



**BRACKENSDALE**  
SPENCER ACADEMY



**BE  
KIND**



**SHINE  
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**SPENCER**  
ACADEMIES TRUST

# **Policy and Guidance for Child Protection, Safeguarding and Promoting the Welfare of Children**

## **September 2021**

The Local Governing Body of Brackensdale Spencer Academy were notified of this policy and accompanying guidance on September 1<sup>st</sup> 2021

It will be reviewed should statutory guidance require changes

This document comprises two parts.

- Part A contains the Academy policy
- Part B contains accompanying guidance

# PART A – POLICY

## INTRODUCTION

### The Spencer Academies Trust Commitment

This policy applies to all Academies within The Spencer Academies Trust (SAT) and to all employees, governors and volunteers working in each Academy. The Directors may approve a transitional policy for recently converted academies in exceptional circumstances. The Scheme of Delegation within the Trust outlines the delegated responsibility for staffing matters and the pay and conditions of all employees.

Safeguarding arrangements in the academies within The Spencer Academies Trust, of which Brackensdale Spencer Academy is part, are committed to safeguarding children and young people and expect everyone working in our academies to share this commitment. This is underpinned by four key principles:

1. Everyone who comes in to contact with children and their families has a role to play in safeguarding children. All Governors, employees, trainees, volunteers and contractors have a responsibility and role to play to identify concerns, share information appropriately and take prompt action.
2. Adults in our academy take all welfare concerns seriously and encourage children and young people to talk to us about anything that worries them.
3. Employees will maintain an attitude of “it could happen here” where safeguarding is concerned.
4. When concerned about a child’s welfare, employees will always act in the best interests of the child.

For the purposes of this policy, ‘children’ includes everyone under the age of 18.

The purpose of this policy is to:

- protect children and young people who attend our Academy;
- outline the procedures to be followed in cases of suspected harm or abuse;
- emphasise the links with other Academy policies including those for safe recruitment of employees and volunteers, and for managing allegations;
- prevent unsuitable people working with children and young people;
- promote safe practice and challenge poor, unsafe practice;
- contribute to effective partnership working between parents and all those involved with providing services for children and young people.

Our policy reflects the principles of

- **Prevention** (e.g. positive Academy atmosphere, teaching and pastoral support to pupils, safer recruitment procedures);
- **Protection** (by following agreed procedures, ensuring employees are trained and supported to respond appropriately and sensitively to Child Protection concerns);
- **Support** (to pupils and Academy employees and to children who may have been abused);
- **Working with parents** (to ensure appropriate communications and actions are undertaken).

We will ensure that all parents/carers are made aware of our responsibilities with regard to child protection procedures and how we will safeguard and promote the welfare of their children through the publication of this policy within the Academy and on our website.

Any references to parents within this policy are taken to refer to parents and carers. References to Principal include the Chief Executive Officer (CEO) and the Senior Leader responsible for each Academy, as appropriate, considering the management structure of the Academy. All references to staff responsibilities which are not the particular responsibility of the DSL, DSL deputies or leadership staff, should be read as applying also to supply staff and volunteers in school, under the clarification provided in KCSiE 2021.

***NB The Designated Safeguarding Lead throughout this document is abbreviated to DSL***

## Key Contacts for our Academy

Role	Name	Contact Details
<b>Academy Roles:</b>		
Designated Governor for Child Protection/Safeguarding	Katy Elliott	Katyelliott@brackensdalespencer.com
Designated Senior Person for Safeguarding (DSL)	Ben Radbourne	01332 341171 BenRadbourne@brackensdalespencer.com
Deputy Designated Persons for Safeguarding	Sorcha Walmsley	01332 341171 SorchaWalmsley@brackensdalespencer.com
<b>External Contacts:</b>		
Designated Teacher for Children in care of the Local Authority/Post adoption/Virtual School Headteacher	Ben Radbourne	01332 341171 BenRadbourne@brackensdalespencer.com
LA Child Protection Contact/LADO	Mandy McDonald	01332 642376
Emergency Duty Team (Children's Social Care) - Out of hours	N/A	01332 641172
External Prevent Single Point of Contact (SPOC)	Sally Siner	<a href="mailto:Sally.Siner@derby.gov.uk">Sally.Siner@derby.gov.uk</a> Tel: 07765 222032
Other Local Key Contacts/referral points eg MASH/LA Safeguarding team/Children Missing Education Officer/Virtual School headteacher/Channel/ - adapt for individual academy/local authority	MASH  Children Missing Education Officer	<a href="mailto:Aneesha.Johal@derby.gov.uk">Aneesha.Johal@derby.gov.uk</a> IRT & MASH Manager Tel: 641528  <a href="mailto:cme@derby.gov.uk">cme@derby.gov.uk</a> Tel: 01332 641448

### Links to Safeguarding legislation, guidance and procedures

The Academy's role in safeguarding children in education is set out in both statutory guidance and advice documents. These are:

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Brackensdale Spencer Academy Safeguarding and Child Protection Policy.

- Duties and responsibilities as set out within the Education Act 2002 sections 175/157, the Children Act of 1989, DfE Statutory Guidance Keeping Children Safe in Education 2021 and HM Working Together to Safeguard Children 2018.
- Children Acts 1989 and 2004
- Prevent Duty for England/Wales (2015) under section 26 of the Counter-Terrorism & Security Act 2015
- Section 5B of Female Genital Mutilation Act 2003 (inserted by section 74 of the Serious Crime Act 2015)
- Dealing with Allegations of Abuse against Teachers and Other Staff (2012)
- Teaching online safety in school (2019) <https://www.gov.uk/government/publications/teaching-online-safety-in-schools>
- Local Safeguarding Partnership interagency child protection and safeguarding procedures
- National Police Chief's Council guidance, including on contacting the police in an appropriate and timely manner
- 2018 Department for Education guidance on Mental health & behaviour in schools
- 2017 Department for Education guidance on Child sexual exploitation: definition and guide for practitioners
- 2021 Sexual violence and sexual harassment between children in schools and colleges

Our policy takes into account statutory guidance and advice provided by the DfE and acts within the local guidance and procedures of the Derby and Derbyshire Safeguarding Children Partnership. The partnership is an independent organisation which has responsibility for coordinating the work of agencies within the Local Authority to safeguard and promote the welfare of children and for ensuring the effectiveness of that work. It provides safeguarding procedures and guidance, delivers a programme of multi-agency training and monitors safeguarding practice through multi agency audits, case reviews and performance information. The partnership is key to agreeing how relevant organisations co-operate to safeguard and promote the welfare of children, and ensure the effectiveness of what they do. It also provides local practice guidance on child protection issues.

The relevant safeguarding partnership website is <http://www.derbyscb.org.uk/> (Derby)

## **SAFEGUARDING PRINCIPLES**

### **Safeguarding and promoting the welfare of children is everyone's responsibility**

- Safeguarding relates to actions we take to promote the welfare of children and protect them from harm, adopting a whole academy approach
- Everyone who comes into contact with children and families has a role to play.
- What is in the **best interests** of the child should be considered at all times.
- Should a concern arise, **doing nothing is not an option.**

### **Safeguarding and promoting the welfare of children is defined as:**

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

Source: Working Together to Safeguard Children 2018

**Safeguarding is not just about protecting children from deliberate harm. It also relates to wider aspects of Academy care and education including:**

- Pupils' health, safety and wellbeing, including their mental health.
- Meeting the needs of children with special educational needs and/or disabilities or other health conditions.
- Recognising additional risks and vulnerability of children with assigned social workers. For example, them being vulnerable to further harm, as well as facing educational barriers to attendance, learning, behaviour and poor mental health.
- The use of reasonable force.
- Meeting the needs of children with medical conditions.
- Providing first aid.
- Educational visits.
- Intimate care.
- Online safety and associated issues.
- Appropriate arrangements to ensure Academy security, taking into account the local context.

**Safeguarding can involve a range of potential issues such as:**

- Neglect, physical abuse, sexual abuse and emotional abuse
- Bullying, including cyber bullying (e.g. by text message, or via social media) and prejudice-based bullying.
- Peer on Peer (child on child) abuse
- Racist, disability and homophobic, biphobic or transphobic abuse (or any other form of protected characteristic).
- Gender based violence/violence against women and girls
- Extremist behaviour i.e. radicalisation.
- Child sexual exploitation and human trafficking.
- The impact of new technologies, including sharing nude/semi-nude images and accessing pornography
- Substance misuse by the child or young person
- Particular issues affecting children including domestic abuse, sexual exploitation, female genital mutilation and forced marriage
- Child Abuse linked to faith or belief
- Fabrication or induction of illness in a child
- Mental health issues including self-harming - 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.
- Child Trafficking
- Issues which may be specific to a local area or population, for example gang activity and youth violence.

Our Academy will incorporate signs of abuse and specific safeguarding issues which are relevant to the local area into briefings, employee induction training, and ongoing development training for all employees/anyone who has contact with a child or young person (including Governors and volunteers).

Within our area, we are advised that there are specific concerns

- *Child Sexual Exploitation.*
- *Bullying including cyber bullying*
- *Domestic Violence*
- *Female Genital Mutilation (FGM)*
- *Hate*

- *Private Fostering*
- *Preventing Radicalisation*
- *Online abuse/Sharing nudes/semi-nudes*
- *Teenage Relationship abuse*
- *Trafficking*
- *Missing children and vulnerable adults*
- *Child sexual abuse within the family*
- *Poor parenting, particularly in relation to babies and young children*

Our ethos is that the effective safeguarding of children can only be achieved by putting children at the centre of a system where we listen and hear what they say. Every individual within the Academy will play their part, including working with professionals from other agencies, to meet the needs of our most vulnerable children and keep them safe. We will take opportunities to teach children about important safeguarding issues in a way that is age appropriate.

The Academy aims to provide a safe environment and vigilant culture where children and young people can learn and be safeguarded. If there are safeguarding concerns, we will respond with appropriate action in a timely manner for those children who may need help or be suffering, or likely to suffer, significant harm.

Where employees or others need to raise concerns, these should be to the Designated Safeguarding Lead (DSL) who will coordinate a response. The DSL (and any deputies) are most likely to have a complete safeguarding picture and be the most appropriate person to advise on the response to safeguarding concerns. Where employees have concerns about a child (as opposed to a child being in immediate danger) they will decide what action to take in conjunction with the DSL. Concerns can be raised directly with Children's Social Care but we advocate contact with the DSL first. The DSLs, who are familiar with national and local guidance, will share concerns, where appropriate, with the relevant agencies.

## THE POLICY

**There are five main elements to our policy:**

- providing a safe environment in which children can learn and develop;
- ensuring we practice safer recruitment in checking the suitability of employees, governors, volunteers and contractors to work with children;
- developing and implementing procedures for identifying and reporting cases, or suspected cases of abuse;
- supporting pupils who have been abused or harmed in accordance with his/her child protection plan;
- raising awareness of safeguarding children, child protection processes and equipping children with the skills needed to keep them safe.

We recognise that because of the day-to-day contact with children, our employees are well placed to observe the outward signs of abuse. The Academy will therefore:

- establish and maintain an environment where children feel secure, are encouraged to talk/are listened to and all allegations are taken seriously;
- ensure children know that there are adults in the Academy whom they can approach if they are worried;
- make every effort to establish effective working relationships with parents and other agency colleagues;
- include opportunities in the PSHE/RSE curriculum for children to develop the skills they need to recognise and stay safe from abuse;

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Brackensdale Spencer Academy Safeguarding and Child Protection Policy.

- take all reasonable measures to ensure risks of harm to children’s welfare are minimised;
- take all appropriate actions to address concerns about the welfare of a child, working to local policies and procedures in full working partnership with agencies;
- assess the risks and issues in the wider community when considering the wellbeing and safety of our pupils;
- ensure robust child protection arrangements are embedded in the daily life and practice of the Academy;
- promote pupil health and safety;
- recognise that mental health problems can, in some cases, be an indicator of a safeguarding concern;
- promote safe practice and challenge unsafe practice;
- ensure that procedures are in place to deal with allegations of abuse against teachers and other employees including volunteers (DfE Keeping Children Safe in Education 2021 and the Derby and Derbyshire Local Inter-agency Procedures as at: <http://www.derbyshirescb.org.uk/>);
- provide first aid and meet the health needs of children with medical conditions;
- ensure Academy site security;
- address drugs and substance misuse issues;
- support and plan for young people in custody and their resettlement back into the community;
- work with all agencies with regard to missing children, anti-social behaviour/gang activity and violence in the community/knife crime and children at risk of sexual exploitation;
- ensure everyone understands their duty to safeguard children inside/outside the Academy environment including Academy trips, extended Academy activities and vocational placements.

**We will follow the procedures set out by the relevant local Safeguarding Partnership and take account of guidance issued by the DfE in Keeping Children Safe in Education 2021 to:**

- ensure we have a Senior Designated Safeguarding Lead (DSL), who is a member of the Academy leadership team, and at least one Deputy DSL for child protection/safeguarding, who have received appropriate training and support for this role;
- ensure we have a nominated governor responsible for child protection/safeguarding;
- ensure we have a Designated Teacher for Looked After Children and those who have left care through adoption, special guardianship or child arrangement orders or who were adopted from state care outside England and Wales;
- ensure every employee (including temporary/supply employees and volunteers and contractors) and the governing body knows the name of the DSL, and their deputy(s), and their role. This includes displaying photographs of DSLs within the school, including in reception;
- ensure all employees and volunteers understand their responsibilities in being alert to the signs of abuse and responsibility for referring any concerns to the DSL or to children’s social care/police if a child is in immediate danger/risk of harm;
- ensure all employees and volunteers are aware of the early help process and understand their role in it;
- ensure that the Academy follows the Trust Whistleblowing Policy and has a culture where employees can raise concerns about unsafe practice;
- ensure the complaints system in place for children and families is in line with the Trust complaints policy;



- ensure that parents have an understanding of the responsibility placed on the Academy and employees for child protection by setting out its obligations in the Academy prospectus and on the Academy's website;
- notify Children's Social Care if there is an unexplained absence of more than two days of a pupil who is subject to a child protection plan;
- develop effective links with relevant agencies and cooperate as required with their enquiries regarding child protection matters, including attendance at child protection conferences;
- keep written/electronic records of concerns about children, even where there is no need to refer the matter immediately; documenting and collating information on individual children to support early identification, referral and actions to safeguard children and young people;
- ensure all records are kept securely; separate from the main pupil file; and away from classrooms;
- ensure we follow robust processes to respond when children are missing from education, home or care;
- follow set procedures where an allegation is made against an employee or volunteer;
- ensure safer recruitment practices are always followed;
- apply confidentiality appropriately;
- apply the escalation policy if there is any concern about the actions or inaction of social care employees or employees from other agencies.

