

## FALKNER HOUSE SAFEGUARDING AND CHILD PROTECTION POLICY AND PROCEDURE – NURSERY TO YEAR 6

This policy takes full account of the

- [Independent School Standards Regulations 2018](#)
- [EYFS Framework 2018](#),
- [Working Together to Safeguard Children \(WT\) 2018 which refers to Information sharing \(2018\)](#)
- [Keeping Children Safe in Education \(KCSIE\) September 2020, which incorporates the Disqualification under the Childcare Act 2006 \(September 2018\) and What to do if you're worried a child is being abused \(March 2015\)](#)
- [Child Sexual Exploitation, February 2017](#)
- [Sexual Harassment between Children in Schools and Colleges May 2018](#),
- [LSCP \(Kensington and Chelsea – K&C\)](#),
- [UKCCIS Guidance on Sexting in schools 2017](#)
- [Prevent Duty Guidance: for England and Wales \(July 2015\) The Prevent duty: Departmental advice for schools and childminders \(June 2015\)](#)
- [The use of social media for on-line radicalisation \(July 2015\)](#).

Please also see the following Falkner House Policies:

- Behaviour Policy (including Prevention of Peer on Peer Abuse, Bullying and Harassment) (Behaviour Policy)
- PHSEE Policy and Curriculum
- Staff Code of Conduct (including the Internet and Data Privacy Code of Practice)
- Internet Policy
- Pupil i-pad code of conduct

**Designated Safeguarding Lead (DSL) covering both sites**

**Mrs Griggs**, (who is lead person for Nursery and Reception - EYFS) (member of the LLP)  
020 7373 4501 office@falknerhouse.co.uk

**Board level lead on safeguarding** covering both sites but based at Penywern Road

**Mrs Eleanor Dixon – headteacher (member of the LLP)**  
020 7373 2340 office20PR@falknerhouse.co.uk

**Deputy Designated Safeguarding Leads** based at Brechin Place 020 7373 4501 office@falknerhouse.co.uk

Mrs Flavia Rogers – headteacher (member of the LLP)  
Miss Day - Head of Lower School  
Mr Larvin - Bursar

**Deputy Designated Safeguarding Leads** based at Penywern Road 020 7373 2340 office20PR@falknerhouse.co.uk

Mrs Jackie Easton – Deputy Head  
Mr Barry Easton - Bursar

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Falkner House is committed to safeguarding. Children learn best when they are healthy, safe and secure, when their individual needs are met, and when they have positive relationships with the adults caring for them. The safeguarding and welfare requirements are designed to help Falkner House create high quality settings which are welcoming, safe and stimulating, and where children are able to enjoy learning and grow in confidence.

#### **Aims are to:**

- Safeguard and promote the best interests of all of the children at the school.
- Ensure that the school's welfare and safeguarding policy and its implementation is in line with recent legislation and guidance (listed above) and that it is regularly updated and monitored by the proprietors
- Ensure that any concern a pupil may have will be dealt with in a friendly and supportive manner.
- Ensure that any weaknesses or deficiencies in child protection arrangements are remedied without delay.
- Teach pupils how to keep themselves safe and reduce risks online, at home, with their peers and with adults.
- Ensure that each pupil will develop the understanding that staff can be trusted to help in any situation.
- Provide a secure environment for pupils to talk to adults who can give help if and when required.
- Ensure safe recruitment procedures. (please see Recruitment, Selection and Disclosure Policy)
- Create a culture of fairness, non- discrimination, vigilance in terms of all the pupils and staff at the school.
- Create an environment and ethos where staff can raise concerns and are supported in any safeguarding role.
- Deal with concerns about a child without delay and in accordance with local authority inter agency procedures and to give early help to children who may benefit from this.
- Promote by every means possible in and out of the classroom an atmosphere that promotes mental health and wellbeing for both pupils and staff

#### **THE RESPONSIBILITIES OF ADULTS**

Every person over the age of 16, with parental responsibilities, charge or care of a child under 16, has responsibilities with regard to the child's welfare, and can be held liable for failure to meet them. Action can be taken for failing to act upon the child's disclosure or upon justified concerns which had been expressed to a teacher or for encouraging, or turning a blind eye to, or failing to protect a child from abuse. The LLP members, Headteacher and staff fall within the definition of those having "charge" or "care" of a child. Criminal liability arises if the adult: "wilfully assaults, ill-treats, neglects, abandons, or exposes him in a manner likely to cause unnecessary suffering or injury to health." This includes mental as well as physical health and applies whether or not harm actually occurred. It is sufficient that it was "likely" to occur.

