outwardly showing any signs;
- communication barriers and difficulties, and overcoming these barriers.

### **A whole academy approach:**

We believe that all pupils have a right to attend our academy and learn in a safe environment. Pupils should be free from harm. All staff understand, that even if there are no reports or concerns raised, it does not mean it is not happening; it may be the case that it is just not being reported.

## School environment

At The Birley Academy, we work to ensure we have conditions in which our pupils can aspire to, and realise, safe and healthy relationships fostering a whole-school culture:

- which is founded on the idea that every member of our academy community is responsible for building and maintaining safe and positive relationships, and helping to create a safe environment in which violence and abuse are never acceptable; and in which certain behaviour is not tolerated
- in which pupils are able to develop trusting relationships with staff, and in which staff understand, through regular discussion and training, the importance of these relationships in providing pupils with a sense of belonging, which could otherwise be sought in problematic contexts;
- in which pupils feel able to share their concerns openly, in a non-judgmental environment, and have them listened to;
- respond to cases of child-on-child abuse promptly and appropriately,
- ensure that all child-on-child abuse issues are fed back to the academy safeguarding and DSL so that they can spot and address any concerning trends and identify pupils who may be in need of additional support;
- challenge the attitudes that underlie such abuse (both inside and outside the classroom).

## Staff and Adults

At The Birley Academy, we actively seek to raise awareness of and prevent all forms of child-on-child abuse by:

- Educating all governors, staff, pupils, and parents about this issue. This includes training **all** staff and governors, on the nature, prevalence and effect of child-on-child abuse, and how to prevent, identify, and respond to it. All staff are trained to meet low-level mental health difficulties.

This includes:

- contextual safeguarding
- the identification and classification of specific behaviours, including digital behaviours,
- the importance of taking seriously all forms of child-on-child abuse (no matter how 'low level' they may appear)
- ensuring that no form of child-on-child abuse is ever dismissed
- social media and online safety, including how to encourage children to use social media in and positive, responsible and safe way, and how to enable them to identify and manage abusive behaviour online

- Supporting the on-going welfare of pupils by using resources that prioritise mental health, and by providing in-school counselling and therapy to address underlying mental health needs
- working with all staff, pupils and parents to address equality issues, to promote positive values, and to encourage a culture of tolerance and respect amongst all members of the academy community.

## **Pupils**

We also ensure that we are educating pupils about the nature and prevalence of child-on-child abuse, positive, responsible and safe use of social media, and the unequivocal facts about consent, via PSHE and the wider curriculum.

Pupils are regularly taught and reminded what to do if they witness or experience such abuse, the effect that it can have on those who experience it and the possible reasons for it, including vulnerability of those who inflict such abuse.

They are informed about the academy's approach to such issues, including its zero-tolerance policy towards all forms of child-on-child abuse. Educating pupils about consent includes teaching them basic facts about consent and the law on sexual activity.

## **Responding to concerns and disclosures**

It is essential that all staff understand the importance of challenging inappropriate behaviours between peers, many of which are listed below, that are actually abusive in nature. Downplaying certain behaviours can lead to a culture of unacceptable behaviour, an unsafe environment for children and in worst-case scenarios a culture that normalises abuse leading to children accepting it as normal and not coming forward to report it.

## **General principles**

It is essential that all concerns and allegations of child-on-child abuse are handled sensitively, appropriately and promptly. The way in which they are responded to can have a significant impact on our academy environment.

Any response will:

- include a thorough investigation of the concerns or allegations, and the wider context in which they may have occurred (as appropriate) – depending on the nature and seriousness



of the alleged incident, it may be appropriate for the police and/or Children's Social Care to carry out this investigation,

- treat all pupils involved as being at potential risk – while the pupil allegedly responsible for the abuse may pose a significant risk of harm to other pupils, they may also have considerable unmet needs and be at risk of harm themselves. We ensure that a safeguarding response is in place for both the pupil who has allegedly experienced the abuse, and the pupil who has allegedly been responsible for it,

- take into account:

- a. That the abuse may indicate wider safeguarding concerns for any of the pupils involved, and consider and address the effect of wider sociocultural contexts – such as the pupil's peer group (both within and outside the School); family; the academy environment; their experience of crime and victimisation in the local community; and the child's online presence.
- b. Consider what changes may need to be made to these contexts to address the pupil's needs and to mitigate risk.
- c. The potential complexity of child-on-child abuse and of pupil's experiences, and consider the interplay between power, choice and consent. While children may appear to be making choices, if those choices are limited they are not consenting.
- d. The views of the pupils affected. Unless it is considered unsafe to do so (for example, where a referral needs to be made immediately), the DSL will always (if appropriate) discuss the proposed action with the pupil/ pupils and their parents, and obtain agreement to any referral before it is made. We will manage the pupil's expectations about information sharing, and keep them and their parents informed of developments, where appropriate and safe to do so. It is particularly important to take into account the wishes of any child who has allegedly been abused, and to give that pupil as much control as is reasonably possible over decisions regarding how any investigation will be progressed and how they will be supported.

### **What we do if we suspect either that a pupil may be at risk of or experiencing abuse by their peers, or that a pupil may be at risk of abusing or may be abusing their peers**

If a member of staff thinks for whatever reason that a pupil may be at risk of or experiencing abuse by their peers, or that a pupil may be at risk of abusing or may be abusing their peers, they will discuss their concern with the DSL without delay **and recorded on MyConcern so** that a course of action can be agreed. Where a pupil is suffering, or is likely to suffer from harm, it is important that a referral to Children's Social Care (and, if appropriate, the police) is made immediately.

If a pupil speaks to a member of staff about child-on-child abuse that they have witnessed or are a part of, the member of staff will listen to the pupil and use open language that demonstrates understanding rather than judgement.

## **How our academy responds to concerns or allegations of child-on-child abuse**

The DSL will discuss the concerns or allegations with the member of staff who has reported it and will take any immediate steps to ensure the safety of the pupil/all pupils affected.

Where any concerns or allegations indicate that indecent images of a pupil or pupils may have been shared online, the DSL will consider what urgent action needs to be taken in addition to the actions and referral duties set out in this procedure, to seek specialist help in preventing the images spreading further and removing the images from the internet.