Any concern should be discussed in the first instance with the DSL (or deputy) or in their absence the Principal of the Academy as soon as possible who would need to take advice from another DSL in the Trust or the Director of Inclusion. **If at any point, there is a risk of immediate serious harm to a child, a referral should be made to Children's Social Care or the police immediately. Anybody can make such a referral.**

### **Early Help**

Where parents, carers or children tell us that they require support, or Academy employees identify that there may be emerging needs and that services might be required, an Early Help Assessment (EHA) is likely to be beneficial. In such cases employees will have an open discussion with the parent and child about the support and services that might help and agree how they would be accessed. An Early Help Assessment Form (EHAF) may need to be completed. If early help is appropriate, the DSL (or deputy) will generally lead on liaising with other agencies and setting up an inter-agency assessment as appropriate

**Any** child may benefit from early help, but all Academy staff should be particularly alert to the potential need for early help for a child who:

- is disabled and has specific additional needs;
- has Special Educational Needs (whether or not they have a statutory Education, Health and Care Plan);
- is a young carer;
- is showing signs of being drawn into anti-social or criminal behaviour, including gang involvement and association with organised crime groups;
- is frequently missing/goes missing from care or from home;
- is misusing drugs or alcohol themselves;
- is at risk of modern slavery, trafficking or exploitation;
- is in a family circumstance presenting challenges for the child, such as substance abuse, adult mental health problems or domestic abuse;
- has returned home to their family from care;

- is showing early signs of abuse and/or neglect;
- is at risk of being radicalised or exploited;
- is a privately fostered child.

### **Vulnerable Children**

We recognise that some children will be at increased risk of neglect and or abuse, including criminal exploitation. To ensure that all of our children receive equal protection, we will give special consideration and attention to children who are:

- Disabled or have Special Educational Needs;
- 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;
- missing from the Academy, particularly on repeat occasions;
- homeless or living in temporary accommodation and/or with transient lifestyles;
- living in chaotic, neglectful and unsupportive home situations;
- vulnerable to discrimination and maltreatment on the grounds of protected characteristics such as race, ethnicity, religion or sexuality;
- at risk of sexual exploitation, hate crime or radicalisation;
- young carers;
- Looked After and previously Looked After including care leavers;
- without English as a first language;
- involved in the court system – for example because of crimes committed against them, crimes they have witnessed or as a result of making child arrangements via the family courts following family separation;
- in a family where members are in prison.

### **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 forms 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 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.

We will be alert to the signs (such as missing from school episodes) that a child may have become involved in county lines, and respond within the context of our child protection and safeguarding policy. Further information about Child Criminal Exploitation can be found in Appendix 5 and 6.

### **Mental Health**

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 recognise that 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. We understand our responsibility to be aware of how children's experiences may impact on their mental health, behaviour and education.

Academy staff are not expected or trained to diagnose mental health conditions or issues, but may notice behaviours that may be of concern. Only appropriately trained professionals should attempt to make a diagnosis of a mental health problem. Academy 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 staff have a concern about a child's mental health, that is also a safeguarding concern, immediate actions should be taken by speaking to the DSLs or a deputy in order to provide support under the terms of the safeguarding and child protection policy.

### **Extra-familial harm**

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. This may include incidents or behaviours associated with factors outside of the school or which could occur between children outside of these environments.

All staff, but especially the DSL (and deputies) should consider whether children are at risk of abuse or exploitation in situations outside their families. Extra-familial harms take a variety of different forms and children may be vulnerable to multiple harms including (but not limited to) sexual exploitation, criminal exploitation, and serious youth violence.

All staff should be aware of the risk of Child Sexual Exploitation (CSE) and Child Criminal Exploitation (CCE). Both CSE and CCE are forms of abuse and both occur where an individual or group takes advantage of an imbalance in power to coerce, manipulate or deceive a child into sexual or criminal activity. Further information and guidance can be found in Appendix 5 and 6.

The abuse can be perpetrated by individuals or groups, males or females, and children or adults. The abuse can be a one-off occurrence or a series of incidents over time, and range from opportunistic to complex organised abuse. It can involve force and/or enticement-based methods of compliance and may, or may not, be accompanied by violence or threats of violence.

### **Supporting children**

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Brackensdale Spencer Academy Safeguarding and Child Protection Policy.

We recognise that children who are abused or who witness violence may find it difficult to develop a sense of self-worth. They may feel helplessness, humiliation and some sense of blame. The Academy may be the only stable, secure and predictable element in the lives of children at risk. When at the Academy their behaviour may be challenging and defiant or they may be withdrawn.

The Academy will endeavour to support the pupil through:

- the content of the curriculum;
- an Academy ethos which promotes a positive, supportive and secure environment and gives pupils a sense of being valued;
- the Academy behaviour policy which is aimed at supporting vulnerable pupils. The Academy will ensure that the pupil knows that some behaviour is unacceptable but they are valued and not to be blamed for any abuse which has occurred;
- liaison with other agencies that support the pupil within our Local Authority such as Children's Social Care, Early Help services and other Academy support services such as the Education Psychology Service;
- ensuring that, where a pupil leaves and is subject to a child protection plan or where there has been wider safeguarding concerns, their information is transferred to the new school at the earliest opportunity and no later than the statutory 15 working days, and that the child's social worker is informed. The Trust recommends that receipt of files is acknowledged via a signed-for document if not sent electronically via CPOMs.

### **Prevention in the Curriculum**

- The Academy recognises the importance of developing pupils' awareness of behaviour that is unacceptable towards them and others, and how they can help keep themselves and others safe.
- Our children and young people are taught about safeguarding, including online, through various teaching and learning opportunities, as part of providing a broad and balanced curriculum. Children are taught to recognise when they are at risk and how to get help when they need it.
- The RSHE programme provides personal development opportunities for pupils to learn about keeping safe and who to ask for help if their safety is threatened. As part of developing a healthy, safer lifestyle, pupils are taught, for example, to:
  - safely explore their own and others' attitudes
  - recognise and manage risks in different situations and know how to behave responsibly
  - judge what kind of physical contact is acceptable and unacceptable
  - recognise when pressure from others (including people they know) threatens their personal safety and well-being including knowing when and where to get help
  - manage healthy relationships/understand how to deal with domestic violence / unhealthy relationships/consent (secondary academies)
  - use assertiveness techniques to resist unhelpful pressure.
  - keep safe on-line
  - appreciate fire, water and road safety
  - understand about stranger danger
  - understand about so called Honour Based abuse issues (HBA) which encompasses crimes which have been committed to protect or defend the honour of the family and/or the community e.g. forced marriage, female genital mutilation (FGM) (see Appendix 9), breast ironing
  - protect themselves and others from Bullying/Cyberbullying

- keep themselves safe from drugs, alcohol and substance abuse (secondary)
  - protect themselves from sexual exploitation of children (CSE) (see Appendix 5)
  - prevent and protect themselves from extremism and radicalisation (see Appendix 8)
  - Prevent the production and sharing of Youth Produced Sexual Imagery (Sexting) – Appendix 7
- We know how important it is that our children understand the risks associated with sharing indecent images of, or information about, themselves - now referred to as the sharing of nudes or semi-nudes (previously referred to as sexting). Research indicates that this is increasingly associated with concerns such as sexual exploitation (see Appendix 6) and is recognised as a form of peer on peer abuse when it involves another child (see Appendix 4).

### **Extended Academy activities**

Where the Academy provides services or activities directly under the supervision or management of an Academy employee, including for example lettings, our safeguarding and child protection policy will apply. Where services or activities are provided separately by another body, the Governing Body/proprietor will seek assurance in writing that the body concerned has appropriate policies and procedures in place (including inspecting these as appropriate) to safeguard and protect children and there are arrangements to liaise with the Academy on these matters where appropriate and ensure that there are arrangements in place to liaise with the school or college on these matters where appropriate.

The safeguarding arrangements should be included in any lease or hire agreement as a condition of use and occupation of the premises; and that failure to comply with this would lead to termination of the agreement.

Where we provide opportunities for outside visitors to be on the premises when children are present, including for community use and training events, our safeguarding procedures will be robustly applied

### **Alternative Academy Placements/Arrangements**

Where pupils regularly attend another institution or alternative education provider for all or some of their provision, we will ensure that effective procedures for safeguarding are in place as part of our continuing responsibility for the safeguarding of those pupils. A copy of this policy will be shared with the provider as there is an expectation that it will be following our Academy's processes in respect of any safeguarding issues related to children who are on roll at our Academy. We will obtain written confirmation from the alternative provider that appropriate safeguarding checks have been carried out on individuals working at the establishment, i.e. those checks that the academy would otherwise perform in respect of its own staff.

The cohort of pupils in Alternative Provision often have complex needs, it is important that the governing bodies and proprietors of these settings are aware of the additional risk of harm that their pupils may be vulnerable to.

### **Work experience**

Where the academy takes responsibility for organising work experience placements, it will ensure that the placement provider has policies and procedures in place to protect children from harm and observe the guidance in Keeping Children Safe in Education 2021 when determining whether barred list checks by the DBS are required on people who supervise a child under the age of 16 on a work experience placement.

### **Children staying with host families in the UK ('Homestay')**

Where our Academy makes arrangements for children from beyond our school to be provided with care and accommodation by a host family to whom they are not related, for example, as part of a foreign exchange visit or sports tour, we recognise our duty to safeguard and promote children's welfare. As part of our assessment of the suitability of the adults in those families who will be responsible for the visiting child during the stay, we will obtain a DBS enhanced certificate with barred list information. We will also obtain a DBS enhanced certificate in respect of anyone aged 16 or over in the household where the child will be staying.

Where a child's parent(s) or a student themselves arranges their own homestay, this would be a private arrangement and any checks or assurances regarding the suitability of the homestay would not be the Academy's responsibility.

### **Photographs and Videos of Children in the Academy**

Within the Trust we take a sensible and balanced approach to photographing and videoing children on our site. Taking pictures and video images of children's achievements and activities is a wonderful way of capturing a memory and promoting successes. We will always obtain parental permission while taking such images and put safeguards in place to ensure anonymity (wherever possible) in their usage.

Employees in the Academy will be aware of the identity of children who for whatever reason, may not be photographed.

Further guidance is provided by the Information Commissioners Office on taking photographs in schools and the Data Protection Act 2019 [ICO: taking photographs in Schools](#)

### **Confidentiality & Information Sharing**

We recognise that all matters relating to child protection are confidential. However, an employee must never guarantee confidentiality to children; children will not be given promises that any information about an allegation will not be shared.

Where there is a child protection concern it will be passed immediately to the DSL and/or to Children's Social Care. When a child is in immediate danger Children's Social Care/the police will be contacted immediately.

The Principal and/or DSL will disclose personal information about a pupil to other employees, including the level of involvement of other agencies, only on a 'need to know' basis.

We recognise that information sharing is vital in identifying and tackling all forms of abuse. Whilst, among other obligations, the Data Protection Act 2018 places duties on organisations and individuals to process personal information fairly and lawfully and to keep the information they hold safe and secure, this is **not** a barrier to sharing information. The Data Protection Act 2018 and GDPR **do not prevent the sharing of information for the purposes of keeping children safe**. This includes allowing practitioners 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, but it is not possible to gain consent, it cannot be reasonably expected that a practitioner gains consent, or if to gain consent would place a child at risk. Appendix 3 provides more detail about our record keeping systems

### **Working with Parents/Carers**

Parents and carers play an important role in protecting their children from harm. In most cases, the Academy will discuss concerns about a pupil with the family and, where appropriate, seek their agreement to making referrals to Children's Social Care. Where there are any doubts, the DSL should clarify with Children's Social Care whether, and if so when and by whom, the parents should be told about the referral.

The pupil's views will be considered in deciding whether to inform the family, particularly where the pupil is sufficiently mature to make informed judgments about the issues, and about consenting to that.

### **Safe Employees**

Safer recruitment processes will be followed in accordance with The Spencer Academies Trust Recruitment and Selection Policy and guidance and relevant sections of Keeping Children Safe in Education 2021. The level of DBS certificate required, and whether a check for any prohibition, direction, sanction, or restriction is required, will depend on the role that is being offered and duties involved.

The Trust expects that an appropriate number of employees and governors have undertaken Safer Recruitment training so that all interview panels have at least one Safer Recruitment trained representative with up to date knowledge of the required checks needed.

Checks and references are an essential part of the safer recruitment process.

### **Allegations**

Employees will have access to advice on the boundaries of appropriate behaviour and will be aware of the SAT Employee Expectations and Code of Conduct including contact between employees and pupils outside of the workplace. The Guidance for Safer Working Practices for Adults who work with Children and Young People (2020) will be observed. This should assist in limiting complaints against employees of abuse of trust and/or allegations.