#### **Adults are all to know and understand the:**

- Falkner House Staff Code of Conduct
- Falkner House Safeguarding and Child Protection Policy and Procedure
- Falkner House Behaviour Policy including prevention of: Peer on Peer Abuse, Bullying and Harassment
- Falkner House Internet Policy

#### **Adults are all to:**

- Know that any pupil may approach any member of staff and seek advice or help.
- Listen to children, to respond and act without delay when a child tells about abuse, or wishes to talk about a private problem
- Know that children with SEN or disabilities can face additional challenges.
- be aware that: a child may disclose abuse, or a third party express concern to a member of staff or they may receive an anonymous allegation concerning an early sign of abuse or neglect.
- act always in the best interests of the child
- be observant so as to recognise variations in pupil behaviour which may indicate emotional and physical concerns or possible abuse (children in need who might be candidates for additional support or help via Early Action or at risk). If there are any such concerns about a child, staff must liaise promptly ideally with the DSL in the first instance. **Any individual teacher may also report directly and without delay to Social Services (SS) to discuss either the case itself or how best to proceed refer. Staff may refer immediately to children's social care a child who is in immediate danger or is at risk of harm (contact details below).**
- report to the Police if a crime may have been committed,
- note that decisions to seek support for a child in need, or about whom there are concerns relating to radicalisation, are normally taken in consultation with parents and pupils. Where there are reasonable grounds to believe that a child is at risk of significant harm, a referral will be made without consulting parents. Further discussions with parents will follow recommendations of the Social Services.
- be aware that they cannot promise absolute confidentiality, since after listening to the concerns raised, if they have any doubts on the matter, they should report the episode immediately to the DSL Mrs Griggs or in her absence

the appropriate DDSL. A verbal report or conversation must be followed up promptly by a written report to be given to the DSL or DDSL who will add it to the school behaviour log.

- keep any allegation confidential (aside from discussions with the DSL). Sensitive information must only be shared with those who need to know
- respond without showing signs of disquiet, disbelief, anxiety or shock
- enquire casually about how an injury was sustained or why a child is upset
- listen with care to the views of the child and reassure the child that he/she is not to blame and affirm the child's feelings as expressed (don't tell the child how he/she should feel)
- avoid being judgmental about the information given by a child
- observe carefully the behaviour or demeanour of the child or the person expressing concern
- establish what are the child's wishes/feelings regarding reporting to SS. These may well be overridden by the school's duty to refer and KCSIE is unambiguous on this point.
- record in detail and immediately in the pupil's file what they have seen or heard and any referral
- not interrogate or enter into detailed investigations or ask leading questions; rather encourage the child to volunteer information until it is possible to decide whether or not a referral is appropriate
- familiarise themselves with school procedures and policies for Child Protection and Safeguarding
- provide a caring environment for pupils where trust between pupils and staff can develop
- give guidance to pupils experiencing difficulties of a sensitive nature within school or at home
- further enhance the relationship between parents and school for the benefit of each pupil
- adhere to the school staff code of behaviour and internet and data privacy policy and code of practice.
- be aware that the normal referral processes are available when there are concerns about children at risk of being drawn into terrorism and that staff have a responsibility to try and prevent any such radicalisation – see section below on Prevent
- ensure children receive the right help at the right time to address risks and prevent issues escalating
- and to thus be aware of the importance and relevance of the early help process and to be prepared to contribute to a co-ordinated offer of 'early help' in accordance with WTSC.
- Children who are in need of additional support should be referred to the Local Authority who will use the SAF and TAC approaches.