DSLs will always use their professional judgement to:

- (a) assess the nature and seriousness of the alleged behaviour
- (b) determine whether it is appropriate for the alleged behaviour to be to be dealt with internally and, if so, whether any external specialist support is required.

In borderline cases, the DSL may wish to consult with L.E.A.D DSLs, Children's Social Care and/or other relevant agencies in accordance with the Local Safeguarding Partnership's procedures to determine the most appropriate response.

Where the DSL considers or suspects that the alleged behaviour in question might be abusive or violent; or where the needs and circumstances of the individual pupils in question might otherwise require it; the DSL will contact Children's Social Care and/or the police immediately and, in any event, within 24 hours. The DSL will discuss the concerns or allegations with the agency and agree on a course of action, which may include:

- A. Manage internally with help from external specialists where appropriate and possible, where the alleged behaviour between peers is abusive or violent.
- B. Undertake/contribute to an inter-agency early help assessment, with targeted early help services provided to address the assessed needs of the child/children and their family. These services may, include family and parenting programmes, responses to emerging thematic concerns in extra familial contexts, specialist harmful sexual behaviour team, CAMHS and/or youth offending services.
- C. Refer the pupil/pupils to Children's Social Care for a section 17/47 statutory assessment. Where a pupil is suffering, or is likely to suffer from harm, it is important that a referral to Children's Social Care (and, if appropriate, a report to the police) is made immediately.

If an incident of child-on-child, abuse requires referral to and action by Children's Social Care and a strategy meeting is convened; we will hold every professional involved in the case accountable for their safeguarding response - to both the pupil who has experienced the abuse, and the pupil who was responsible for it. We will also consider the contexts to which the abuse was associated.

- D. Report alleged criminal behaviour to the police. Alleged criminal behaviour will ordinarily be reported to the police.

All concerns or allegations will be assessed on a case-by-case basis, and in light of the wider context.

### **Safety plans**

The School will always carry out a safety plan in respect of:

- any pupil who is alleged to have behaved in a way that is considered to be abusive or violent,
- any pupil who has reportedly been abused or affected by the alleged abusive or violent behaviour by another pupil, or
- any pupil who may be at risk due to the alleged abusive or violent behaviour by another pupil as deemed appropriate by the DSL.

Where it is alleged that a pupil has behaved in a way that is considered to be inappropriate or problematic (as opposed to abusive or violent), the DSL will use their professional judgment – based on the particular concerns and/or allegations raised, and the needs and circumstances of the individual pupils in question. This will help to determine whether it would be appropriate to contact Children’s Social Care, and to carry out a safety plan.

Careful judgment and consideration are required as to whether alleged behaviour, which might be judged inappropriate by an adult, might actually be harmful to another pupil. Consultation is recommended with Children’s Social Care if there is any doubt about this.

Careful consideration should also be given to a range of factors, including the context, severity of the alleged behaviour, impact of the alleged behaviour on others, risk to others, and whether there are any patterns of behaviour occurring.

Where other pupils are identified as witnesses to alleged abuse or violence, consideration will also be given by the DSL to whether there might be any risks to those pupils, and whether a safety plan would be appropriate in relation to any risks presenting to them

### **Disciplinary action**

At The Birley Academy, we may consider whether disciplinary action is appropriate for any pupil/pupils involved. However, if there are police proceedings underway, or there could be, it is crucial that we work in partnership with the police and/or Children’s Social Care before making any decisions.

Where a matter is not of interest to the police and/ or Children’s Social Care, we may still consider the most appropriate action to take to ensure positive behaviour management.

Disciplinary action may sometimes be appropriate, including:

(a) Ensure that the pupil/pupils take(s) responsibility for and realise(s) the seriousness of their behaviour.

(b) Demonstrate to the pupil/pupils and others that child-on-child abuse can never be tolerated.

(c) Ensure the safety and wellbeing of other pupils.

Before deciding on appropriate action, we will always consider our duty to safeguard all pupils in our care from harm; the underlying reasons for a pupil's behaviour; any unmet needs, or harm or abuse suffered by the pupil; the risk that the pupil may pose to other pupils; and the severity of the child-on-child abuse and the causes of it.

Where appropriate, we will consider the potential benefit, as well as challenge, of using managed moves or exclusion as a response, and not as an intervention, recognizing that even if this is ultimately necessary, some of the measures referred to may still be required.

Exclusion will only be considered as a last resort and only where necessary to ensure the safety and wellbeing of the other pupils in the academy.

Disciplinary interventions alone are rarely able to solve issues of child-on-child abuse, and the academy will always consider the wider actions that may need to be taken, and any lessons that may need to be learnt going forward.

## Appendix 4

### Sexual violence and sexual harassment between pupils in schools

#### Context

Sexual violence and sexual harassment can occur between two pupils of any age and sex from primary through to secondary stage. It can occur through pupils sexually assaulting or sexually harassing a single pupil or group of pupils. Sexual violence and sexual harassment exist on a continuum and may overlap; they can occur online and face to face (both physically and verbally) and neither are acceptable. As set out in part one of Keeping Children Safe in Education (KCSIE), all staff working in our academy maintain an attitude of 'it could happen here'.

Addressing inappropriate behaviour (even if it appears to be relatively innocuous) can be an important intervention that helps prevent problematic, abusive and/or violent behaviour in the future.

Pupils, who are victims of sexual violence and sexual harassment, wherever it happens, will likely find the experience stressful and distressing. This can adversely affect their educational attainment, which can be exacerbated if the alleged perpetrator(s) attends the same academy. As set out in part one of KCSIE, we are aware that safeguarding incidents and/or behaviours can be associated with factors outside the academy, including intimate personal relationships (see also sections of pupil sexual exploitation and coercive and controlling behaviour at paragraph 32 of KCSIE).

However, it is essential that all victims are reassured that they are being taken seriously, that they will be supported and that we will work to keep them safe alongside other support agencies. A victim will never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor will a victim ever be made to feel ashamed for making a report.

Along with providing support to pupils who are victims of sexual violence or sexual harassment, we need to provide the alleged perpetrator(s) with education, safeguarding support as appropriate and implement any disciplinary sanctions. A pupil abusing another pupil may be a sign they have been abused themselves or a sign of wider issues that require addressing within the culture of our academy. Taking disciplinary action and providing appropriate support, can, and should, occur at the same time if necessary.