In the event of a complaint or allegation against an Academy employee, member of the supply staff or volunteer or contractor, the Principal (or Deputy if the Principal is not present), should be notified immediately. If the complaint or allegation relates to the Principal or a member of the Trust Central Team, the CEO should be notified. If the complaint or allegation relates to the CEO, the Chair of the Trust Board of Directors should be notified. The local chair of governors should be informed without delay where this relates to the Principal. The Academy will respond to all allegations robustly in collaboration with the Local Authority Designated Officer (LADO) and the Trust HR Manager.

Concerns may come from various sources, for example, a suspicion; complaint; or disclosure made by a child, parent or other adult within or outside of the organisation; or as a result of vetting checks undertaken.

It is an allegation if the person\* has:

- behaved in a way that has harmed a child, or may have harmed a child and/or;
- possibly committed a criminal offence against or related to a child and/or;
- behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children; and/or
- behaved or may have behaved in a way that indicates they may not be suitable to work with children (also includes behaviour outside the school).

(\*Person could be anyone working in the Academy that provides education for children under 18 years of age, including supply teachers, volunteers and contractors.)

Allegations should be reported to the LADO 'without delay'. Before contacting the LADO, schools and colleges should conduct basic enquiries in line with local procedures to establish the facts to help them determine whether there is any foundation to the allegation, being careful not to jeopardise any future police investigation. The LADO's role is not to investigate the allegation, but to ensure that an appropriate investigation is carried out, whether that is by the police, children's social care, the Academy, or a combination of these.

In circumstances where an allegation pertains to a supply teacher, trainee or other contracted person, under no circumstances will the Academy cease to use the services of that person without finding out the facts and liaising with the LADO to determine a suitable outcome. While employment agencies will be involved and cooperate with any investigation process, it is expected that the Academy will take the lead in this, due to the greater availability of information.

Under new guidance on 'transferable risk,' a risk assessment will be carried out where there is reason to believe that an individual has behaved or may have behaved in a way that indicates they may not be suitable to work with children. This might include an incident outside of the Academy which did not involve children but could have an impact on an individual's suitability to work with children.

The Principal has to decide whether the concern is an allegation or low-level concern. The term 'low-level' concern does not mean that it is insignificant, it means that the behaviour towards a child does not meet the threshold for referral to the Local Authority Designated Officer (LADO) (see below).

### **Low Level Concerns About Staff Behaviour**

Concerns may be graded low-level if the concern does not meet the criteria for an allegation; and the person has acted in a way that is inconsistent with the staff code of conduct, including inappropriate conduct outside of work. Example behaviours include, but are not limited to:

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

If the concern has been raised via a third party, the Principal should collect as much evidence as possible by speaking:

- directly to the person who raised the concern, unless it has been raised anonymously;
- to the individual involved and any witnesses.

Reports about supply staff and contractors should be notified to their employers, so any potential patterns of inappropriate behaviour can be identified.

Staff should be encouraged and feel confident to self-refer, where, for example, they have found themselves in a situation which could be misinterpreted, might appear compromising to others, and/or on reflection they believe they have behaved in such a way that they consider falls below the expected professional standards.

Low-level concerns should be recorded in writing, including:

- name\* of individual sharing their concerns (\* if the individual wishes to remain anonymous then that should be respected as far as reasonably possible);
- details of the concern;
- context in which the concern arose;
- action taken.

Records must be kept confidential, held securely and comply with the Data Protection Act 2018. The Academy will retain such information until the individual leaves their employment.



Records will be reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified. If a concerning pattern of behaviour is identified and now meets the criteria for an allegation, then the matter will be referred to the LADO.

The records' review might identify that there are wider cultural issues within the Academy that enabled the behaviour to occur. This might mean that policies or processes could be revised or extra training delivered to minimise the risk of it happening again.

Further support can be found at - <https://www.farrer.co.uk/globalassets/clients-and-sectors/safeguarding/low-level-concerns-guidance-2020.pdf>

## **Supporting Employees**

Employees may find some of the issues relating to child protection upsetting and may need support which should be provided by the Academy and either the Academy or Trust's Human Resources Team. Supervision sessions are available to all employees who are involved with child protection issues.

## **Links to other Academy/Trust Policies or Documents**

This policy should be read alongside and in conjunction with other policies and documents regarding the safety and welfare of children. These together make up the suite of policies and documents to safeguard and promote the welfare of children in this Academy (**add relevant policies here. Rename as appropriate for the Academy where policies are highlighted in red. Check you have school level policies where text is in black**):

- *Accessibility Plan*
- *Administration of Medicines*
- *Anti-Bullying*
- *Attendance (including the safeguarding response to children who go missing from education);*
- *Behaviour*
- *Health and Safety (including site security and first aid provision*
- *Intimate Care*
- *Online Safety*
- *Physical Intervention/Use of reasonable force and Positive Handling*
- *Policy on the use of mobile phones or cameras in school*
- *Relationships and Sex Education*
- *Special Educational Needs and Disability (SEND)*
- *Supporting children with medical needs*

The academy operates within the following Trust level policies:

- *Complaints Policy and Procedure (Trust policy)*
- *Disciplinary Policy (employees) (Trust policy)*
- *Employee Expectations and Code of Conduct (Trust policy)*
- *Equality (Trust policy)*
- *Freedom of Information (Trust policy)*

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- *information, governance and security policy (Part of the Trust data protection policy)*
- *Grievance Policy (employees) (Trust policy)*
- *Whistle Blowing (Trust policy)*

**Further guidance to support the work around child protection and safeguarding:**

- [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1007260/Keeping\\_children\\_safe\\_in\\_education\\_2021.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1007260/Keeping_children_safe_in_education_2021.pdf).
- Working Together to Safeguard Children <https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>
- Female Genital Mutilation (FGM) <https://www.gov.uk/government/collections/female-genital-mutilation>
- Children who may have been trafficked <https://www.gov.uk/government/publications/safeguarding-children-who-may-have-been-trafficked-practice-guidance>
- Private fostering arrangements- [www.privatefostering.org.uk](http://www.privatefostering.org.uk)
- Sharing of Nudes/Semi-Nudes in Schools and College [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/647389/Overview\\_of\\_Sexting\\_Guidance.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/647389/Overview_of_Sexting_Guidance.pdf)
- Supporting children with continence issues <https://www.nice.org.uk/guidance/CG111>
- Use of reasonable force <https://www.gov.uk/government/publications/use-of-reasonable-force-in-schools>
- Preventing child on child sexual violence and sexual harassment: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/999239/SVSH\\_2021.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/999239/SVSH_2021.pdf)
- Promoting the Education of Looked After Children <https://www.gov.uk/government/publications/promoting-the-education-of-looked-after-children>

**Key national contacts**

- NSPCC helpline - helping adults protect children 24 hours a day. For help and support, including anyone needing advice about female genital mutilation, young people affected by gangs, concerns that someone may be a victim of modern slavery contact the NSPCC trained helpline counsellors on: [help@nspcc.org.uk](mailto:help@nspcc.org.uk) or Text 88858 or Telephone 0808 800 5000
- NSPCC Whistleblowing Advice Line - free advice and support for professionals concerned about how child protection issues are being handled in their organisation [help@nspcc.org.uk](mailto:help@nspcc.org.uk) or telephone 0808 800 5000
- NSPCC Report Abuse in Education helpline – 0800 136663
- UK Safer Internet Centre professional advice line - helpline for professionals working with children and young people in the UK with any online safety issues they may face themselves or with children in their care : [helpline@saferinternet.org.uk](mailto:helpline@saferinternet.org.uk) or telephone 0844 381 4772
- Police Anti-Terrorist Hot Line number 0800 789 321

**The following appendices are a part of this policy and form accompanying guidance:**

<i>Appendix 1</i>	<i>Roles and Responsibilities</i>
<i>Appendix 2</i>	<i>Identifying Concerns</i>
<i>Appendix 3</i>	<i>Records and Monitoring</i>

<i>Appendix 4</i>	<i>Peer on Peer Abuse</i>
<i>Appendix 5</i>	<i>Child Sexual Exploitation (CSE)</i>
<i>Appendix 6</i>	<i>Child Criminal Exploitation (CCE)</i>
<i>Appendix 7</i>	<i>Sharing Nudes/Semi-Nudes</i>
<i>Appendix 8</i>	<i>Online Safety</i>
<i>Appendix 9</i>	<i>Prevent Duty</i>
<i>Appendix 10</i>	<i>Female Genital Mutilation</i>
<i>Appendix 11</i>	<i>Children Missing from Education</i>
<i>Appendix 12</i>	<i>Private Fostering</i>
<i>Appendix 13</i>	<i>Domestic Abuse</i>
<i>Appendix 14</i>	<i>Serious Violence</i>
<i>Appendix 15</i>	<i>Welfare and safeguarding policies where school have EYFS settings</i>

We have a range of recording formats for internal and external purposes including audits required by the local Safeguarding Partnership. These will also form part of the Academy's procedures. It is the responsibility of the DSL to make these known to employees, and for employees to follow them. (See Appendix 3).

# Part B – Guidance

## Appendix 1 - Roles and Responsibilities

### Everyone

Safeguarding and promoting the welfare of children is everyone's responsibility. Everyone in our Academy who comes into contact with children and their families has a role to play in safeguarding children. All employees in our Academy consider, at all times, what is in the best interests of children.

All employees within our Academy are equally in a position to identify concerns early and provide help to children to prevent concerns escalating. All employees contribute to providing a safe environment in which children can learn.

All our employees are aware of the early help process and understand their role in this. This includes being able to identify emerging problems to recognise children who may benefit from early help. The Academy assesses the risks and issues in the wider community when considering the wellbeing and safety of its children. Employees know in the first instance to discuss their concerns with the DSL and understand they may be required to support other agencies and professionals in assessments for early help.

All our employees are aware of systems within our Academy and these are explained to them as part of employee induction, which include our child protection policy; the Employee Expectations and Code of Conduct, the role of the DSL and Keeping Children Safe in Education Part One. All our employees receive safeguarding and child protection training which is updated (at least) every three years from a suitably trained person. In addition to this training, all employees receive child protection and safeguarding updates when required, but at least annually. All employees and volunteers will undergo Trust approved level 2 training.

All our employees are aware of the process for making referrals to children's social care and for statutory assessments under the Children Act 1989 and understand the role they may have in these assessments.

All our employees know what to do if a child is raising concerns, disclosures of abuse and neglect. Employees will maintain a level of confidentiality whilst liaising with the DSL and Children's Social Care. Our employees will never promise a child that they will not tell anyone about a disclosure or allegation, recognising this may not be in the best interest of the child.

If staff have **any concerns** about a child's welfare, they should act on them immediately.

### **Employees and volunteers will always promptly inform the DSL 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 behaviours 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 child'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 children e.g. living in a household with children present.
- Any concerns about peer on peer abuse; this should never be tolerated and passed off as banter or part of growing up (see Appendix 4).
- Information which indicates that the child is living with someone who does not have parental responsibility for them (Private Fostering see Appendix 12).
- Any concerns that a child is at risk of forced marriage, so-called honour based abuse or female genital mutilation (FGM) (see Appendix 10).

Options will then include:

- managing any support for the child internally via the Academy pastoral support processes;
- an Early Help Assessment;
- a referral for statutory services for example as the child might be in need, is in need or suffering or likely to suffer harm.

### **Teachers (including Early Career Teachers) and Principals – Professional duty**

The Teacher Standards 2012 remind us that teachers, early career teachers and Head Teachers should safeguard children and maintain public trust in the teaching profession as part of our professional duties.

### **Designated Safeguarding Lead (DSL)**

Our Academy has a DSL with lead responsibility for safeguarding children and child protection who has received appropriate training and support for this role. This role includes duties under the Prevent agenda. The DSL is a senior member of the Academy leadership team and their responsibilities are explicit in their job description. The DSL will liaise with the local authority and work with other agencies in line with Working Together to Safeguard Children (2018).

We also have one or more Deputy DSLs (see page 4 of this policy), who will provide cover for the DSL when they are not available. Our Deputy DSL(s) has/have received the same training as our DSL. They will provide additional support to ensure the responsibilities for child protection and safeguarding children are fully embedded within the Academy ethos and that specific duties are discharged. They will assist the DSL in managing referrals, attending Child Protection Conferences, reviews and meetings and supporting the child/children. All have completed the required training and are overseen by the DSL to ensure we fulfil our child protection responsibilities to meet the needs of the children/ young people on roll.

We acknowledge the need for effective and appropriate communication between all employees in relation to safeguarding pupils. Our DSL ensures there is a structured procedure within the Academy, followed by all of the members of the Academy community in cases of suspected abuse, including where concerns are raised under Prevent.

### **The Designated Safeguarding Lead is expected to:**

#### **Manage Referrals from school staff or any others from outside the school**

- Refer cases of suspected abuse or allegations to the relevant investigating agencies
- Support employees who make referrals to children’s social care and other referral pathways
- Refer cases, where a person is dismissed or left due to risk/harm to a child, to the DBS as required

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## **Work with others (including external agencies and professionals) on matters of safety and safeguarding**

- Liaise with the Principal/Head of Academy (where the Designated Safeguarding Lead role is not carried out by the Head Teacher) to inform him/her of any issues and ongoing investigations
- Liaise with the case manager and the LADO/ LADO Allegation Officer where there are concerns about an employee
- Liaise with employees on matters of safety and safeguarding and deciding when to make a referral by liaising with other agencies
- Act as a source of support, advice and expertise for other employees
- Take part in strategy discussions or attend inter-agency meetings and/or support other employees to do so and to contribute to the assessment of children
- Liaise with the local authority and other agencies in line with recent guidance and Safeguarding Partnership procedures and practice guidance
- Ensure that child protection information is transferred to the pupils new school.
- Be aware of pupils who have a social worker and liaise with Virtual Headteacher who has responsibility to promote the education of children who have a social worker.
- Help promote educational outcomes by sharing the information about the welfare, safeguarding and child protection issues with teachers and wider Academy staff as appropriate.