**Responsibilities of the DSL Mrs Griggs (in her absence, the DDSLS Mrs Rogers, Miss Lisa Day, Mrs Easton and Mr Larvin or Mr Easton) all of whom cover EYFS are to:**

- follow KCSIE Part 1 and Annex A 2020 and ensure all duties are included
- ensure safe recruitment (DBS checks, compliance with ISI Standards Regulations and the Childcare Disqualification Declaration) (please see Recruitment, Selection and Disclosure Policy). Mr Larvin, Mrs Easton and Mr Easton are trained on safe recruitment and one is on the relevant panel for every appointment
- log in the staff personnel file signatures acknowledging the receipt and understanding of the written Falkner House:
  - Falkner House Staff code of Behaviour which includes the Staff internet and data privacy policy and code of practice
  - The Falkner House Safeguarding and Child Protection Policy
  - Childcare Disqualification Declaration
  - The Falkner House Behaviour Policy including prevention of Bullying and Harassment
- organise staff training on child protection every two years and, in the case of refresher training, annually.
- help and guide children to protect themselves from abuse (see PSHEE policy)
- liaise with other agencies on general issues relating to child protection and to keep open channels of communication with local statutory agencies
- pass on any information or paperwork connected with an individual child's Child Protection or Safeguarding case history to their subsequent school
- ensure if possible that external centres etc. used by the school have safe recruitment practices
- management of online safety
- maintain an overview of safeguarding within the school,
- to assist staff to understand and discharge their role and responsibilities,
- to monitor the effectiveness of policies and procedures in practice.
- takes responsibility to review individual member of staffs' practice and to offer opportunities to discuss any concerns they may have of welfare and safeguarding matters.
- meet responsibilities under the Safeguarding Vulnerable Groups Act 2006
- The School will hold two emergency contact numbers for each child.

### **The DSL (or other staff member) should:**

- decide promptly level of risk. If it is considered that the child at immediate risk, has suffered or is likely to suffer significant harm immediately report to Social Services (parents and pupils do not need to be informed in this situation).
- decide promptly whether to contact the social services who are always prepared to keep formal or informal advice on clear-cut or borderline cases
- identify to the relevant local assessment team any child who needs additional early support from one or more agencies (parents and pupils would generally, but not necessarily, be involved in such a referral)
- maintain the Falkner House Behaviour Log. Notes on any child who has been involved with Social Services must be archived when they leave the school.
- consider the need for support for the child and for the member of staff who made the report.
- decide if medical treatment or assessment is required
- examine the implications for siblings and other members of the child's family
- examine the implications for other pupils
- decide whether parents should be informed after advice (if relevant) from Social Services. If the alleged abuse is of a sexual nature, social services will be informed without prior reference to parents.
- consider the likely attitude of parents/guardians
- be aware of the immediate welfare of child -how does he/she get home? Is there a fear of going home?
- keep accurate confidential minutes of every meeting and any notes about referral decisions and rationale (kept in a child's personal notes)
- share information with relevant agencies and be aware of the importance of 'inter-agency working' i.e. be aware of the 'common assessment framework' (CAF) or the 'team around the child' (TAC)
- give a report of the incident in confidence to the Members. If the allegation is against a member of staff, they will be named since the LLP is responsible for his/her employment
- Notify K&C SS of any child who is fostered.

### **Selection and Appointment of DSL – Mrs Griggs**

Mrs Griggs as Principal is the most senior member of staff and ultimately takes responsibility for the school. As the principal member of the partnership it is only logical that she should take the role of DSL. The Partnership as a whole has responsibility for safeguarding but Mrs Dixon is the member of the partnership and "Broad Level Lead" with specific responsibility overseeing safeguarding and Child Protection.

### **Selection and Appointment of DDSLs**

There are a number of experienced DDSLs in both buildings. They have been carefully chosen for their seniority, experience and independence from the members of the LLP. In view of the structure of the school it is crucial that some of the DDSLs are not part of the LLP. The DDSLs are trained to the same level as the DSL.