Reports of sexual violence and sexual harassment are extremely complex to manage. It is essential that victims are protected, offered appropriate support and every effort is made to

ensure their education is not disrupted. It is also important that other pupils and staff are supported and protected as appropriate.

For the purposes of this document, we use the term 'victim'. It is a widely recognised and understood term. It is important that we recognise that not everyone who has been subjected to sexual violence and/or sexual harassment considers themselves a victim or would want to be described in this way. Therefore, we are conscious of this when managing any incident are prepared to use any term with which the individual pupil is most comfortable.

We also use term 'alleged perpetrator(s)'. Again, this is a widely used and recognised term and the most appropriate to aid effective drafting of advice. However, we will always think very carefully about terminology, especially when speaking in front of pupils, not least because in some cases the sexual behaviour will have been harmful to the perpetrator as well.

At The Birley Academy, we make it clear to all in our community that there is a zero-tolerance approach to sexual violence and sexual harassment, it is never acceptable, and it will not be tolerated. It will never be passed off as "banter", "just having a laugh", "part of growing up" or "boys being boys". We will challenge physical behaviour (potentially criminal in nature), such as grabbing bottoms, breasts, and genitalia, pulling down trousers, flicking bras, lifting skirts and up-skirting.

We know that dismissing or tolerating such behaviours risks normalising them; and that not recognising, acknowledging or understanding the scale of harassment and abuse and/or downplaying some behaviours related to abuse can lead to a culture of unacceptable behaviour. An unsafe environment and in the worst case, a culture that normalises abuse, leads pupils to accept it as normal and not come forward to report it.

### **Vulnerable Pupils**

At XXX Academy, we understand that any form of abuse can be driven by wider societal factors beyond the academy, such as everyday sexist stereotypes and sexist language. Therefore, a whole academy approach (especially in preventative education) is important.

Pupils with Special Educational Needs and Disabilities (SEND) are three times more likely to be abused than their peers. Additional barriers can sometimes exist when recognising abuse in SEND pupils. These can include:

- Assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the pupil's disability without further exploration.

- The potential for pupils with SEND being disproportionately impacted by behaviours such as bullying and harassment, without outwardly showing any signs.
- Communication barriers and difficulties overcoming these barriers.

Any reports of abuse involving pupils with SEND will therefore require close liaison with the designated safeguarding lead (or deputy) and the special educational needs co-ordinators (SENCOs).

Peers can also target pupils who are lesbian, gay, bi, or trans (LGBT). In some cases, a pupil who is perceived by their peers to be LGBT (whether they are or not) can be just as vulnerable as pupils who identify as LGBT.

## **What is sexual violence and sexual harassment?**

### **Sexual violence**

It is important that all our staff are aware of sexual violence and the fact pupils can, and sometimes do, abuse their peers in this way and that it can happen both inside and outside of the academy.

When referring to sexual violence we are referring to sexual violence offences under the Sexual Offences Act 2003/135 as described below:

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

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

**Sexual Assault -** A person (A) commits an offence of sexual assault if: s/he intentionally touches another person (B), the touching is sexual, B does not consent to the touching and A does not reasonably believe that B consents. (We are aware that sexual assault covers a very wide range of behaviour so a single act of kissing someone without consent or touching someone's bottom/breasts/genitalia without consent, can still constitute sexual assault.)

**Causing or coercing someone to engage in sexual activity without consent -** A person (A) commits an offence if: s/he intentionally causes another person (B) to engage in an activity, the activity is sexual, B does not consent to engaging in the activity, and A does not

reasonably believe that B consents. (This could include forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party.)

### **What is consent?**

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

Further information about consent can be found here: [Rape Crisis England & Wales - Sexual consent](#).

However:

- A pupil under the age of 13 can never consent to any sexual activity.
- The age of consent is 16.
- Sexual intercourse without consent is rape.

### **Sexual harassment**

When referring to sexual harassment we mean 'unwanted conduct of a sexual nature' that can occur online and offline and both inside and outside of the academy. When we reference sexual harassment, we do so in the context of pupil-on-pupil sexual harassment. Sexual harassment is likely to: violate a pupil's dignity, and/or make them feel intimidated, degraded or humiliated and/or create a hostile, offensive or sexualised environment.

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

- Sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance, and calling someone sexualised names.
  - Sexual "jokes" or taunting.
  - Physical behaviour, such as: deliberately brushing against someone, interfering with someone's clothes (schools and colleges should be considering when any of this crosses a line into sexual violence - it is important to talk to and consider the experience of the victim) and displaying pictures, photos, or drawings of a sexual nature.
  - Online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence:
-



- up skirting (is a criminal offence<sup>141</sup>);
- sexualised online bullying;
- unwanted sexual comments and messages, including, on social media;
- sexual exploitation; coercion and threats.

It may also include consensual and non-consensual sharing of nudes and semi-nude images and/or videos.

It is important to differentiate between consensual sexual activity between pupils of a similar age and that which involves any power imbalance, coercion, or exploitation.

Due to their additional training, the designated safeguarding lead (or deputy) will be involved and, lead our response. If in any doubt, they will always seek expert advice.

Consensual image sharing, especially between older pupils of the same age, may require a different response. It might not be abusive – but pupils still need to know it is illegal- whilst non-consensual is illegal and abusive.

### **Harmful sexual behaviour**

Pupils' sexual behaviour exists on a wide continuum, from normal and developmentally expected to, inappropriate, problematic, abusive, and violent. Problematic, abusive, and violent sexual behaviour is developmentally inappropriate and may cause developmental damage. An umbrella term is “harmful sexual behaviour” (HSB).

HSB can occur online, face to face and occur simultaneously between the two. HSB will always be considered in a pupil protection context.

When considering HSB, ages and the stages of development of the pupils are critical factors. Sexual behaviour between pupils can be considered harmful if one of the pupils is much older, particularly if there is more than two years' difference or if one of the pupils is pre-pubescent and the other is not. However, a younger pupil can abuse an older pupil, particularly if they have power over them, for example, if the older pupil is disabled or smaller in stature.

With regard to consensual image sharing, it might not be abusive – but pupils still need to know it is illegal- whilst non-consensual is illegal and abusive.

It is important that the designated safeguarding lead (and their deputies) have a good understanding of HSB, so it will always form part of our safeguarding training. This will aid in planning preventative education, implementing preventative measures, drafting, and embedding an effective safeguarding policy.