## **Undertake training**

- Formal DSL training will be undertaken every two years. Informal training and updating of knowledge and skills will be at regular intervals, undertaken at least annually. The DSL is responsible for their own training and should obtain access to resources or any relevant refresher training.
- The DSL is also responsible for ensuring all other employees with designated safeguarding responsibilities access up to date and timely safeguarding training and maintains a register to evidence the training.

### **The training undertaken should enable the Designated Safeguarding Lead to:**

- understand the assessment process for providing early help and intervention;
- have a working knowledge of how the local Safeguarding Children Partnership operates, the conduct of a child protection conference, and be able to attend and contribute to these effectively when required to do so;
- ensure that each employee has access to the child protection policy and procedures;
- be alert to the specific needs of children in need, including those with special educational needs and or disabilities and young carers;
- be able to keep detailed, accurate, secure written records of concerns and referrals;
- understand the Prevent Duty and provide advice and support to employees on protecting children from the risk of radicalisation;
- understand the unique risks associated with online safety and be confident that they have the relevant knowledge and up to date capability required to keep children safe whilst they are online at school or college;
- recognise the additional risks that children with SEN and disabilities (SEND) face online, for example, from online bullying, grooming and radicalisation and are confident they have the capability to support SEND children to stay safe online;
- obtain access to resources and attend any relevant or refresher training courses; and

- encourage a culture of protecting children; listening to children and their wishes and feelings.

### **Raise awareness of safeguarding and child protection amongst staff and parents**

- Ensure that the safeguarding and child protection policies are known, understood and used appropriately
- Ensure that the safeguarding and child protection policy is reviewed annually in consultation with employees, procedures are updated and reviewed regularly and implemented, and that the governing body is kept up to date and actively involved
- Work strategically to ensure policies and procedures are up to date and drive and support development work within the Academy
- Ensure that the safeguarding and child protection policy is available to parents/carers and uploaded to the Academy website and make clear that referrals may be made about suspected abuse or neglect
- Liaise with the local Safeguarding Partnership and ensure all employees receive induction training covering child protection and are able to recognise and report any concerns immediately as they arise

### **Availability**

- During term time the Designated Safeguarding Lead (or a Deputy) will always be available (during Academy hours) for employees in the Academy or college to discuss any safeguarding concerns. If no DSL or deputy is available, staff should speak to a member of the SLT and/or take advice from local children's social care (KCSIE 2021). The Academy ensure that appropriate arrangements are in place for any out of Academy hours' activities in-line with the guidance contained in KCSIE 2021.

### **Principals/Heads of Academy will ensure that:**

- the Trust safeguarding policies and procedures-are implemented, and followed by all employees;
- the roles and responsibilities of the DSL and any deputy DSLs are explicit in their job descriptions;
- sufficient resources and time are allocated to enable the DSL and other employees to discharge their responsibilities, including taking part in strategy discussions and inter-agency meetings, and contributing to the assessment of children;
- all employees and volunteers feel able to raise concerns about poor or unsafe practice with regard to children, and such concerns are addressed sensitively and effectively in a timely manner in accordance with agreed whistle-blowing policies;
- all employees have access to and read:- the Academy Safeguarding and Child Protection Policy; the employee expectations and code of conduct; DfE Keeping Children Safe in Education guidance 2021, Part One, as a minimum
- there are mechanisms in place to assist employees to understand and discharge their role and responsibilities as set out in Part One of Keeping Children Safe in Education 2021.

### **Governance**

**The Trust's Board of Directors and the Academy Governing Body and are collectively responsible for ensuring that safeguarding arrangements are fully embedded within the Academy's ethos and reflected in the Academy's day to day safeguarding practices by:**

- ensuring there is an individual member of the governing body to take leadership responsibility for safeguarding and champion child protection issues within the Academy;

- ensuring the Academy has effective policies and procedures in line with statutory guidance (Working Together to Safeguard Children 2018) and local guidance, and monitoring the Academy's compliance with them;
- ensuring that safeguarding policies and procedures are in place for appropriate action to be taken in a timely manner to promote a child's welfare;
- recognising the importance of information sharing between agencies. Ensuring cooperation with the local authority and other safeguarding partners;
- appointing a DSL from the leadership team to take lead responsibility for child protection/safeguarding and ensuring a Designated Teacher for Looked After Children is appropriately trained;
- ensuring that all employees read and understand at least Part One of Keeping Children Safe in Education 2021 and ensuring that there are mechanisms in place to assist employees to understand and discharge their role and responsibilities as set out in Part One;
- ensuring that the governing body is collectively responsible for the Academy's safeguarding arrangements;
- ensuring that the Chair of Governors and named safeguarding governors are suitably trained to enable them to discharge and comply with their child protection/safeguarding responsibilities;
- ensuring there is a training strategy in place for all employees, including the Principal, so that child protection training is undertaken with refresher training at three yearly intervals. The DSL and all other employees with designated safeguarding responsibilities should receive refresher training at two yearly intervals;
- ensuring that employees undergo mandatory Induction Training which should include: the Safeguarding and Child Protection Policy; the Behaviour Policy; the Staff Code of Conduct; the safeguarding response to children who go missing from education and; the role of the designated safeguarding lead and any deputies;
- ensuring that there are arrangements in place for all staff to receive regular safeguarding and child protection updates as required, but at least annually, to provide them with the relevant skills and knowledge to safeguard children effectively;
- ensuring that temporary employees and volunteers who work with children are made aware of the Academy's arrangements for child protection and their responsibilities;
- ensuring there are procedures in place to manage allegations against employees and exercise disciplinary functions in respect of dealing with a complaint;
- ensuring a response if there is an allegation against the Principal by liaising with the LADO or other appropriate officers within the Trust HR team;
- ensuring appropriate responses to children who go missing from education, particularly on repeat occasions, to help identify the risk of abuse, including child sexual exploitation;
- ensuring that appropriate filters and monitoring systems are in place at the Academy to protect children online;
- ensuring that children are taught about safeguarding online through teaching and learning opportunities;
- ensuring that peer on peer abuse is included in the child protection and safeguarding policy, the issue of sharing nudes/semi-nudes and the Academy's response is included and different gender issues that are prevalent in peer on peer abuse;
- giving employees the opportunities to contribute and shape safeguarding arrangements and policy;
- preventing people who pose a risk of harm from working with children by adhering to statutory responsibilities to check employees who work with children, making decisions about additional checks and ensuring volunteers are supervised as required;
- Safer Recruitment training is available to all relevant staff and governors who are involved in the recruitment process;



- recognising that certain children are more vulnerable than others, such as looked after children (previously or current), care leavers and children with special educational needs and disabilities.

### **Looked After Children – the role of Designated Teacher and the Designated Safeguarding Lead**

Supporting children in care is key priority for our Academy. We recognise that the needs of this group of children can only be effectively met when all agencies work together. The Academy has a teacher with responsibility for promoting the educational achievement of children who are looked after and those who are post adoption (see page 4). They have the appropriate training. The Designated Teacher will work with the Local Authority's Virtual School Headteacher to ensure that the progress of the child is supported.

The DSL will also have details of the child's social worker and the name of the Local Authority's Virtual Headteacher. The DSL will work closely with the Designated Teacher, as we recognise that children may have been abused or neglected before becoming looked after. We will ensure their ongoing safety and wellbeing as well as supporting their education, through linking with their social worker, carers and parents where appropriate

## Appendix 2 - Identifying Concerns and Taking Action

All employees, volunteers and governors will know how to identify pupils who may be being harmed and then how to respond to a pupil who discloses abuse, or where others raise concerns about them. Our employees will be familiar with procedures to be followed. Employees understand that abuse, neglect and safeguarding issues are rarely standalone events that can be covered by one definition, and that in most cases multiple issues will overlap with each other. Employees who regularly come into contact with children are aware of the DfE guidance: **What to do if you're worried a child is being abused**

Some of the following signs might be indicators of abuse or neglect:

- Children whose behaviour changes – they may become aggressive, challenging, disruptive, withdrawn or clingy, or they might have difficulty sleeping or start wetting the bed;
- Children with clothes which are ill-fitting and/or dirty;
- Children with consistently poor hygiene;
- Children who make strong efforts to avoid specific family members or friends, without obvious reason;
- Children who don't want to change clothes in front of others or participate in physical activities;
- Children who are having problems at the Academy, for example, a sudden lack of concentration and learning or they appear to be tired and hungry;
- Children who talk about being left home alone, with inappropriate carers or with strangers;
- Children who reach developmental milestones late, e.g. learning to speak/walk, with no medical reason;
- Children who are regularly missing from school;
- Children who are reluctant to go home after school;
- Children with poor Academy attendance and punctuality, or who are consistently late being picked up;
- Parents who are dismissive and non-responsive to practitioners' concerns;
- Parents who collect their children from the Academy when drunk, or under the influence of drugs;
- Children who drink alcohol regularly from an early age;
- Children who are concerned for younger siblings without explaining why;
- Children who talk about running away; and
- Children who shy away from being touched or flinch at sudden movements.
- Children who self-harm.

**The four categories of child abuse are as follows:**

1. Physical Abuse
2. Emotional Abuse
3. Sexual Abuse, and
4. Neglect

**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.

*Some of the Possible Indicators Could Include:* Children with frequent injury such as bruising, bite marks, burns and scalds, fractures but also by aggressive behaviour. It may also be an indicator of concern where a parent gives an explanation inconsistent with the injury or gives several different explanations for the injury.

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

*Some of the Possible Indicators Could Include:* Developmental delay, attachment issues, aggressive behaviour, appealing behaviour, watchfulness or stillness, low self-esteem, withdrawn or a loner, or having difficulty in forming relationships. Emotional abuse may be difficult to recognise as signs are usually behavioural rather than physical. Signs of emotional abuse may be associated or similar to other forms of abuse so presence of emotional abuse may indicate other abuse is prevalent as well.

**Sexual Abuse:** involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse. 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 peer on peer abuse) in education and all staff should be aware of it and the policy and procedures for dealing with it.

*Some of the Possible Indicators Could Include:* Inappropriate sexualised conduct, age inappropriate sexualised play or conversation, sexually harmful behaviour – contact or non-contact, self-harm, eating disorders, continual, inappropriate or excessive masturbation, anxiousness or unwillingness to remove clothes – sports/ PE etc., pain or itching in genital area, blood on underclothes, bruising in genital region and/or inner thighs

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

*Some of the Possible Indicators Could Include:* Being constantly hungry; constantly tired; have a poor state of clothing; be emaciated; have untreated medical problems; be frequently late or have poor or non-attendance at the Academy; have low self-esteem; display neurotic behaviour and/or have poor social relationships, have poor personal hygiene. A neglected child may also be apathetic, fail to thrive, or be left with or in the care of adults under the influence of alcohol or drug misuse.

## **Children with Special Educational Needs or certain health conditions**

We recognise that some children with special educational needs or disabilities (SEND) or certain health conditions can face additional safeguarding challenges. Such children are especially vulnerable when identifying concerns due to their impaired capacity to resist or avoid abuse. They may have speech, language and communication needs which may make it difficult to tell others what is happening. We know that additional barriers can exist when recognising abuse and neglect in this group of children which include:

- assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's condition without further exploration;
- these children being more prone to peer group isolation or bullying (including prejudice-based bullying) than other children;
- the potential for children with SEND or certain medical conditions being disproportionately impacted by behaviours such as bullying - without outwardly showing any signs;
- communication barriers and difficulties in managing or reporting these challenges.
- being more prone to peer group isolation than other children;

Because of these vulnerabilities, we will consider on a case by case basis, the level of pastoral support needed for children with SEN and disabilities, along with ensuring any appropriate support for communication is in place.

## **Taking action where concerns are identified**

The Safeguarding Partnership procedures contain the inter-agency processes, protocols and expectations for safeguarding children. The Academy response to any concerns will be set within this context.

Our employees recognise the difference between concerns about a child and a child in immediate danger. If employees have concerns about a child, a discussion should take place with the DSL to agree a course of action. If a child is at immediate risk of harm a referral will be made immediately to the relevant agency and/or the police immediately by the employee if required, with the DSL being informed of the referral.

If a child chooses to tell an employee about alleged abuse, there are a number of actions that employees will undertake to support the child using the TED approach of 'Tell me, Explain, Describe':

- The key facts will be established in language that the child understands and the child's words will be used in clarifying/expanding what has been said
- No promises will be made to the child, e.g. to keep secrets
- Employees will stay calm and be available to listen
- Employees will actively listen with the utmost care to what the child is saying
- Where questions are asked, this should be done without pressurising and only using open questions;
  - Leading questions should be avoided as much as possible
  - Questioning should not be extensive or repetitive
- Employees will not put words in the child's mouth but subsequently note the main points carefully
- A full written record will be kept by the employees, signed/logged and dated, including the time of the conversation with the child, an outline of what was said, any comment on the child's body language etc.
- It is not appropriate for employees to make children write statements about abuse that may have happened to them or get them to sign the employee's record

- Employees will reassure the child and let them know that they were right to inform them and inform the child that this information will now have to be passed on
- The DSL will be immediately informed, unless the disclosure has been made to them
- Information should be shared with children's social care without delay, either to the child's own social worker or to the relevant Local Authority multi agency hub. Children's Social Care will liaise with the police as required to ensure an appropriate police officer response rather than a uniformed response
- The Police would only therefore be contacted direct in an emergency

**Employees should never attempt to carry out an investigation of suspected child abuse by interviewing the child or any others involved. The only people who should investigate child abuse and harm are Social Care, Police or the NSPCC**

## **Appendix 3 - Records and Monitoring (Edit to be specific to Academy)**

A written record of any concerns about a child will be made within 24 hours. The academy uses the CPOMS Safeguarding and Child Protection Software for Academies ([www.cpoms.co.uk/](http://www.cpoms.co.uk/)) for recording and monitoring child protection and other safeguarding issues. Records will comprise a mixture of directly recorded information, uploads of electronic documents and scans of other evidence where appropriate such as handwritten accounts or other paper information. This system was introduced into the Academy in September 2017. During the process of transferring existing records, some paper based filing will still exist which will comprise a mixture of paper 'concern's files' or 'child protection confidential' files.