### **Training**

The DSL receives updated child protection training (from K&C) including inter-agency training every two years and training in the Local Safeguarding Children Partnership (LSCP) – see below - approach to *Prevent* duties. All staff (including part-time and voluntary staff) are regularly trained in child protection in line with advice from the LSCP. This training includes online safety, *Prevent* awareness training and training in how to manage a report of peer-on-peer sexual violence and harassment. The DSL updates her knowledge and skills regularly by taking note of safeguarding developments and passes on such knowledge on at least an annual basis to the rest of the staff, with informal updates as required (via staff meetings, and one to one discussions). The LSCP has been consulted and recommends refresher training for all staff annually which takes account of any staff turnover or changes in national or local guidance which can be delivered via the safeguarding lead in the school or commissioned from the safeguarding team in the Local Authority. Any staff (full or part time, temporary or permanent paid or volunteers) who start at Falkner House in the interim period are trained by the DSL. **All staff including agency and volunteer staff are required to have been given, be aware of and comply with the Falkner House Safeguarding and Child Protection Policy and Procedures (includes Whistleblowing and children Missing in Education) and a copy of Part 1 of KCSIE and Annex A and the Falkner House staff code of Conduct which includes on-line safety. Staff must also be aware of all other Falkner House policies.**

**Induction**

All new staff are provided with induction training that includes:

- Falkner House Safeguarding and Child Protection Policy and Procedures (includes Whistleblowing and children Missing in Education) and a copy of Part 1 of KCSIE and Annex A
- Information about the identity and roles of the DSL and DDSLS
- Falkner House Staff code of Conduct which includes on-line safety
- Falkner House Behaviour Policy
  - information about emergency evacuation procedures;
  - health and safety issues.

**LSCP** – implemented in September 2019 (name changed from LSCB from October 2019) is a partnership of the RBKC, Hammersmith and Fulham, clinical commissioning group and the police.

**Listening to Children**

The school encourages a culture of listening to children and taking account of their wishes and feelings, among all staff, in any measures the school may put in place to protect them.

**Early Help**

Safeguarding children who are in need of additional support from one or more agencies will be provided with early help, inter agency assessment and intervention using local processes, including the use of ‘Common Assessment Framework’ (CAF) and ‘Team around the Family’ (TAF) approaches. If early help is appropriate, the DSL will generally lead on liaising with other agencies and setting up an inter-agency assessment as appropriate. Staff may be required to support other agencies and professionals in an early help assessment, in some cases acting as the lead practitioner. Any such cases should be kept under constant review and consideration given to a referral to children’s social care for assessment for statutory services, if the child’s situation does not appear to be improving or is getting worse.

## **CHILD ABUSE see also KCSIE – Part 1 Indicators of abuse and neglect**

All staff are trained to understand the safeguarding policy and procedures and have up to date knowledge of safeguarding issues. Such training enables staff to identify signs of possible abuse and neglect at the earliest opportunity, and to respond in a timely and appropriate way and to share information quickly and to challenge inaction. They may be abused by an adult or adults or by another child or children. Staff should always consider contextual matters such as the wider environmental factors in a child's life that may be a threat to their safety and or welfare. Staff must keep abreast of concerns to check whether matters are improving

### **Statutory assessments**

Where a child is suffering, or is likely to suffer from harm, it is important that a referral to children's social care (and if appropriate the police) is made immediately. Referrals should follow the local referral process. Local authorities, with the help of other organisations as appropriate, have a duty to make enquiries under section 47 of the Children Act 1989 if they have reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm. Such enquiries enable them to decide whether they should take any action to safeguard and promote the child's welfare and must be initiated where there are concerns about maltreatment, including all forms of abuse and neglect, female genital mutilation or other so-called honour based violence, and extra-familial threats like radicalisation and sexual exploitation.