## **A whole academy approach:**

We believe that all pupils have a right to attend our academy and learn in a safe environment. Pupils should be free from harm. All staff understand, that even if there are no reports or concerns raised, **it does not mean it is not happening**; it may be the case that it is just not being reported.

## **Academy environment**

At The Birley Academy, we work to ensure we have conditions in which our pupils can aspire to, and realise, safe and healthy relationships whilst fostering a whole academy culture:

- which is founded on the idea that every member of our academy community is responsible for building and maintaining safe and positive relationships, and helping to create a safe environment in which violence and abuse are never acceptable, and in which certain behaviour is not tolerated;
- in which pupils can develop trusting relationships with staff, and in which staff understand, through regular discussion and training, the importance of these relationships in providing pupils with a sense of belonging, which could otherwise be sought in problematic contexts,
- in which pupils feel able to share their concerns openly, in a non-judgmental environment, and have them listened to;
- respond to cases of sexual violence and/or harassment promptly and appropriately;
- ensure that all sexual violence and/or harassment issues are fed back to the academy safeguarding team and DSL so that they can spot and address any concerning trends and identify pupils who may need additional support;
- challenge the attitudes that underlie such abuse (both inside and outside the classroom).

## **Our academy's response to a report of sexual violence or sexual harassment**

At The Birley Academy, we have safeguarding procedures about sexual violence and sexual harassment that are transparent, clear, and easy to understand for staff, pupils, parents and carers. Reports of sexual violence and sexual harassment are likely to be complex, requiring difficult professional decisions to be made, often quickly and under pressure. Pre-planning, effective training and effective policies support us to make calm, considered and appropriate responses to any report.

Our systems enable pupils to confidently report abuse, sexual violence and sexual harassment, knowing their concerns will be treated seriously, and that they can safely express their views and give feedback.

The initial response to a report from a pupil is incredibly important. How we respond to a report can encourage or undermine the confidence of future victims of sexual violence and sexual harassment to come forward. If we do not recognise, acknowledge or understand the

scale of harassment and abuse or downplay some behaviours, then it could lead to a culture of unacceptable behaviour.

### **General principles**

Any response will:

- include a thorough investigation of the concerns or allegations, and the wider context in which they may have occurred (as appropriate). Depending on the nature and seriousness of the alleged incident, it may be appropriate for the police and/or children's social care to carry out this investigation;
- treat all pupils involved as being at potential risk – while the pupil allegedly responsible may pose a significant risk of harm to other pupils, they may also have considerable unmet needs and be at risk of harm themselves. We make sure that a safeguarding response is in place for both the victim and alleged perpetrator;
- consider:
  - a. that the report may indicate wider safeguarding concerns for other pupils involved, and consider and address the effect of wider sociocultural contexts – such as the pupil's peer group (both within and outside the academy); family; the academy environment; their experience of crime and victimisation in the local community; and the pupil's online presence;
  - b. what changes may need to be made to these contexts to address the pupil's needs and to mitigate risk;
  - c. the potential complexity and of pupil's experiences, and the interplay between power, choice, and consent. While pupils may appear to be making choices, if those choices are limited, they are not consenting;
  - d. the views of the pupils affected. Unless it is considered unsafe to do so (for example, where a referral needs to be made immediately), the DSL will always (if appropriate) discuss the proposed action with the pupil/ pupils and their parents, and obtain agreement to any referral before it is made. We will manage the pupil's expectations about information sharing, and keep them and their parents informed of developments, where appropriate and safe to do so. It is particularly important to consider the wishes of the victim, and to give that pupil as much control as is reasonably possible over decisions regarding how any investigation will be progressed and how they will be supported.

## **What we do if we suspect either that a pupil may be at risk of or experiencing sexual violence or harassment?**

If a member of staff thinks for whatever reason that a pupil may be at risk of or experiencing sexual violence and harassment, they will record their concern onto MyConcern, and if required discuss with the DSL immediately so that a course of action can be agreed. Where a pupil is suffering, or is likely to suffer from harm, it is important that a referral to children's social care (and, if appropriate, the police) is made immediately.

If a pupil speaks to a member of staff about sexual violence and harassment that they have witnessed or are a part of, the member of staff will listen to the pupil using language that demonstrates understanding rather than judgement.

Where any concerns or allegations indicate that the report includes an online element, the key consideration is for staff not to view or forward illegal images of a pupil. In most cases, it will be more appropriate to confiscate any devices to preserve any evidence and hand them to the police for inspection.

It is also important to not promise confidentiality at this initial stage as it is very likely a concern will have to be shared further (for example, with the designated safeguarding lead or children's social care) to discuss next steps. Staff will only share the report with those people who are necessary to progress it. It is important that the victim understands what the next steps will be and who the report will be passed to.

Indecent images of a pupil or pupils may have already been shared online; the DSL will consider what urgent action needs to be taken in addition to seeking specialist help to prevent the images spreading further and removing the images from the internet.

DSLs will always use their professional judgement to:

- Assess the nature and seriousness of the alleged behaviour.
- Determine whether it is appropriate for the alleged behaviour to be to be dealt with internally and whether any external specialist support is required.

In borderline cases, the DSL may wish to consult with L.E.A.D DSLs, children's social care and/or other relevant agencies in accordance with the Local Safeguarding Partnership's procedures to determine the most appropriate response.

Where the DSL considers or suspects that the alleged behaviour in question might be abusive or violent; or where the needs and circumstances of the individual pupils in question might otherwise require it; the DSL will contact children's social care and/or the police immediately and, in any event, within 24 hours. The DSL will discuss the concerns or allegations with the agency and agree on a course of action, which may include:

- Manage internally with help from external specialists where appropriate and possible, where the alleged behaviour is abusive or violent.
- Undertake/contribute to an inter-agency early help assessment, with targeted early help services provided to address the assessed needs of the pupil/pupils and their family. These services may, include family and parenting programmes, responses to emerging thematic concerns in extra familial contexts, specialist harmful sexual behaviour team, CAMHS and/or youth offending services.
- Refer the pupil/pupils to children’s social care for a section 17/47 statutory assessment. Where a pupil is suffering, or is likely to suffer from harm, it is important that a referral to children’s social care (and, if appropriate, a report to the police) is made immediately.
- Report alleged criminal behaviour to the police. Alleged criminal behaviour will ordinarily be reported to the police. Rape, assault by penetration and sexual assaults are crimes. Where a report of rape, assault by penetration or sexual assault is made, this will be referred to the police. Whilst the age of criminal responsibility is ten, if the alleged perpetrator is under ten, the starting principle of referring to the police remains. The police will take a welfare, rather than a criminal justice approach, in these cases.