All records will provide a factual and evidence-based account with accurate recording of any actions. Records will identify the person making the record, be dated and, where appropriate, be witnessed. Where an opinion or professional judgement is recorded this should be clearly stated as such.

**At no time should an individual teacher/employee or Academy be asked to or consider taking photographic evidence of any injuries or marks to a child's person. This type of behaviour could lead to the employee being taken into managing allegations procedures. The body map approach should be used in accordance with recording guidance.**

**Any concerns should be reported and recorded without delay to the appropriate safeguarding services, e.g. MASH or the child's social worker if already an open case to social care.**

A chronology will be kept in the main Brackensdale Spencer Academy CPOMs system prior to the commencement of a concern file/raising of an alert on CPOMs. Employees, particularly pastoral employees, will record any minor concerns on the chronology and will take responsibility for alerting the DSL should the number of concerns rise or, in their professional judgement, become significant.

### **Why recording is important**

Our employees will be encouraged to understand why it is important that recording is comprehensive and accurate and know the messages from serious case reviews in terms of recording and sharing information. It is often when a chronology of information is pieced together that the level of concern escalates or the whole or wider picture becomes known. We acknowledge that without information being recorded it can be lost. This could be crucial information, the importance of which is not always necessarily apparent at the time. On occasions, this information could be crucial evidence to safeguard a child or be evidence in future criminal prosecutions.

The establishment of a 'concern' file, which is separate from the child's main Academy file, is an important principle in terms of storing and collating information about children which relates to either a child protection or safeguarding concern or an accumulation of concerns about a child's welfare which are outside of the usual range of concerns which relate to ordinary life events. It needs to be borne in mind that what constitutes a 'concern' for one child may not be a 'concern' for another and the particular child's circumstances and needs will differ i.e. a child subject to a child protection plan, looked after child, CiN may be looked at differently to a child recently bereaved, parental health issues, etc. Professional judgement will therefore be an important factor when making this decision and will need clear links between pastoral employees and Designated Safeguarding Leads in the Academy. In this Academy, the only pupils who will have a written concern file will be those whose record of concerns has not yet been transferred onto CPOMs.

The Academy will keep records of concerns about children even where there is no need to refer the matter to MASH/Children's Social Care (or similar) immediately. Records will be kept up to date and reviewed regularly by the DSL to evidence and support actions taken by employees in discharging their safeguarding arrangements. Original notes will be retained (but clearly identified as such) as this is a contemporaneous account; they may be important in any criminal proceedings arising from current or historical allegations of abuse or neglect.

The concern file can be active or non-active in terms of monitoring i.e. a child is no longer LAC, subject to a child protection plan or EHAF and this level of activity can be recorded on the front sheet, where written records still exist pending transfer to CPOMs, as a start and end date. If future concerns then arise it can be re-activated and indicated as such on the front sheet and on the chronology as new information arises.

Where children leave the Academy, employees should ensure their concern/child protection file is transferred to the new Academy as soon as possible (this should be as soon as possible and no later than 15 working days). This should be transferred separately from the main pupil file, ensuring secure transit and confirmation of receipt should be obtained. Where the receiving school uses CPOMS, this will be done as a system based transfer. Where the receiving school does not use CPOMS or the child's record is still paper based, this will be done electronically e.g. on a password protected memory stick where the file exists on CPOMs or through a paper record. It would be good practice, wherever possible, for the file to be hand-delivered to the receiving designated safeguarding lead with a discussion taking place. There should be a smooth and safe transition for the child and consequently our academy's DSL will consider if it would be appropriate to share any information with the new school or college in advance of a child leaving. This would include information that would allow the new school or college to continue supporting victims of abuse and have that support in place for when the child arrives. Where our academy is the receiving school, we will ensure that key staff such as designated safeguarding leads and SENCO are aware as required.

### **Recording Practice**

Timely and accurate recording will take place when there are any issues regarding a child. Each and every episode/incident/concern/activity regarding that child, including telephone calls to other professionals, needs to be recorded on the chronology kept within the confidential/CPOMs file for that child. This will include any contact from other agencies to discuss concerns relating to a child. Actions will be agreed and roles and responsibility of each agency will be clarified and outcomes recorded. Support and advice will be sought from Children's Social Care, or Early Help whenever necessary. In this way a picture can emerge and this will assist in promoting an evidence-based assessment and determining any action(s) that needs to be taken. This may include no further action, undertaking an EHAF, or making a referral to the Local Authority safeguarding hubs/Children's Social Care

The DSL will have a systematic means of monitoring children known or thought to be at risk of harm (through the concern file and through an ongoing dialogue with pastoral employees). They will ensure that we contribute to assessments of need and support multi-agency plans for those children.

The Academy uses standard templates and forms for recording information which is not directly entered onto CPOMs. These are specific to the Academy and reflect any mandatory or required Local Authority or Local Safeguarding Partnership procedures, where these exist. The DSL will ensure that all employees are familiar with the reporting/recording formats for the Academy. These form part of the Academy's safeguarding practice and employees are required to ensure they follow these.

## Appendix 4 - Peer on Peer Abuse (child on child) – including sexual violence and sexual harassment between children

Our Academy recognises that children can abuse other children (referred to as peer on peer abuse) and that it can happen both inside and outside of the Academy as well as online. Academy staff recognise the indicators and signs of peer on peer abuse and know how to identify it and respond to reports.

As an Academy we understand, that even if there are no reports of peer on peer abuse it does not mean it is not happening, it may be the case that it is just not being reported. As such any staff with concerns about any form of peer on peer abuse will speak immediately to the DSL (or deputy).

Our Academy takes a zero-tolerance approach to peer on peer abuse. Our staff understand the importance of challenging inappropriate behaviours between peers that are abusive in nature. No form of peer on peer abuse will be passed off as “just banter”, “just having a laugh”, “part of growing up” or “boys being boys”. We recognise that this 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.

Peer on peer 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 which 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 nudes images and or videos (also known as sexting or youth produced sexual imagery);
- upskirting, 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).

There are a number of factors that make children more vulnerable to peer on peer abuse: experience of abuse within their family; living with domestic violence young people in care; children who go missing; children with additional needs (SEN and/or disabilities); children who identify as or are perceived as LGBT; or who have other protected characteristics (race, religion).

Research tells us girls are more frequently identified as being abused by their peers and more frequently the perpetrator is male; girls are more likely to experience unwanted sexual touching in schools. Boys are less likely to report intimate relationship abuse. Boys report high levels of victimisation in areas where they are



affected by gangs. There is an increasing evidence base emerging on the sexual exploitation of boys (both by adults and peers) and LGBTQ young people. We recognise that both boys and girls experience peer on peer abuse but they do so in gendered ways.

All peer on peer abuse is unacceptable and will be taken seriously.

In our Academy, we will work to minimise the risk of peer-on-peer abuse by ensuring it is taught at an age appropriate level through the curriculum, we use SCARF to teach tolerance, understanding of others and how to manage emotions as well as supporting children in what to do when faced with difficult situations. This is further supported for specific individuals where appropriate. We use restorative conversations to support conflict resolution.

### **Reports of peer on peer abuse**

Reports of peer on peer abuse are likely to be complex and require difficult professional decisions to be made, often quickly and under pressure. In cases where peer on peer abuse is identified or alleged we will follow our child protections and safeguarding procedures, recognising that both the alleged victim/victim and alleged perpetrator/perpetrator will require support. These systems are well promoted and are easily understood and accessible for children to confidently report abuse, knowing their concerns will be treated seriously. As part of the decision-making process, our Academy will use the guidance available in KCSIE Part 5 and the separate guidance 'Sexual Violence and Sexual Harassment between Children in Schools and Colleges'. We make decisions on a case-by-case basis, with the DSL (or a deputy) taking a leading role and using their professional judgement, supported by other agencies, such as children's social care and the police as required.

### **Responding to the report**

We recognise that any report of peer on peer abuse is likely to be traumatic for the victim; our initial response to a report from a child is important. We will ensure that **all** victims are reassured that they are being taken seriously, that they will be supported and kept safe. We will apply the same principles to handling concerns, including disclosures, as outlined in appendix 2 of this policy and this will be reflected in our staff training.

When there has been a report of peer on peer abuse, the DSL (or a deputy) should make an immediate risk and needs assessment for both the alleged victim/victim and alleged perpetrator/perpetrator. The need for a risk assessment should be considered on a case-by-case basis. The risk and needs assessment should consider:

- the victim/alleged victim, especially their protection and support;
- the alleged perpetrator/perpetrator; and
- all the other children (and, if appropriate, adult students and staff) at the academy, especially any actions that are appropriate to protect them;

Risk assessments should be recorded (written or electronic) and should be kept under review. The DSL (or a deputy) should ensure they are engaging with children's social care and specialist services as required. Where there has been a report of sexual violence, it is likely that professional risk assessments by social workers and or sexual violence specialists will be required.

The DSL (or deputy) is likely to have a complete safeguarding picture and be the most appropriate person to advise on the academy's initial response. Important considerations will include:

- the wishes of the victim in terms of how they want to proceed. This is especially important in the context of sexual violence and sexual harassment. Victims should be given as much control as is

reasonably possible over decisions regarding how any investigation will be progressed and any support that they will be offered;

- the nature of the alleged incident(s), including: whether a crime may have been committed and consideration of harmful sexual behaviour;
- the ages of the children involved;
- the developmental stages of the children involved;
- any power imbalance between the children. For example, is the alleged perpetrator significantly older, more mature or more confident? Does the victim have a disability or learning difficulty?
- if the alleged incident is a one-off or a sustained pattern of abuse;
- are there ongoing risks to the victim, other children, adult students or academy staff; and
- other related issues and wider context (Contextual safeguarding).

We will consider every report on a case-by-case basis, taking account of the guidance in Part 5 of Keeping Children Safe in Education 2021 when responding to reports of sexual violence or harassment. This includes consideration of:

- the proximity of the victim and alleged perpetrator and considerations regarding shared classes, sharing the Academy premises and transport. We will keep any decisions made in this regard under review;
- ensuring that as far as possible, the victim can continue in their normal routine, including continuing to receive a suitable education;
- whether children are in need of early help or statutory intervention or whether it would be appropriate to handle the incident internally, e.g. through utilising our behaviour and bullying policies and by providing pastoral support;
- the importance of collaborative working which will help ensure the best possible package of coordinated support is implemented for the victim and, where appropriate, the alleged perpetrator and any other children that require support;
- ensuring any actions we take do not jeopardise a statutory investigation;
- being tenacious with children's social care where a decision has been made that a statutory assessment is not appropriate, if we believe the child remains in immediate danger or at risk of harm;
- reporting to the Police;
- managing the implications of the outcomes of any criminal proceedings or caution for a sexual offence, or any classification of no further action by the police or CPS, to ensure both the victim and alleged perpetrator remain protected, especially from any bullying or harassment (including online). Where a criminal investigation into sexual assault leads to a conviction or caution, we will consider any suitable sanctions in light of our behaviour policy, if we have not already done so, including consideration of permanent exclusion.

We will ensure that children and their families are signposted to appropriate specialist support, where this is available, such as

- Children and Young People's Independent Sexual Violence Advisors (ChISVAs), based within the specialist sexual violence sector
- Child and Adolescent Mental Health Services (CAMHS)
- Rape Crisis Centre's can provide therapeutic support for children who have experienced sexual violence.
- Internet Watch Foundation (to potentially remove illegal images)

At Brackensdale Spencer Academy we will support victims, perpetrators and any other children affected by peer on peer abuse through our pastoral systems, nurture support, referrals to counselling alongside needs and risk assessments.

We recognise it may be necessary for the academy to maintain arrangements to protect and support the victim for a long time and will work with children's social care and other agencies as required. We will do everything we reasonably can to protect the victim from bullying and harassment as a result of any report they have made.

## Appendix 5 - Child Sexual Exploitation (CSE)

The Academy adheres to the local safeguarding partnership procedure in relation to child sexual exploitation. We recognise that child sexual exploitation is a high-profile issue both nationally and locally.

Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity:

- (a) In exchange for something the victim needs or wants, and/or
- (b) For financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology.

The Academy recognises that the child sexual exploitation can cause a great deal of harm to a child, including physically, emotionally, educationally and socially. Where it exists, it can also cause harm to communities including our Academy.

Child sexual exploitation can happen in a number of ways to both boys and girls, for example it can happen through various forms of social media and this can still cause significant harm. It can happen through inappropriate relationships such as older boy/girlfriends or through parties, gangs or organised abuse. Some children will be particularly vulnerable to being exploited, for example if they have had a chaotic upbringing or if they are in care or go missing, involved in gangs or being bullied. We recognise however that any child can become a target for exploitation, particularly where the internet and social media are involved. This is because the normal life events that go with being a child or teenager in today's age can be a challenge and make them susceptible to being groomed and exploited.

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/suspicious of physical or sexual assault;
- Relationships with controlling or significantly older individuals or groups;
- Multiple callers (unknown adults or peers);
- Frequenting areas known for sex work;
- Concerning use of internet or other social media;
- Increasing secretiveness around behaviours; and
- Self-harm or significant changes in emotional well-being.

Potential vulnerabilities include:

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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 abuse 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.

Children who have been exploited will need additional support to help maintain them in education.

CSE can be a one-off occurrence or a series of incidents over time and range from opportunistic to complex organised abuse. It can involve force and/or enticement-based methods of compliance and may, or may not, be accompanied by violence or threats of violence.