### **Abuse and neglect**

Knowing what to look for is vital to the early identification of abuse and neglect. All staff should be aware of indicators of abuse and neglect so that they are able to identify cases of children who may be in need of help or protection. If unsure, staff should always speak to the designated safeguarding lead (or deputy). All school staff should be aware that abuse, neglect and safeguarding issues are rarely stand-alone events that can be covered by one definition or label. In most cases, multiple issues will overlap with one another. Abuse is a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others. Abuse can take place wholly online, or technology may be used to facilitate offline abuse. Children may be abused by an adult or adults or by another child or children.

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

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

**Sexual abuse:** involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example rape or oral sex) or nonpenetrative 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.

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

Falkner House staff are also trained to be alert and to follow school protocols in connection with the following specific kinds of abuse which are detailed in KCSIE Part 1

- **PEER ON PEER ABUSE including BULLYING (see also the Falkner House Behaviour Policy)**

This is defined as being when a young person is exploited, bullied and/or harmed by their peers who are the same or similar age; everyone directly involved in peer on peer abuse is under the age of 18. It can be entirely on line. Abuse is generally motivated by prejudice or perceived vulnerability e.g., on grounds of age, appearance, race, religion, colour, culture, sex, gender, homophobia, special educational needs (SEND) and disability, or because a child is adopted or is a carer or because they are new to the school or seem to be either shy or with no friends. This is most likely to include, but may not be limited to:

- bullying (including cyberbullying) can be defined as the sustained exercise of power by an individual or group over another individual or group in a manner that causes hurt (physical or emotional). It can include;
  - Name calling, banter, taunting, teasing, insulting, “snide” remarks, putting people down. This could include but is not limited to: comments mocking protected characteristics including disabilities, religions, being adopted, appearances, cultures or of a homophobic, sexual/sexist or racist nature
  - Intimidating, isolating or exclusion from a group
  - Spreading false rumours or writing unkind or malicious notes (including cyber bullying i.e. social networking, sexting, email or text messages) about fellow pupils or staff
  - Taking, damaging or hiding belongings
  - Physical or emotional abuse,
  - Inappropriate sexualised behaviour, sexual violence or harassment,
  - Initiation rites or hazing behaviour either in person or remotely e.g. by the use of banter.
  - **Cyber bullying** (on the internet or on mobile phones): Unpleasant comments or photographs can be placed on social networking sites or sent via mobile phones.
    - **In school:** As access to such sites is barred at Falkner House, as are mobile phones, such activity is unlikely to take place on school premises or in school time. Pupils are taught within school not only how to keep themselves safe on line (see PHSEE Policy, curriculum and schemes of work) but also that unpleasant comments made electronically do indeed constitute bullying and such cyber bullying is totally unacceptable. Please also see the Falkner House Internet Policy and pupil iPad Code of Conduct which details the school Computing infrastructure and roles and responsibilities. In addition pupils are only allowed to use their iPads, or school laptops in the presence of school staff and in connection with their school work.
    - **Out of school:** School policy is that parents are asked to involve themselves closely with their child’s cyber activities and to monitor their use of the internet and emails etc. Advice to parents on this topic is given by annual talks and a summary of the advice given is included in our Parent Handbook - Tech.
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm;
- sexual violence such as rape, assault by penetration and sexual assault;
- sexual harassment, such as sexual comments, remarks, jokes and online sexual harassment, which may be stand-alone or part of a broader pattern of abuse;
- upskirting, which typically involves taking a picture under a person's clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm;
- sexting (also known as youth produced sexual imagery);
- emotional abuse

- **CONTEXTUAL SAFEGUARDING**

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



- **CHILDREN MISSING FROM EDUCATION (CME)**

School staff follow the school's procedure for dealing with children that might have run away from home or go missing from Falkner House, to help identify the risk of abuse and neglect, including sexual exploitation, and to help prevent the risks of their going missing in future. Falkner House asks all parents for at least two emergency contacts for their child. The DSL would inform Social Services of any child who went missing from education or who fails to attend school regularly, or has been absent without the school's permission for a continuous period of 10 school days or more, at such intervals as are agreed between the school and Social Services (or in default of such agreement, at intervals determined by the Secretary of State). To identify such children, all "starters and leavers" aged over five years old at Falkner House at non-standard 'in year' transition points, will be notified to the relevant Admissions Team at RBK&C via the s2s website. The team will be informed by the Bursar at Falkner House immediately when:

- The school is about to delete a pupil's name from the admission register. Details will be given to the team of the pupil's residence, the name of the person with whom they reside, the date from which they will reside there, and then name of the destination school (if this information can reasonably be obtained and new home address if the pupil is moving to a new school).
- The school is registering a new pupil. Details will be given to the team of the pupil's address and previous school (where they can reasonably obtain this information).
- A child has not arrived at the school as expected (the school having already carried out our own checks).

- **PREVENTING RADICALISATION**

The general level of risk has been assessed as very low. This conclusion has been reached on account of the:

- fact that all staff are fully aware of and endorse every aspect of the Prevent strategy and are well aware of the appropriate mechanisms to raise concerns;
- fact that we would not tolerate any member of staff, visiting speaker or agency worker displaying extreme or divisive views/behaviours;
- fact that no extremist or terrorist material has ever or would ever be displayed on school premises;
- fact that school premises would never be made available to organisations supportive of terrorism etc.;
- strong whistleblowing culture;
- school 's close links with RBK&C and comfort with sharing extremism related concerns externally;
- young age of the pupils;
- the moderation and conservatism of Falkner House families. Parents will have chosen Falkner House in part because we clearly endorse fundamental British values: democracy, free speech, tolerance, nonviolence etc.
- the fact that children are taught to be alert to the risks associated with extremism and they are made aware, in an age appropriate fashion, of the dangers of social media and grooming in this context.
- the strength of our Computing policy

Although the risk of extremism/radicalisation is assessed as low the school is still highly aware of the dangers and actions that must be taken as part of Prevent duties. The school's community base indicates it to be low risk (as discussed with our Bi Borough Prevent Officer) despite our geographic area. The DSL is responsible for Prevent and thus for identifying and protecting individual children who may be at risk of any form of radicalisation or being drawn into terrorism or extremist activity. Any concerns whatsoever of the DSL will be noted on the Behaviour Log and referred immediately to the Bi Borough Prevent Officer (details above). The DSL oversees and coordinates Falkner House's implementation of the Prevent duty. The DSL has been trained in Prevent and provides suitable support and training to all members of staff. The DSL has made enquiries from the Bi Borough Prevent Officer as to WRAP and will follow their guidance.

Falkner House is aware of its duty to build resilience to radicalisation in large part through our promotion of Fundamental British values. In addition, the PSHEE syllabus teaches pupils to manage risk, resist pressure, make safer choices and seek help if necessary. Our teaching across the curriculum focuses where appropriate on the values of democracy, diversity, mutual respect and the good management of contentious

The Falkner House internet policy ensures that there is no access through the internet to terrorist or extremist activity in school. Home use of the Falkner House i-pads (Years 4, 5 and 6), including web sites visited, is carefully monitored. The Falkner House Computing and PSHEE policies cover the dangers of on line grooming for radicalisation and children are taught how to stay safe on-line both in school and at home. Staff and children are thus made aware of the risks posed by the on-line activity of extremist and terrorist groups.

The DSL is aware that a child missing from school could be being drawn into terrorism or extremist activity. By virtue of the young age of our pupils this would always be with the knowledge/ encouragement of their family. If the DSL has any such concerns the Bi Borough Prevent Officer would be contacted promptly.

Proposals for visiting speakers are discussed with the DSL who follows the Visiting Speaker Policy to ensure they are both suitable and supervised at all times when on site. In practice all speakers will be well known to the school.

The training from the LSCP includes Prevent awareness. The DSL undertakes a risk assessment as to whether staff should undertake Channel on-line general awareness training. If considered necessary, staff complete this on-line training so as to give them the knowledge and confidence to identify children at risk of being drawn into terrorism, to challenge extremist ideas and to know how to refer children and young people for further help.