### **Concerns and allegations where there is police involvement**

Where a report has been made to the police, we will consult with them and agree what information can be disclosed to staff and others, in particular, the alleged perpetrator(s) and their parents or carers. Together we will also agree the best way to protect the victim and their anonymity. The police will also consider what action to take to manage the assessed risk of harm. This could involve the use of police bail with conditions, prior to a suspect appearing in court, or court bail with or without conditions after the first appearance.

Alternatively, the person suspected of an offence could be ‘released under investigation’ (RUI). People RUI can have no conditions attached to their release from custody and it is possible for a person on bail to have no conditions.

Whatever arrangements are in place, we will consider what additional measures may be necessary to manage any assessed risk of harm that may arise, particularly to the additional stress and trauma to a victim. As well as the potential for the suspected person to intimidate the victim or a witness. We will ensure that any risk management measures strike a balance between management of risk and the rights of an unconvicted person. Throughout the process, we will always liaise with the police to develop a balanced set of arrangements.

## **Managing any delays in the criminal process**

There may be delays in any case that is being progressed through the criminal justice system. We do not wait for the outcome (or even the start) of a police investigation before protecting the victim, alleged perpetrator(s), and other pupils. The risk assessment will help inform any decision.

Whilst protecting pupils and/or taking any disciplinary measures against the alleged perpetrator(s), the DSL will work closely with the police (and other agencies as required), to ensure any actions taken do not jeopardise the police investigation. If we have any questions, we will always consult with the police.

## **The end of the criminal process**

If a pupil is convicted or receives a caution for a sexual offence, we will update the risk assessment, ensure relevant protections are in place for all pupils and consider any suitable action in line with the behaviour policy. This process will include a review of the necessary actions to keep all parties safe and meet their needs. If the perpetrator(s) remain(s) in the same academy as the victim, we will be very clear as to their expectations regarding the perpetrator(s) now they have been convicted or cautioned.

Any conviction (even with legal anonymity reporting restrictions) is potentially going to generate interest among other pupils in the academy. It is important that we ensure both the victim and alleged perpetrator(s) remain protected, especially from any bullying or harassment (including online).

Where cases are classified as “no further action” (NFA’d) by the police or Crown Prosecution Service, or where there is a not guilty verdict, we will continue to offer support to the victim and the alleged perpetrator(s) for as long as is necessary. A not guilty verdict or a decision not to progress with their case will likely be traumatic for the victim. The fact that an allegation cannot be substantiated or was withdrawn does not necessarily mean that it was unfounded. The Birley Academy will discuss any decisions with the victim and continue to offer support. The alleged perpetrator(s) is also likely to require ongoing support for what will have likely been a difficult experience

All concerns or allegations will be assessed on a case-by-case basis, and consider the wider context.

## **Anonymity**

Where an allegation of sexual violence or sexual harassment is progressing through the criminal justice system, we will always be mindful of anonymity, witness support and the criminal process in general so we can offer support and act appropriately. We will do all we reasonably can to protect the anonymity of any pupils involved in any report of sexual

violence or sexual harassment. This means carefully considering, based on the nature of the report, which staff should know about the report and any support that will be put in place for the pupils involved.

We will also consider the potential impact of social media in facilitating the spreading of rumours and exposing victims' identities.

### **Risk Assessment**

When there has been a report of sexual violence, the designated safeguarding lead (or a deputy) will make an immediate risk and needs assessment. Where there has been a report of sexual harassment, the need for a risk assessment will be considered on a case-by-case basis. The risk and needs assessment will consider:

- The victim, especially their protection and support.
- Whether there may have been other victims.
- The alleged perpetrator(s).
- All the other pupils (and, if appropriate, adult and staff) at the academy, especially any actions that are appropriate to protect them from the alleged perpetrator(s), or from future harms.

Risk assessments will be recorded, filed on MyConcern, and kept under review. We will consider the risks posed to all their pupils and put adequate measures in place to protect them and keep them safe.

The designated safeguarding lead (or a deputy) should ensure they are engaging with children's social care and specialist services as required. Any professional assessments will be used to inform our support, how we protect the pupils and in updating our own risk assessment.

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

If a report is determined to be unsubstantiated, unfounded, false, or malicious, the designated safeguarding lead will consider whether the pupil and/or the person who has made the allegation needs help or may have been abused by someone else and this is a cry for help. In such circumstances, a referral to children's social care may be appropriate.

If a report is shown to be deliberately invented or malicious, we will consider whether any disciplinary action is appropriate against the individual who made it as per our behaviour policy.

## **Ongoing response**

### **Victim**

Wherever possible, the victim if they wish, will be able to continue in their normal routine. The priority will always be to make the victim's daily experience as normal as possible, so that our academy is a safe space for them.

We will consider the age and the developmental stage of the victim, the nature of the allegations and the potential risk of further abuse. We are aware that, by the very nature of sexual violence and sexual harassment, a power imbalance is likely to have been created between the victim and alleged perpetrator(s).

Our response will always be proportionate and tailored on a case-by-case basis. The support required regarding a one-off incident of sexualised name-calling is likely to be vastly different from that for a report of rape.

When it is clear that ongoing support will be required, the DSL will check with the victim if they would find it helpful to have a designated trusted adult (for example, their form tutor or designated safeguarding lead) to talk to. The choice of any such adult should be the victim's (as far as reasonably possible).

We understand that a victim of sexual violence is likely to be traumatised and, in some cases, may struggle in a normal classroom environment. We will try to avoid any action that might isolate the victim, from supportive peer groups, there may be times when the victim finds it difficult to maintain a full-time timetable and may express a wish to withdraw from lessons and activities. If this is required, then we will provide a physical space for victims to go to. It may be necessary for us to have these arrangements in place to protect and support the victim for a long time.