As an Academy we recognise that prevention is the best position with regard to CSE. We seek to support children to develop confidence and build resilience. We will endeavour to support their age appropriate knowledge and raise awareness and understanding of what CSE is, to understand the risks of CSE and to spot the warning signs for themselves and also their friends and peers and by doing so keep safe.

If prevention is not possible we aim to identify children who are at risk of, or being exploited very early. Early intervention is key to effectively working with the child to prevent or reduce the level of risk. Once they have been groomed some children will find it difficult to withdraw from their abusers and we need to contribute to helping to protect them. Some children feel that they are in a relationship with these people. We commit to working with our inter-agency partners to safeguard and protect children.

Much of this work will be through our programmes of personal, social and health education (PSHE) or through our Sex and Relationship Education (SRE) work.

An important part of educating our children is focussing on what is a healthy relationship and issues of consent. This will also target potential abusers at an early age with the intention of helping to shape their attitudes to others. We want to have a culture where the welfare of children is actively promoted and employees and pupils are vigilant. As part of this children will feel listened to and safe.

Further information is available from the Department for Education:

<https://www.gov.uk/government/publications/child-sexual-exploitation-definition-and-guide-for-practitioners>

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## Appendix 6 – Child Criminal Exploitation (CCE)

The Academy adheres to the local safeguarding partnership procedure in relation to CCE.

CCE occurs where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child into any criminal activity:

- (a) in exchange for something the victim needs or wants, and/or
- (b) for the financial or other advantage of the perpetrator or facilitator and/or
- (c) through violence or the threat of violence.

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

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 well-being;
- children who misuse drugs and alcohol;
- children who go missing for periods of time or regularly come home late; and
- children who regularly miss school or education or do not take part in education.

As an Academy we recognise that prevention is the best position with regard to CCE. We seek to support children to develop confidence and build resilience. We will endeavour to support their age appropriate knowledge and raise awareness and understanding of what CCE is, to understand the risks of CCE and to spot the warning signs for themselves and also their friends and peers and by doing so keep safe.

If prevention is not possible we aim to identify children who are at risk of, or being exploited very early. Early intervention is key to effectively working with the child to prevent or reduce the level of risk. Once they have been groomed some children will find it difficult to withdraw from their abusers and we need to contribute to helping to protect them. Some children feel that they are in a relationship with these people. We commit to working with our inter-agency partners to safeguard and protect children.

Much of this work will be through our programmes of personal, social and health education (PSHE) or through our Sex and Relationship Education (SRE) work.

An important part of educating our children is focussing on what is a healthy relationship and issues of consent. This will also target potential abusers at an early age with the intention of helping to shape their attitudes to others. We want to have a culture where the welfare of children is actively promoted and employees and pupils are vigilant. As part of this children will feel listened to and safe.

## Appendix 7 - Sharing Nudes/Semi-nudes

The Academy recognises that the sharing of nude/semi-nude images is a form of sexual abuse and can be part of peer on peer abuse. The sharing of nude/semi-nude images can expose children to risks, particularly if the imagery is shared further. It can lead to embarrassment, bullying and increased vulnerability to sexual exploitation. Producing and sharing images of under-18's is illegal.

In the latest advice for schools and colleges (UKCIS, 2020), this is defined as the sending or posting of nude or semi-nude images, videos or live streams online by young people under the age of 18. This could be via social media, gaming platforms, chat apps or forums. It could also involve sharing between devices via services like Apple's AirDrop which works offline. Alternative terms used by children and young people may include 'dick pics' or 'pics'.

The motivations for taking and sharing nude and semi-nude images, videos and live streams are not always sexually or criminally motivated.

This advice does not apply to adults sharing nudes or semi-nudes of under 18-year olds. This is a form of child sexual abuse and must be referred to the police as a matter of urgency.

This guidance is based on the UKCCIS Sexting in Schools and Colleges guidance 2020. The full guidance is located at <https://www.gov.uk/government/publications/sharing-nudes-and-semi-nudes-advice-for-education-settings-working-with-children-and-young-people/sharing-nudes-and-semi-nudes-how-to-respond-to-an-incident-overview> and the Sexual Violence and Sexual Harassment in Schools and Colleges 2021 guidance. This guidance covers:

- A person under the age of 18 who creates and shares sexual imagery of themselves with a peer under the age of 18
- A person under the age of 18 who shares sexual imagery created by another person under the age of 18 with a peer under the age of 18 or an adult
- A person under the age of 18 who is in possession of sexual imagery created by another person under the age of 18

It does not cover:

- The sharing of sexual imagery of people under 18 by adults as this constitutes child sexual abuse and academies should always inform the police and CSC.
- Young people under the age of 18 sharing adult pornography or exchanging sexual texts which don't contain imagery.

The term 'youth produced sexual imagery' (previously referred to as sexting) has been adopted to provide some clarity and to distinguish it from imagery where there are adults involved in some manner.

The purpose of this guidance is to make expectations clear to pupils and their parents and carers as well as to be clear to employees about the Academy's policy and procedure in responding to incidents.

This policy forms part of our Academy's safeguarding arrangements and our response to concerns about sharing nude/semi-nude images will be guided by the principle of proportionality and our primary concern at

all times is the welfare and protection of the children and young people involved. The Academy recognises that it is an offence under the Sexual Offences Act 2003 to possess, distribute, show and make indecent images of children (a child being under 18 years) but it does not define what is indecent.

However, the police accept that the law which criminalised indecent images of children was created before the technological advances of today and it originally sought to protect children from adults. It was not intended to criminalise children. Despite this, children who share sexual imagery of themselves or peers are breaking the law and therefore we will seek to manage this type of case appropriately.

All professionals including the National Police Chiefs Council agree that incidents involving youth produced imagery should primarily be treated as a safeguarding issue. It is agreed that we should not unnecessarily criminalise children as the consequence of this can be significant in terms of their life chances in adulthood. Where children do share images, it is often as a result of natural curiosity and exploring relationships and in the context of the digital world we live in.

The Academy is therefore empowered to deal with the majority of these incidents without involving the police.

### **Handling Incidents**

The Academy may become aware of the issue in a variety of ways i.e. from the child direct, a friend, parent or an employee.

We recognise that the child is likely to be very embarrassed and worried about what might happen. We also recognise the pressure that a child can be under to take part in sharing such imagery but we will reassure them they are not on their own and will help and support them. We will also help them to understand what has happened and the context for the concerns. We will also discuss issues of consent and trust within healthy relationships.

All incidents will be followed in line with our safeguarding and child protection policy. Where an incident comes to our attention staff will:

- **report it the DSL (or deputy) immediately;**
- **Never** view, copy, print, share, store or save the image, or ask a child to share or download – **this is illegal;**
- report to the DSL if they have already viewed the imagery by accident (e.g. if a young person has showed it to you before you could ask them not to), and seek support;
- **not** delete the image or ask the young person to delete it;
- **not** ask the child/children or young person(s) who are involved in the incident to disclose information regarding the imagery. This is the responsibility of the DSL;
- **not** share information about the incident with other members of staff, the young person(s) it involves or their, or other, parents and/or carers;
- **not** say or do anything to blame or shame any young people involved;
- explain to the child that the incident needs to be reported and reassure them that they will receive support and help from the DSL.

Further to this:

- the incident should be referred to the DSL (or equivalent) as soon as possible

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- the DSL (or equivalent) should hold an initial review meeting with appropriate staff. This may include the staff member(s) who heard the disclosure and the safeguarding or leadership team who deal with safeguarding concerns
- there should be subsequent interviews with the children or young people involved (if appropriate)
- parents and carers should be informed at an early stage and involved in the process in order to best support the child or young person unless there is good reason to believe that involving them would put the child or young person at risk of harm
- a referral should be made to children's social care and/or the police immediately if there is a concern that a child or young person has been harmed or is at risk of immediate harm at any point in the process

An immediate referral to children's social care and/or the police should be made if at the initial stage:

- The incident involves an adult
- The child has been coerced, blackmailed or groomed or if there are concerns about capacity to consent
- If the sexual acts are unusual for the developmental age or violent
- Children under 13 years are involved
- The child is at immediate risk e.g. suicidal or self-harming

Where the above do not apply then the Academy will generally deal with this matter without involving the police or children's social care although this will be subject to review.

This decision is made where we are confident that we have sufficient information to assess and manage any risks within our pastoral support and disciplinary framework. The decision will be made by the DSL with the input of the Principal and others as appropriate and will be recorded.

Examples of cases where there is no need to involve the police are:

- *If a young person has shared imagery consensually, such as when in a romantic relationship, and there is no intended malice, it is usually appropriate for the Academy to manage the incident directly.*
- *In contrast any incidents with aggravating factors, for example, a young person sharing someone else's imagery without consent and with malicious intent, should be referred to police and/or children's social care.*

**The following information will be considered when deciding on a course of action:**

- Why was the imagery shared? Was the young person coerced or put under pressure to produce the imagery?
- Who has shared the imagery? Where has the imagery been shared? Was it shared and received with the knowledge of the pupil in the imagery?
- Are there any adults involved in the sharing of the imagery?
- What is the impact on the young people involved?
- Do the young people involved have additional vulnerabilities?
- Does the young person understand consent?
- Has the young person taken part in this kind of activity before?

Professional judgement should always be applied.

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Brackensdale Spencer Academy Safeguarding and Child Protection Policy.

The images should not generally be viewed by employees, reporting of the content is sufficient.

Once a decision has been made not to involve the police or CSC then images may be deleted but we will be clear that this is appropriate action. Where it is necessary to involve the police and it is appropriate we are authorised to seize any device (Education Act 2011) and pass it the police

CSC will be involved where there are concerns which meet the threshold or if we know they are already involved with a child.

### **Educating Young People**

As an academy we need to teach children in an age appropriate way about nude and semi-nude imagery to prevent harm by providing them with the skills, attributes and knowledge to help them navigate risks.

This approach to tackling sensitive issues promotes a whole Academy approach to safeguarding giving children the space to explore key issues and the confidence to seek the support of adults should they encounter problems.

This issue will be taught as part of a wider PSHE programme and through IT curriculum work to underpin a specific message such as sharing nudes/semi-nudes.

The work that we do therefore will include issues such as:

- communication
- understanding healthy relationships, including trust
- understanding and respecting the concept of genuine consent
- understanding our rights (especially our collective right to *be* safe and to *feel* safe)
- recognising abusive and coercive language and behaviours

### **Helplines and reporting**

- Children can talk to a ChildLine counsellor 24 hours a day about anything that is worrying them by ringing 0800 11 11 or in an online chat at <https://www.childline.org.uk/get-support/>
- If parents or carers are concerned that their child is being contacted by adults as a result of having sharing sexual imagery they should report to NCA-CEOP at [www.ceop.police.uk/safety-centre](http://www.ceop.police.uk/safety-centre)
- ChildLine and the Internet Watch Foundation have partnered to help children get sexual or naked images removed from the internet. A young person can get their photo removed by talking to a ChildLine counsellor. More information is available at <http://www.childline.org.uk/explore/onlinesafety/pages sexting.aspx>
- If parents and carers are concerned about their child, they can contact the NSPCC Helpline by ringing 0800 800 5000, by emailing [help@nspcc.org.uk](mailto:help@nspcc.org.uk), or by texting 88858. They can also ring the Online Safety Helpline by ringing 0808 800 5002.

### **Advice and information for parents**

- The NSPCC has information and advice about sharing nudes and semi nude images available on its website: [NSPCC Sexting](#)

- The National Crime Agency/CEOP has produced a film resource for parents and carers to help them prevent their children coming to harm through sharing sexual imagery: <https://www.thinkuknow.co.uk/parents/articles/Nude-selfies-a-parents-guide/>
- Childnet have information and advice about the sharing of nude or semi nude images available on its website: <http://www.childnet.com/young-people/secondary/hot-topics/sexting>
- Parent Info (<http://parentinfo.org/>) provides information and advice to parents from expert organisations on topics ranging from sex and relationships, mental health and online safety including the sharing of nude/semi-nude images.

#### **Resources parents could highlight to their children**

- ChildLine have created Zip-It, an app that provides witty comebacks in order to help young person say no to requests for naked images [Childline Zipit Ap](#)
- There is information on the ChildLine website for young people about sharing of nude images at: [Childline information for young people](#)
- The Safer Internet Centre has produced resources called '[Childnet So you got naked online](#)' which help young people to handle incidents of sharing nude images.

**The NSPCC adults helpline: 0808 800 5002** The NSPCC has partnered with O2 to offer direct support to parents and other adults on issues relating to online safety.

**ChildLine:** [www.childline.org.uk](http://www.childline.org.uk) offers direct support to children and young people including issues relating to the sharing of sexual imagery.

## Appendix 8 - Online Safety

Our Academy ensures that children are able to use the internet and related communications technologies appropriately and safely and this is part of our wider duty of care. We recognise that the use of technology can be a significant component of many safeguarding issues including child sexual exploitation; radicalisation and sexual predation.

Our children and young people are taught about safeguarding, including online, through various teaching and learning opportunities, as part of providing a broad and balanced curriculum. Children are taught to recognise when they are at risk and how to get help when they need it. For example, as part of our PSHE curriculum, the dangers of sharing personal information online are explored as well as what to do if they are asked to share personal information.

Online safety covers the safety issues associated with all information systems and electronic communications as a whole. This encompasses not only the internet but all wireless electronic communications including mobile phones, games consoles, cameras and webcams. It also needs to take into account the increasing mobility of access to digital technology through the range of mobile devices.

We recognise that many children have unlimited and unrestricted access to the internet via mobile phone networks (ie 3G, 4G and 5G). Technology often provides a platform to facilitate harm. However, it is important to remember that the issue at hand is not the technology but the behaviour around how it is used; the use of new technologies in education brings more benefits than risks.