## • **SEXUAL VIOLENCE AND HARASSMENT BETWEEN CHILDREN**

Sexual violence and sexual harassment can occur between two children of any age and sex. It can also occur through a group of children sexually assaulting or sexually harassing a single child or group of children. Children who are victims of sexual violence and sexual harassment will likely find the experience stressful and distressing. This will, in all likelihood, adversely affect their educational attainment. Sexual violence and sexual harassment exist on a continuum and may overlap, they can occur online and offline (both physical and verbal) and are never acceptable. It is important that all victims are taken seriously and offered appropriate support. Staff should be aware that some groups are potentially more at risk. Evidence shows girls, children with SEND and LGBT children are at greater risk.

Sanctions, support and management are detailed in the school's behaviour policy. Such abuse may become a safeguarding issue and would then be dealt with in accordance with school protocol.

Staff should be aware of the importance of:

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

**Sexual violence** It is important that school staff are aware of sexual violence and the fact children can, and sometimes do, abuse their peers in this way. we are referring to sexual violence offences under the Sexual Offences Act 200322 as described below:

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

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

**Sexual harassment:** ‘unwanted conduct of a sexual nature’ that can occur online and offline in the context of child on child sexual harassment. Sexual harassment is likely to: violate a child's dignity, and/or make them feel intimidated, degraded or humiliated and/or create a hostile, offensive or sexualised environment. Whilst not intended to be an exhaustive list, sexual harassment can include:

- sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance and calling someone sexualised names;
- sexual “jokes” or taunting;

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

**Upskirting:** typically involves taking a picture under a person's clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm. It is now a criminal offence.

**The initial response** to a report from a child is important. It is essential that all victims are reassured that they are being taken seriously and that they will be supported and kept safe. A victim should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report. If staff have a concern about a child or a child makes a report to them, they should follow the referral process and, if staff are in any doubt as to what to do they should speak to the designated safeguarding lead (or a deputy).

## • CHILD SEXUAL EXPLOITATION

Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the 18 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. Like all forms of child sex abuse, child sexual exploitation:

- can affect any child or young person (male or female) under the age of 18 years, including 16 and 17-year olds who can legally consent to have sex;
- can still be abuse even if the sexual activity appears consensual;
- can include both contact (penetrative and non-penetrative acts) and noncontact sexual activity; • can take place in person or via technology, or a combination of both;
- can involve force and/or enticement-based methods of compliance and may, or may not, be accompanied by violence or threats of violence;
- may occur without the child or young person's immediate knowledge (e.g. through others copying videos or images they have created and posted on social media);
- 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; and
- is typified by some form of power imbalance in favour of those perpetrating the abuse. Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, sexual identity, cognitive ability, physical strength, status, and access to economic or other resources.

Some of the following signs may be indicators of child sexual exploitation:

- children who appear with unexplained gifts or new possessions;
- children who associate with other young people involved in exploitation;
- children who have older boyfriends or girlfriends;
- children who suffer from sexually transmitted infections or become pregnant; • 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.

- **CHILD CRIMINAL EXPLOITATION: COUNTY LINES**

Criminal exploitation of children is a geographically widespread form of harm that is a typical feature of county lines criminal activity, drug networks or gangs groom and exploit children and young people to carry drugs and money from urban areas to suburban and rural areas, market and seaside towns. Key to identifying potential involvement in county lines are missing episodes, when the victim may have been trafficked for the purpose of transporting drugs and a referral to the National Referral Mechanism<sup>15</sup> should be considered. Like other forms of abuse and exploitation, county lines exploitation:

- can affect any child or young person (male or female) under the age of 18 years;
- can affect any vulnerable adult over the age of 18 years;
- can still be exploitation even if the activity appears consensual;
- can involve force and/or enticement-based methods of compliance and is often accompanied by violence or threats of violence;
- can be perpetrated by individuals or groups, males or females, and young people or adults; and
- is typified by some form of power imbalance in favour of those perpetrating the exploitation. Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, cognitive ability, physical strength, status, and access to economic or other resources.