It is important that we do everything we reasonably can to protect the victim from bullying and harassment because of any report they have made. If the trauma results in the victim being unable to remain at our academy, alternative provision or a move to another education setting will be considered to enable them to continue to receive suitable education. This will only be at the request of the victim (and following discussion with their parents or carers). If the victim does move to another setting (for any reason), the new setting will be made aware of any ongoing support needs by the DSL.

### **Alleged Perpetrator**

Whilst we support the victim in these cases, we understand that we also have a duty to provide the alleged perpetrator(s) with education, safeguarding support as appropriate and implement any disciplinary sanctions. Taking disciplinary action and still providing



appropriate support are not mutually exclusive actions. They can, and will, occur at the same time if necessary.

We know that a pupil abusing another pupil may be a sign they have been abused themselves or a sign of wider issues that require addressing. We will always work with professionals as required to understand why a pupil may have abused a peer. It is important to remember that, as a pupil, any alleged perpetrator(s) is entitled to, deserving of, and will be provided with, a high level of support to help them understand and overcome the reasons for their behaviour and help protect other pupils by limiting the likelihood of them abusing again.

At XXX Academy, we consider the age and the developmental stage of the alleged perpetrator(s) and nature and frequency of the allegations. Any pupil will likely experience stress because of being the subject of allegations and/or negative reactions by their peers to the allegations against them.

We will consider the proportionality of the response. Support (and sanctions) will carefully be considered on a case-by-case basis. The pupil may potentially have unmet needs (in some cases these may be considerable) as well as potentially posing a risk of harm to other pupils. We know that research suggests that HSB in young pupils may be (and often are) a symptom of either their own abuse or exposure to abusive practices and or materials. We will always seek and take advice, as appropriate, from children's social care, specialist sexual violence services and the police.

Our academy can be a significant protective factor for pupils who have displayed HSB, and we will work to make sure that the pupil has continued access to the academy, with a comprehensive safeguarding management plan in place. However, if the placement breaks down or remaining in our academy is no longer deemed appropriate or safe, then a move of settings will be considered along with other relevant agencies. If an alleged perpetrator(s) does move to another setting (for any reason), the DSL will ensure that they are made aware of any ongoing support needs and where appropriate, potential risks to other pupils, adult students, and staff. The DSL will ensure this happens as well as transferring the pupil protection file.

### **Disciplinary actions**

Disciplinary action can be taken whilst other investigations by the police and/or Children's Social Care are ongoing. The fact that another body is investigating or has investigated an incident does not in itself prevent us from coming to our own conclusion, on the balance of probabilities, about what happened, and imposing a penalty accordingly. This will be carefully considered on a case-by-case basis.

We will consider if, by taking any action, it would prejudice an investigation and/or any subsequent prosecution. The DSL will liaise with the police and/or children's social care to decide.

Taking disciplinary action and still providing appropriate support are not mutually exclusive actions. They can, occur at the same time if necessary. We will be very clear as to what our approach is.

- One response is preventative or forward-looking action to safeguard the victim and/or the perpetrator(s), especially if we have concerns that a perpetrator themselves may have been a victim of abuse;
- and another response is disciplinary action to punish a perpetrator for their past conduct.

Again, we will be very clear as to which category any action we take falls or whether it is really both and will ensure that the action complies with the law relating to each relevant category.

### **Supporting other Pupils**

At The Birley Academy, we will support pupils who may have witnessed sexual violence, especially rape and assault by penetration. Witnessing such an event is likely to be traumatic and support may be required.

Following any report of sexual violence or sexual harassment, it is likely that some pupils will take "sides". We will all we can to ensure both the victim and alleged perpetrator(s), and any witnesses, are not being bullied or harassed.

We recognise that social media is very likely to play a central role in the fall out from any incident or alleged incident. There is the potential for contact between victim and alleged perpetrator(s) and a very high likelihood that friends from either side could harass the victim or alleged perpetrator(s) online and/or become victims of harassment themselves.

As we have a culture that makes clear that there is a zero-tolerance approach to sexual violence and sexual harassment and that it is never acceptable or tolerated. Which sits alongside a strong preventative education programme. These will support and help create an environment in which all pupils at the school are supportive and respectful of their peers when reports of sexual violence or sexual harassment are made.

### **Record Keeping**

All concerns and allegations will be logged onto MyConcern along with all discussions, decisions made, and the reasons for those decisions. Records and MyConcern data will be reviewed so that potential patterns of concerning, problematic or inappropriate behaviour and places can be identified, and addressed.

We keep our policies, processes, and curriculum under constant review to protect all pupils. Reports of sexual violence and/or harassment (especially where there is evidence of patterns of behaviour) may point to environmental and or systemic problems that will be addressed by updating relevant policies, processes, or relevant parts of the curriculum.

## **Support**

### **Specialist Organisations**

- Barnardo's - UK charity caring for and supporting some of the most vulnerable pupils and young people through their range of services.
- Lucy Faithful Foundation - UK-wide pupil protection charity dedicated to preventing pupil sexual abuse. They work with families affected by sexual abuse and run the confidential Stop it Now! Helpline.
- Marie Collins Foundation – Charity that, amongst other things, works directly with pupils, young people, and families to enable their recovery following sexual abuse.
- NSPCC - Children's charity specialising in child protection with statutory powers enabling them to act and safeguard pupils at risk of abuse.
- Rape Crisis - National charity and the umbrella body for their network of independent member Rape Crisis Centres.
- UK Safer Internet Centre - Provides advice and support to pupils, young people, parents, carers, and schools about staying safe online.

### **Support for Victims**

- Anti-Bullying Alliance - Detailed information for anyone being bullied, along with advice for parents and schools. Signposts to various helplines and websites for further support.
- Rape Crisis - Provide and signpost to a range of services to support people who have experienced rape, child abuse or any kind of sexual violence.
- The Survivors Trust- UK-wide national umbrella agency with resources and support dedicated to survivors of rape, sexual violence, and child sex abuse.
- Victim Support - Supporting pupils and young people who have been affected by crime. Also provides support to parents and professionals who work with pupils and young people – regardless of whether a crime has been reported or how long ago it was.
- Childline provides free and confidential advice for pupils and young people

## **Toolkits**

- Childnet - STAR SEND Toolkit equips, enables, and empowers educators with the knowledge they need to support young people with special educational needs and disabilities.
- Childnet - Just a joke? provides lesson plans, activities, a quiz and teaching guided signed to explore problematic online sexual behaviour with 9–12-year-olds.
- Childnet - Step Up, Speak Up a practical campaign toolkit that addresses the issue of online sexual harassment amongst young people aged 13-17 years old.
- Preventing Harmful Sexual Behaviour toolkit by the Lucy Faithfull Foundation, the toolkit contains links to useful information, resources, and support, including practical tips to prevent HSB.
- NSPCC - Harmful sexual behaviour framework an evidence-informed framework for pupils and young people displaying HSB.
- Contextual Safeguarding Network – Beyond Referrals - Schools levers for addressing HSB in schools.