We will ensure that we meet our statutory obligations to ensure that children and young people are safe and are protected from potential harm, both within and outside our Academy. This also forms part of our Academy's protection from legal challenge, relating to the use of digital technologies.

There are additional duties under the Counter Terrorism and Securities Act 2015 which requires our Academy to ensure that children are safe from terrorist and extremist material on the internet.

Our academy will ensure that there are filters and monitoring systems in place to limit exposure to risks when children are using the Academy's IT systems and technology that can be used online.

Our Academy recognises that whilst we have appropriate filters and monitoring systems in place, we also do not "over block" so that we do not restrict this teaching opportunity to teach children about keeping safe online.

We observe our responsibilities under the relevant Data Protection Act and DfE Guidance Document Teaching Online Safety in Schools (2019) <https://www.gov.uk/government/publications/teaching-online-safety-in-schools>.

## Appendix 9 - Prevent Duty and Radicalisation/Extremism

Duties imposed on academies and other agencies in relation to The Prevent Duty which came into force on 1 July 2015. The Prevent Duty is now incorporated into our existing policies. Further advice in relation to this is within KCSiE 2021 and also the DfE non-statutory guidance for schools and early years' providers in relation to risk assessment, working in partnership, employees training, IT policies and building children's resilience to radicalisation.

We are proactive in our approach and have ensured the DSL has accessed face to face training to help identify risk and support other colleagues where there are specific concerns. Staff should be alert to changes in children's behaviour which could indicate that they may be in need of help or protection.

We will work with key partners to ensure that we are aware of any tensions within our local community and nationally and internationally, so that we can create safe spaces for our children to discuss their experiences and concerns. Where we are concerned about individual children there is a referral pathway which all employees will be familiar with. Initial advice and support can be obtained from the Tackling Emerging Threats to Children Team and more serious concerns should be referred to the Police Prevent Team or the MASH/equivalent for the Academy's LA where there is a concern that a child is at immediate risk. Staff will use their judgement in identifying children who might be at risk of radicalisation and act proportionately which may include the DSL (or deputy) making a referral to the Channel programme

The Principal and Chair of Governors will:

- establish or use existing mechanisms for understanding the risk of extremism;
- ensure staff understand the risk and build capabilities to deal with issues arising;
- communicate the importance of the duty;
- ensure all staff (governors and volunteers) implement the duty to prevent radicalisation.

All Staff/anyone who has contact with a child or young person including Governors and volunteers know about Prevent duties and will report any concerns to the DSL in the school who has responsibilities under Prevent to take action, offer advice and support. We will respond to any concern about Prevent as a safeguarding concern and will report in the usual way using local safeguarding procedures. We will seek to work in partnership, undertaking risk assessments where appropriate and proportionate to risk, building our children's resilience to radicalisation. We will use the relevant forms to record any concerns, keeping records which will be treated as a Child Protection Record, storing them as appropriate.

In exercising our specific duty under Prevent we seek to protect children and young people from being drawn into, and against, the messages of all violent extremism. This includes and is not restricted to Daesh, AQ, Far Right, Neo Nazi, White Supremacist ideology, Irish Nationalist and Loyalist paramilitary groups, and extremist Animal Rights movements.

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, art work 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

The use of social media and the internet as tools to radicalise young people cannot be underestimated. We recognise that those that seek to recruit young people to follow extremist ideology often target those who are already vulnerable in some way and that exposure to extreme views can make young people vulnerable to further manipulation and exploitation. We will therefore ensure that we build children and young people's critical thinking skills and resilience through both our curriculum and pastoral provision/systems.

As an Academy we are clear that we have a duty to safeguard young people from such dangers and we will actively promote resilience to such risks through our RE curriculum, SEND policy, assembly policy, our SMSC and anti-bullying work, and in our policies for use of the Academy premises by external agencies, visitors, premises' hire and our online safety and ICT policies which include monitoring the activities of children and young people when on-line in the academy.

## Appendix 10 - Female Genital Mutilation

Female Genital Mutilation is a safeguarding issue; it is child abuse and a form of violence against girls. Local guidance for academies is contained within guidelines for all agencies including academies within the Derby & Derbyshire Safeguarding Partnership procedures which has been informed by the government Multi-Agency Statutory Guidance 2016.

FGM is a procedure that includes the partial or total removal of the external female genital organs for non-medical reasons. It is illegal in the UK to subject a child to female genital mutilation (FGM); to assist or facilitate the practice; or to take a child abroad to undergo the procedure – Female Genital Mutilation Act 2003. The age at which girls are subject to FGM varies greatly from shortly after birth to any time up to adulthood. The majority of girls have the procedure between the ages of 5-8 years. It is estimated that 24,000 girls in the UK are at risk and 66,000 women living with the physical and psychological consequences.

Where appropriate: Although prevalence of FGM within (name of LA) is not likely to be high, no local authority area is likely to be free from FGM entirely. Employees and governors therefore need to have an awareness of the signs that a girl may have undergone FGM or be at risk of the practice. The Female Genital Mutilation Act 2003 was amended by the Serious Crime Act 2015 which strengthened protection to women and girls through the introduction of FGM Protection Orders. The Serious Crime Act 2015 sets out a duty on professionals (including teachers) to notify police when they discover that FGM appears to have been carried out on a girl under 18. In our Academy, this will usually come from a disclosure (unlike in the medical profession where an observation may have been made).

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 duty only applies in cases where the victim discloses. If someone else, such as a parent or guardian, discloses that a girl under 18 has had FGM, a report to the police is not mandatory. However, in these circumstances disclosures should still be handled in line with wider safeguarding responsibilities. In all cases where academies suspect a girl to be at risk they must follow normal safeguarding procedures. Certain times of year present a greater risk to girls from practicing communities.

The 'cutting season' during the summer months is often the riskiest time for girls as the healing time required following the procedure, often necessitates it being carried out during the long summer holiday. The main indicators and risk factors are highlighted below but all employees and the nominated governor for safeguarding will need to have undergone at least basic awareness raising training to ensure they can identify when a girl may be at risk.

### **Academy employees should be alert to the following indicators:**

- The family comes from a community that is known to practise FGM or is less integrated within the community.
- A child may talk about a long holiday to a country where the practice is prevalent.
- Parents who wish to take their daughter out-of-school to visit an 'at-risk' country (especially before the summer holidays).
- A child may talk about 'special female visitors' or 'elder' who are staying with the family, especially during the 'cutting season'

- A child may confide that she is to have a 'special procedure' or to attend a special occasion or celebration to become a woman
- A child may request help, directly or indirectly, from a teacher or another adult
- Any female child born to a woman or has a sister who has been subjected to FGM must be considered to be potentially at risk, as must other female children in the extended family
- A girl is withdrawn from PSHE/SRE without any specific reason being given
- Staff should not assume that FGM only happens outside the UK.

**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 absence, especially with noticeable behaviour changes (e.g. withdrawal or depression) on the girls 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.

Where it is suspected that a girl may have undergone or is likely to undergo FGM, employees must share concerns with the DSL who in turn should consult the MASH.

**Where you suspect that FGM has occurred:**

- Be sensitive to the child, and family, be gender sensitive, make no assumptions, be non-judgemental, use simple language, record clearly
- You have a duty to protect, safeguard and share information
- Refer to Children's Social Care for coordination of careful assessment (not necessarily with consent)
- There will be potential enquiries under Section 47
- Potential police enquiries
- Possible use of police protection or legal orders such as FGM PO, prohibitive steps but not necessarily the removal of the child.

Whilst all staff should speak to the DSL (or deputy) with regard to any concerns about female genital mutilation (FGM), there is a specific **legal** duty on **teachers**. If a **teacher**, in the course of their work in the profession, discovers that an act of FGM appears to have been carried out on a girl under the age of 18, the teacher **must** report this to the police.





## Appendix 11 - Children Missing from Education

Following government consultation on plans to amend CME regulations, changes were made to improve information sharing between schools and LA's to help identify children missing education and help protect to children from potential harm. <https://www.gov.uk/government/publications/children-missing-education>

All children, regardless of their circumstances, are entitled to a full-time education which is suitable to their age, ability, aptitude and any special educational needs they may have. We are aware that local authorities have a duty to establish, as far as it is possible to do so, the identity of children of compulsory school age who are missing education in their area.

Knowing where children are during Academy hours is an extremely important aspect of safeguarding. We recognise that a child going missing from education is a potential indicator of abuse or neglect and may also raise concerns about other safeguarding issues. When a child is absent from the Academy without authority we will follow our procedures for unauthorised absence and for dealing with children that go missing from education, particularly on repeat occasions, without delay to help identify the risk of abuse and neglect, including criminal and sexual exploitation, and to help prevent the risks of their going missing in future. We recognise the requirement that all staff in schools must be familiar with unauthorised absence and children missing from education procedures.

We have an admission register and an attendance register which supports the Academy in safeguarding children who may be at risk of missing education.

We will always follow up with parents/carers when pupils are not in attendance at the Academy. Wherever reasonably possible, we will hold more than one emergency contact number for each pupil. This goes beyond the legal minimum and is good practice to give us additional options to make contact with a responsible adult when a child missing education is also identified as a welfare and/or safeguarding concern.

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

1. Staff who understand what to do when children do not attend regularly
2. Appropriate policies, procedures and responses for pupils who go missing from education (especially on repeat occasions).
3. Staff who know the signs and triggers for travelling to conflict zones, FGM (see Appendix 10) and forced marriage.
4. Procedures to inform the local authority when we plan to take pupils off-roll when they:
  - a. leave the Academy to be home educated
  - b. move away from the Academy's location
  - c. remain medically unfit beyond compulsory school age
  - d. are in custody for four months or more (and will not return to school afterwards); or
  - e. are permanently excluded

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

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

**Every child should be accounted for, their whereabouts should be known, or we will make a referral to the relevant service. We will not remove a child from our roll unless we can evidence an agreement with the local authority to do so.**

Where a pupil who fails to attend our Academy regularly, or has been absent without the Academy's permission for a **continuous** period of 10 school days or more we will follow our Local Authority procedures.

## **Absence**

Children can register in the morning and then go missing throughout the day without a satisfactory explanation. If a child is 'missing', their whereabouts cannot be established within the Academy. Academies need to identify whether the child is at significant risk.

Children are more vulnerable who:

- are on a plan (child protection plan, child in need plan, looked after child, early help)
- have Special Educational Needs and/or a Disabilities
- are using substances
- have an Education, Health and Care Plan
- there are indications that the child is at risk of CSE, grooming, radicalisation

There may be other contributing factors that should be taken into consideration when determining if the child is at significant risk such as the child's emotional health, known issues at home etc.

Academy employees will always try to locate the child and attempt to establish the whereabouts of the child. Once a child has been identified as missing and cannot be located within Academy, the Designated Safeguarding Lead will be informed.

Employees will use their professional judgement and risk assess the urgency of the situation to help inform the timeframe required in establishing the child's whereabouts before notifying the police. Parents/carers will always be informed before contact with the police is made, unless a child is at immediate risk of harm and a police response is needed. This will be judged on a case by case basis.

When a decision has been made to contact the police, the police will require information from the Academy to assist in locating the child and returning them to a safe environment.

If a child has a social worker or case manager (e.g. early help) then they should also be informed.

Where a child is known to regularly go missing from the Academy, a risk assessment for the child will be undertaken.

## Appendix 12- Private Fostering

Academies play an essential role in identifying privately fostered children. Although most children in private fostering situations are likely to be safe, in some private fostering arrangements there can be safeguarding issues and children and young people often find it difficult to know who to talk to about their safety or welfare.

### What is a private fostering arrangement?

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 18, 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 step-parents; 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.

### Who may be privately fostered?

This list is by no means exhaustive and indicates the scale and variety of situations and agencies these arrangements can cover:

- Children whose parents are unable to care for them, for example if they have chronic ill health or are in prison
- Children sent to this country, for education or health care, by parents who live overseas
- A child living with a friend's family because they don't get on with their own family
- Children living with a friend's family because of their parents' study or work
- Children staying with another family because their parents have separated or divorced
- Teenagers living with the family of a boyfriend or girlfriend
- Children from abroad who attend a language or mainstream school in the county and are staying with host families
- Unaccompanied asylum seeking minors who are living with friends, relatives or strangers

**Children who are trafficked** into the UK are especially vulnerable and are often living in de facto private fostering arrangements. Child trafficking is the movement of children for exploitation, including domestic servitude, commercial sexual exploitation and to support benefit claims.

### What to do if you are aware of a private fostering arrangement:

By law, a parent, private foster carer or other persons involved in making a private fostering arrangement must notify Children's Social Care as soon as possible. However, parents and carers often do not tell

professionals or agencies about such arrangements; they may not be aware that they need to (and this may apply particularly to new communities in the UK such as migrant families from new-EU states), or they chose not to tell agencies about these arrangements.

Academies 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 the Academy has a duty to inform the local authority, there is no duty for anyone, including the private foster carer or social workers to inform the Academy. However, it should be clear to the Academy who has parental responsibility.

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

Children's Social Care are **not** involved in making private fostering arrangements but are responsible for checking that the arrangements are suitable for the child. As a professional it is important for you to notify Children's Social Care if you are in contact with a child or young person who is being privately fostered. This will help protect the child against abuse or neglect and provide some reassurance that the child is being looked after properly.

#### **Signs to watch out for:**

- Has someone else started collecting a child from the Academy on a regular basis?
- Has a child mentioned to you that they are staying with someone else or that their parent(s) have gone away for a long time?
- Is there something unusual or unclear in the child's administration file? This may include copies of passports, visas and other immigration related documents which are unclear or do not clearly show that the child has rights of residence in the UK, or that it is unclear who has parental responsibility for the child.