## **Support for parents/carers**

- NCA CEOP Thinkuknow advice for parents: - Advice/resources on how to approach and deal with concerns about what pupils may be doing online including advice about how to help challenge harmful sexual attitudes and how to start a conversation to support positive sexual behaviour
- Childnet: Advice for parents and carers to keep pupils safe online - Advice and resources to help parents and carers keep pupils safe online.
- How Can I Help My Child? - Marie Collins Foundation – Sexual Abuse Online
- Parentsafe - London Grid for Learning - Detailed advice/resources covering various issues such as online safety, apps, and how to report concerns.
- Parentzone - Provides expert information and resources to help make the internet work for families.

## Child-on-child / sexual violence or harassment: risk and needs assessment and version record

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Notes on using this template:

- (1) Use “Pupil A” and “Pupil B” to signify the pupils involved. This is because we wish to avoid assigning guilt until a formal investigation has been conducted by the appropriate authorities.
- (2) Consider each question/consideration from the perspective of both pupils and be sure to do this in collaboration with them. Also consider the impact on, and needs of, the wider school community, and record any concerns or actions in the most appropriate column.
- (3) Work with the local multi-agency safeguarding hub when conducting this risk assessment and update it in response to any advice they provide. Some of the prompts may require input from other agencies. Add specific questions and considerations based on the nature of each incident and on the advice provided.
- (4) Keep track of the changes you make:
  - Create a new copy of the document.
  - Update the version number at the top of the risk assessment.
  - Record what has changed in the update log (at the end of the document).
  - Save the most recent version of the risk assessment in the appropriate places (for example, the pupil’s safeguarding file).
- (5) This should be a living document – you may need to update it as often as daily based on conversations with, and feedback from, the pupils and parents involved, feedback from staff, guidance from MASH, or information from the police and children’s social care.

AREA OF RISK	CONSIDERATIONS	PUPIL 'A'	PUPIL 'B'	ADDITIONAL INFORMATION	ACTIONS
Details of the incident	<p>How serious is the incident? Was it a crime?</p> <p>Do we need to make arrangements to limit contact between the pupils involved? (If the allegation relates to rape, assault by penetration, or sexual assault, the answer is automatically yes)</p> <p>How did the school find out about it? Was it reported directly or by someone else with knowledge of the incident?</p>				

<p>Social risks</p>	<p>Do the pupils share a peer group? Are people in their friendship group likely to take sides?</p> <p>Do they all attend our academy?</p> <p>Do other people know about the incident? Do those people understand:</p> <ul style="list-style-type: none"> <li>○ Who they can talk to if they have concerns about the people involved, or about their own safety and wellbeing</li> <li>○ The importance of confidentiality</li> <li>○ If, and how, they may need to be involved in any further investigations</li> </ul> <p>Are they likely to be the subject of gossip, bullying or further harassment?</p> <p>Have there been previous incidents of sexually inappropriate behaviour within their peer group(s)?</p> <p>Do they risk being alienated from their friend group(s) as a result of this incident?</p>				
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AREA OF RISK	CONSIDERATIONS	PUPIL 'A'	PUPIL 'B'	ADDITIONAL INFORMATION	ACTIONS
Physical risks	<p>Do they feel, or continue to feel, physically threatened by the other pupil?</p> <p>Do you have reason to believe they pose a continued risk to the safety and wellbeing of the victim, or other pupils and staff?</p> <p>Are they at risk of physical harm as a result of this incident (for example, bullying or 'retribution' by peers)</p> <p>Do they share classes/break times/etc.?</p> <p>Are they likely to come into contact with each other (or anyone else involved in/with knowledge of the incident) outside of the academy? How can such contact be limited?</p>				



AREA OF RISK	CONSIDERATIONS	PUPIL 'A'	PUPIL 'B'	ADDITIONAL INFORMATION	ACTIONS
Environmental risks	<p>Do they live in a home where violence or abuse has occurred?</p> <p>Do they live in/near an area or location known to police to be high risk for sexual harassment or assault?</p> <p>Are they active on social media? If so, how? Do they know how to protect themselves from online grooming?</p> <p>What activities do they take part in outside of the academy?</p> <p>Are parents clear about:</p> <ul style="list-style-type: none"> <li>○ How the academy (and partner agencies) are handling the incident</li> <li>○ Confidentiality</li> <li>○ The conduct expected of them while an investigation is ongoing</li> </ul>	.	.		

	<b>UPDATES MADE</b>	<b>REASONS FOR UPDATES</b>	<b>UPDATES MADE BY</b>

## **Appendix 5 - Information holding and sharing**

### **GDPR**

We at The Birley Academy will ensure relevant staff have due regard to the relevant data protection principles, which allow them to share (and withhold) personal information, as provided for in the Data Protection Act 2018 and the GDPR.

This includes:

- being confident of the processing conditions which allow them to store and share information for safeguarding purposes, including information, which is sensitive and personal, and should be treated as 'special category personal data'.
- understanding that 'safeguarding of children and individuals at risk' is a processing condition that allows academies to share special category personal data. This includes allowing people to share information without consent where there is good reason to do so, and that the sharing of information will enhance the safeguarding of a child in a timely manner.
- for schools, not providing pupils' personal data where the serious harm test under the legislation is met. For example, in a situation where a child is in a refuge or another form of emergency accommodation, and the serious harms test is met, they must withhold providing the data in compliance with schools' obligations under the Data Protection Act 2018 and the GDPR. Where in doubt we will always seek independent legal advice.

### **Seven Golden Rules to Sharing Information**

Remember that the GDPR Data Protection Act 2019 Information Sharing 2019, and human rights law are not barriers to justified information sharing but provide a framework to ensure that personal information about living persons is shared appropriately.

Be open and honest with the individual (and/or their family where appropriate) from the outset about why, what, how and with whom information will, or could be shared, and seek their agreement, unless it is unsafe or inappropriate to do so.

Seek advice for other practitioners if you are in any doubt about sharing the information concerned, without disclosing the identity of the person where possible.

Share with informed consent where appropriate and, where possible, respect the wishes of those who do not consent to share confidential information. You may still share information without consent if, in your judgement, there is a good reason to do so, such as where safety may be at risk. You will need to base your judgement on the facts of the case. When you are sharing or requesting personal information from someone, be certain of the basis upon which you are doing so. Where you have consent, be mindful that an individual might not expect information to be shared.

Consider safety and well-being: Base your information sharing decisions on considerations of the safety and well-being of the individual and others who may be affected by their actions.

Necessary, proportionate, relevant, adequate, accurate, timely and secure: Ensure that the information you share is necessary for the purpose for which you are sharing it, it shared only with those people who need to have it, is accurate and up to date, is shared in a timely fashion, and is shared securely.

Keep a record of your decision and the reasons for it – whether it is to share information or not. If you decide to share, then record what you have shared, with whom and for what purpose.

Further details on information sharing can be found:

- Chapter one of *Working Together to Safeguard Children*, which includes a myth-busting guide to information sharing
- *Information Sharing: Advice for Practitioners Providing Safeguarding Services to Children, Young People, Parents and Carers*. The seven golden rules for sharing information will be especially useful
- The Information Commissioner's Office (ICO), which includes ICO GDPR FAQs and guidance from the department
- *Data protection: toolkit for schools - Guidance to support schools with data protection activity, including compliance with the GDPR*

**Appendix 6 - Child Protection Form – Immediate danger or at risk of harm**

"Any member of the school staff, including volunteers, must record any concerns about a child or young person. This form must be completed as soon as possible after the discovery of the concern and send to the Designated Safeguarding Lead (DSL). If the concerns are immediate, please tell the DSL straight away."

Date

Time

Name of individual cause for concern is about Class Age (if known)

Address (if known)

Known Agency Involvement

Previous concern known    Yes     No

Describe your concern

Observations to support cause for concern

EHA in place Yes  No

Reported to Safeguarding Team: (Louise Yarnell)

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Name of person completing this form:

Position:

Signature of person completing the form:

Date:

Time:

## Appendix 7

### Child Protection Concern Form

Pupil's Name : \_\_\_\_\_

Class : \_\_\_\_\_

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

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

Concerns

Actions

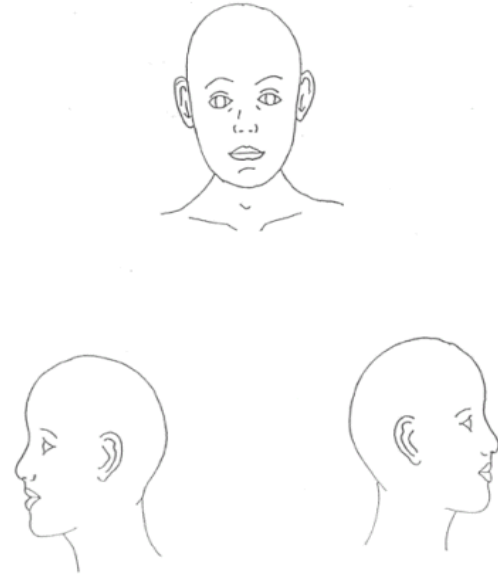
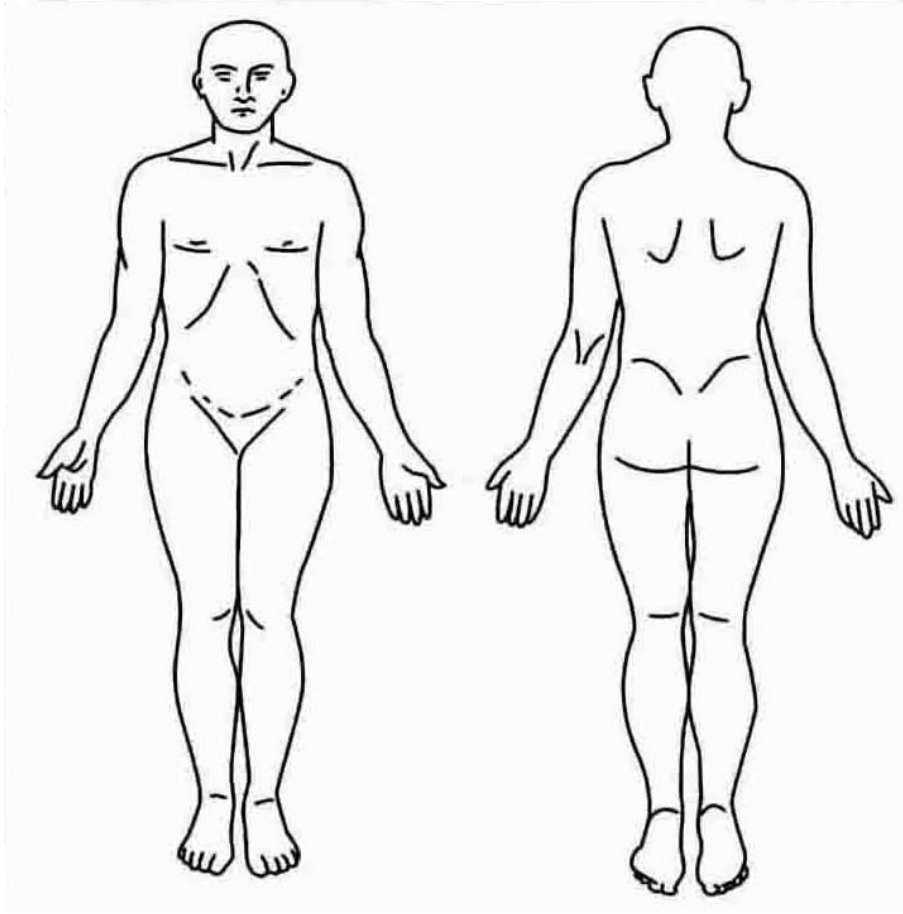




## Appendix 8

### Body Map

Pupil's Name: \_\_\_\_\_



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**Please record the location and nature of any injury**

**Name:**

**Signature:**

**Date:**