#### **What Academies can do:**

- Ensure that all employees are aware of the definition of private fostering and the Local Authority's responsibilities when such arrangements occur
- Look at admission files to check on the home situation, and make a note to follow up any circumstances which are not clear
- Whenever employees become aware of private fostering arrangements they should notify the DSL.
- The DSL or another appropriate employee should speak to the families of children who might be involved in private fostering and check that they are aware of their duty to notify the Local Authority of the arrangement. Academy employees should actively encourage the parents and/or carer to notify Children's Social Care of the arrangement.
- If you believe that a private fostering arrangement has not been reported to Children's Social Care you should contact them directly.
- If you suspect that a child who is living in a private fostering arrangement is being harmed or is at risk of significant harm (including suspecting that a child may be trafficked) and urgent action is required, follow your Child Protection procedures as laid out in this Safeguarding Protection Policy.

#### **Further Guidance & Resources:**

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Brackensdale Spencer Academy Safeguarding and Child Protection Policy.

- <http://privatefostering.org.uk/>
- <https://www.ecpat.org.uk/News/dfe-training-for-foster-carers>

## **Appendix 13: Domestic Abuse**

In April 2021, the Domestic Abuse Act 2021 received Royal Assent and introduced a statutory definition for the first time.

The Domestic Abuse Act 2021 (Part 1) defines domestic abuse as any of the following behaviours, either as a pattern of behaviour, or as a single incident, between two people over the age of 16, who are 'personally connected' to each other:

- (a) physical or sexual abuse;
- (b) violent or threatening behaviour;
- (c) controlling or coercive behaviour;
- (d) economic abuse (adverse effect of the victim to acquire, use or maintain money or other property; or obtain goods or services); and
- (e) psychological, emotional or other abuse.

People are 'personally connected' when they are, or have been married to each other or civil partners; or have agreed to marry or become civil partners. If the two people have been in an intimate relationship with each other, have shared parental responsibility for the same child, or they are relatives.

The definition of Domestic Abuse applies to children if they see or hear, or experience the effects of, the abuse; and they are related to the abusive person.

(The definition can be found here: <https://www.legislation.gov.uk/ukpga/2021/17/part/1/enacted>)

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 sexual identity, age, ethnicity, socio-economic status, sexuality or background and domestic abuse can take place inside or outside of the home.

Where staff have a concern about a child being a victim of domestic abuse, it is the responsibility of DSLs (and deputies) to provide support under the terms of the safeguarding and child protection policy. It is the responsibility of all staff to refer concerns about domestic abuse to the DSL and team. Our Academy will work with external agencies and Early Help teams to ensure that children are supported to manage their experiences of domestic abuse.

The National Domestic Abuse helpline can be called free of charge and in confidence, 24 hours a day on 0808 2000 247.

## Appendix 14 – Serious Violence

All staff must be aware of indicators which may signal that children are at risk from, or are involved with, serious violent crime. These may include:

- increased absence from school
- a change in friendships or relationships with older individuals or groups
- a significant decline in performance
- signs of self-harm or a significant change in wellbeing
- signs of assault of 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 and may be at risk of criminal exploitation (see Appendix 5 and 6).

All staff are aware of the range of risk factors which increase the likelihood of involvement in serious violence, such as being male, having been frequently absent or permanently excluded from school, having experienced child maltreatment and having been involved in offending, such as theft or robbery.

Further advice is provided in the Home Office's Preventing youth violence and gang involvement and its Criminal exploitation of children and vulnerable adults: county lines guidance.

## Appendix 15: Welfare and safeguarding requirements where academies have Early Years Foundation Stage children in nursery or reception classes<sup>1</sup> *(Include this appendix only if this applies to your setting)*

Aspect	Requirement
<b>Child Protection</b>	
Policy and Procedures	<p>The safeguarding policy and procedures <b>must</b> include:</p> <ul style="list-style-type: none"> <li>Action to be taken in respect of an allegation being made against a member of staff (This is included in this academy's overarching model child protection &amp; safeguarding policy)</li> <li>the use of mobile phones and cameras in the setting (<i>refer here to the guidance in the main policy and any school specific additional guidelines around use of cameras in nursey/reception</i>)</li> </ul>
Suitable person	<ul style="list-style-type: none"> <li>Providers <b>must</b> tell staff that they are expected to disclose any convictions, cautions, court orders, reprimands and warnings that may affect their suitability to work with children (whether received before or during their employment at the setting)</li> <li>Providers <b>must</b> also meet their responsibilities under the Safeguarding Vulnerable Groups Act 2006, which includes a duty to make a referral to the Disclosure and Barring Service where a member of staff is dismissed (or would have been, had the person not left the setting first) because they have harmed a child or put a child at risk of harm.</li> <li>Both of these requirements are covered in more detail in the earlier sections of this policy</li> </ul>
Disqualification	<ul style="list-style-type: none"> <li>A provider or a childcare worker may be disqualified from registration. Where a person is disqualified, the provider must not employ that person in connection with early years' provision. Where an employer becomes aware of relevant information that may lead to disqualification of an employee, the provider must take appropriate action to ensure the safety of children.</li> <li>A provider or a childcare worker may also be disqualified because they live in the same household as another person who is disqualified, or because they live in the same household where a disqualified person is employed.</li> <li>The information <b>must</b> be provided to Ofsted as soon as reasonably practicable, but at the latest within 14 days of the date the provider became aware of the information or ought reasonably to have become aware of it if they had made reasonable enquiries.</li> </ul>
Staff taking medication/ other substances	<ul style="list-style-type: none"> <li>If practitioners are taking medication which may affect their ability to care for children, those practitioners should seek medical advice.</li> <li>Providers <b>must</b> ensure that those practitioners only work directly with children if medical advice confirms that the medication is unlikely to impair that staff member's ability to look after children properly. Staff medication on the premises must be securely stored, and out of reach of children, at all times.</li> </ul>
<b>Staff qualifications, training, support and skills</b>	

<sup>1</sup> Source: **Early Years Foundation Stage Statutory Framework** (revised 2021) and Ofsted's Inspecting Safeguarding in Early years, Education and skills settings (2019). Schools are not required to have separate policies to cover EYFS requirements provided the requirements are already met through an existing written policy.



Induction	<ul style="list-style-type: none"> <li>• Induction training must include information about emergency evacuation <u>procedures</u>, safeguarding, child protection, and health and safety.</li> </ul>
Key person	<ul style="list-style-type: none"> <li>• Each child <b>must</b> be assigned a key person. Their role is to help ensure that every child's care is tailored to meet their individual needs to help the child become familiar with the setting, offer a settled relationship for the child and build a relationship with their parents. In schools this will often be the teacher.</li> </ul>
Staff: child ratios	<ul style="list-style-type: none"> <li>• Providers <b>must</b> inform parents and/or carers about staff deployment, and, when relevant and practical, aim to involve them in these decisions. Children must <b>usually</b> be within sight <b>and</b> hearing of staff and <b>always</b> within sight <b>or</b> hearing.</li> <li>• Only those aged 17 or over may be included in ratios (and staff under 17 should be supervised at all times). Students on long term placements and volunteers (aged 17 or over) and staff working as apprentices in early education (aged 16 or over) may be included in the ratios if the provider is satisfied that they are competent and responsible.</li> <li>• The ratio and qualification requirements below apply to the total number of staff available to work directly with children.</li> </ul> <p><b>For children aged two:</b></p> <ul style="list-style-type: none"> <li>• there must be at least one member of staff for every four children</li> <li>• at least one member of staff must hold a full and relevant level 3 qualification</li> <li>• at least half of all other staff must hold a full and relevant level 2 qualification</li> </ul> <p><b>For children aged three and over in maintained nursery schools and nursery classes in maintained schools:</b></p> <ul style="list-style-type: none"> <li>• there <b>must</b> be at least one member of staff for every 13 children</li> <li>• at least one member of staff must be a school teacher as defined by s.122 of Education Act 2002</li> <li>• at least one other member of staff must hold a full and relevant level 3 qualification</li> </ul> <p><b>Reception classes</b> in maintained schools and academies are subject to infant class size legislation. The School Admissions (Infant Class Size) Regulations 2012 limit the size of infant classes to 30 pupils per school teacher (subject to permitted exceptions) while an ordinary teaching session is conducted. 'School teachers' do not include teaching assistants, higher level teaching assistants or other support staff.</p> <p><b>Where schools have provision run by the governing body (under section 27 of the Education Act 2002) for three- and four-year-olds</b> who are not pupils of the school, they can apply: a 1:13 ratio where a person with a suitable level 6 qualification is working directly with the children; or a 1:8 ratio where a person with a suitable level 6 qualification is not working directly with children but at least one member of staff present holds a level 3 qualification.</p> <p><b>Where children in nursery classes attend school for longer than the school day or in the school holidays, in provision run directly by the governing body</b> or the proprietor, with no teacher present, a ratio of one member of staff to every eight children can be applied if at least one member of staff holds a full and relevant level 3 qualification, and at least half of all other staff hold a full and relevant level 2 qualification.</p> <ul style="list-style-type: none"> <li>• Some schools may choose to <b>mix their reception classes with groups of younger children</b> (such as nursery pupils or younger children from a registered provider), in which case they must determine ratios within mixed groups, guided by all relevant ratio requirements and by the needs of individual children within the group. In exercising this discretion, the school must comply with the statutory requirements relating to the education of children of compulsory</li> </ul>

	<p>school age and infant class sizes. Schools' partner providers must meet the relevant ratio requirements for their provision.</p> <ul style="list-style-type: none"> <li>• Where the provision is solely before/after school care or holiday provision for children who normally attend Reception class (or older) during the school day, there must be sufficient staff as for a class of 30 children. It is for providers to determine how many staff are needed to ensure the safety and welfare of children, bearing in mind the type(s) of activity and the age and needs of the children. It is also for providers to determine what qualifications, if any, the manager and/or staff should have.</li> </ul>
<b>Health</b>	
Illness and medication	Schools <b>must</b> have a procedure, discussed with parents and/or carers, for responding to children who are ill or infectious, take necessary steps to prevent the spread of infection, and take appropriate action if children are ill. Providers <b>must</b> have and implement a policy and procedures, for administering medicines.
Smoking	Wider legislation <b>must</b> be met (i.e. signage and no smoking in cars with children)
Food and drink	<ul style="list-style-type: none"> <li>• Where children are provided with meals, snacks and drinks, they <b>must</b> be healthy, balanced and nutritious. Before a child is admitted to the setting the provider must also obtain information about any special dietary requirements, preferences and food allergies that the child has, and any special health requirements. Fresh drinking water must be available and accessible at all times. Providers must record and act on information from parents and carers about a child's dietary needs.</li> <li>• There <b>must</b> be an area which is adequately equipped to provide healthy meals, snacks and drinks for children as necessary. There must be suitable facilities for the hygienic preparation of food for children. Providers must be confident that those responsible for preparing and handling food are competent to do so. In group provision, all staff involved in preparing and handling food must receive training in food hygiene.</li> <li>• Registered providers must notify Ofsted of any food poisoning affecting two or more children cared for on the premises.</li> </ul>
Accident or injury	Registered providers must notify Ofsted of any serious accident, illness or injury to, or death of, any child while in their care, and of the action taken. Notification must be made as soon as is reasonably practicable, but in any event within 14 days of the incident occurring. A registered provider, who, without reasonable excuse, fails to comply with this requirement, commits an offence. Providers must notify local child protection agencies of any serious accident or injury to, or the death of, any child while in their care, and must act on any advice from those agencies.
<b>Premises</b>	
Risk assessment	Risk assessments should identify aspects of the environment that need to be checked on a regular basis, when and by whom those aspects will be checked, and how the risk will be removed or minimised.
Outings	A trained paediatric first aider must be available on all trips.
<b>Information for parents and carers</b>	
Information and records	Providers <b>must</b> enable a regular two-way flow of information with parents and/or carers, and between providers, if a child is attending more than one setting. If requested, providers should incorporate parents' and/or carers' comments into children's records.
Policy statements	<u>Details of the provider's policies and procedures</u> should be published and they must make <u>copies available on request</u> , including the procedure to be followed in the event of a parent and/or carer <u>failing to collect a child</u> at the appointed time, or in the event of a <u>child going missing</u> at, or away from, the setting.

Special Educational Needs	<p><b>Inspecting safeguarding in early years, education and skills settings – Ofsted 2019 indicates</b></p> <ul style="list-style-type: none"> <li>the child protection <u>policy</u> should reflect the additional barriers that exist when recognising the signs of abuse and neglect of children who have <u>special educational needs and/or disabilities</u></li> <li>All staff and carers should have a copy of and understand the <u>written procedures</u> for managing allegations of harm to a child or learner. They should know how to make a complaint and understand policies on whistleblowing and how to manage other concerns about the practice of adults in respect of the safety and protection of children and learners. (This is included in this academy’s overarching model child protection &amp; safeguarding policy)</li> </ul>
<b>Complaints</b>	<p>Providers must put in place a <u>written procedure for dealing with concerns and complaints</u> from parents and/or carers, and must keep a written record of any complaints, and their outcome. (This is included in this academy’s overarching model child protection &amp; safeguarding policy)</p>
<b>Changes that must be notified to Ofsted</b>	
<p>All registered early years providers <b>must</b> notify Ofsted of any change:</p> <ul style="list-style-type: none"> <li>in the address of the premises (and seek approval to operate from those premises where appropriate); to the premises which may affect the space available to children and the quality of childcare available to them</li> <li>any proposal to change the hours during which childcare is provided;</li> <li>any significant event which is likely to affect the suitability of the early years provider or any person who cares for, or is in regular contact with, children on the premises to look after children</li> <li>where the early years provision is provided by a company, any change in the name or registered number of the company</li> <li>where the childcare is provided by a partnership, body corporate or unincorporated association, any change to the 'nominated individual'</li> <li>where the childcare is provided by a partnership, body corporate or unincorporated association whose sole or main purpose is the provision of childcare, any change to the individuals who are partners in, or a director, secretary or other officer or members of its governing body</li> </ul>	