- **DOMESTIC ABUSE**

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

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

Exposure to domestic abuse and/or violence can have a serious, long lasting emotional and psychological impact on children. In some cases, a child may blame themselves for the abuse or may have had to leave the family home as a result. Domestic abuse affecting young people can also occur within their personal relationships, as well as in the context of their home life. Advice on identifying children who are affected by domestic abuse and how they can be helped is available at: *NSPCC- UK domestic-abuse Signs Symptoms Effects, Refuge - what is domestic violence/effects of domestic violence on children and Safelives: young people and domestic abuse.*

- **CHILDREN AND THE COURT SYSTEM AND CHILDREN WITH FAMILY MEMBERS IN PRISON**

Children are sometimes required to give evidence in criminal courts, either for crimes committed against them or for crimes they have witnessed. There are two age appropriate guides to support children 5-11-year olds and 12-17-year olds. The guides explain each step of the process, support and special measures that are available. There are diagrams illustrating the courtroom structure and the use of video links is explained. Making child arrangements via the family courts following separation can be stressful and entrench conflict in families. This can be stressful for children. The Ministry of Justice has launched an online child arrangements information tool with clear and concise information on the dispute resolution service. This may be useful for some parents and carers.

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

- **SERIOUS VIOLENCE**

All staff should be aware of indicators, which may signal that children are at risk from, or are involved with serious violent crime. These may include increased absence from school, a change in friendships or relationships with older individuals or groups, a significant decline in performance, signs of self-harm or a significant change in wellbeing, or signs of assault or unexplained injuries. Unexplained gifts or new possessions could also indicate that children have been approached by, or are involved with, individuals associated with criminal networks or gangs. All staff should be aware of the associated risks and understand the measures in place to manage these. Advice for schools and colleges is provided in the Home Office's Preventing youth violence and gang involvement and its Criminal exploitation of children and vulnerable adults: county lines guidance.

- **So Called HONOUR BASED VIOLENCE (HBV)** including Female Genital Mutilation and Forced Marriage)

So-called HBV encompasses incidents or crimes which have been committed to protect or defend the honour of the family and/or the community, including female genital mutilation (FGM), forced marriage, and practices such as breast ironing. Abuse committed in the context of preserving “honour” often involves a wider network of family or community pressure and can include multiple perpetrators. It is important to be aware of this dynamic and additional risk factors when deciding what form of safeguarding action to take. All forms of HBV are abuse (regardless of the motivation) and should be handled and escalated as such. Professionals in all agencies, and individuals and groups in relevant communities, need to be alert to the possibility of a child being at risk of HBV, or already having suffered HBV. Actions If staff have a concern regarding a child that might be at risk of HBV or who has suffered from HBV, they should speak to the designated safeguarding lead (or deputy). As appropriate, they will activate local safeguarding procedures, using existing national and local protocols for multi-agency liaison with police and children’s social care.

**FEMALE GENITAL MUTILATION (note the mandatory reporting duty)** FGM comprises all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs. It is illegal in the UK and a form of child abuse with long-lasting harmful consequences.

**It is mandatory and a statutory duty for teachers to report to the police cases where they discover that an act of FGM appears to have been carried out on a girl under the age of 18.** Unless the teacher has good reason not to, they should still consider and discuss such a case with the school’s DSL and involve children’s social care as appropriate. It will be rare for teachers to see visual evidence, and they should not be examining pupils or students, but the same definition of what is meant by “to discover that an act of FGM appears to have been carried out” is used for all professionals to whom this mandatory reporting duty applies. The duty does not apply in relation to at risk or suspected cases (i.e. where the teacher does not discover that an act of FGM appears to have been carried out, either through disclosure by the victim or visual evidence) or in cases where the woman is 18 or over. In these cases, teachers should follow local safeguarding procedures.

**FORCED MARRIAGE** Forcing a person into a marriage is a crime in England and Wales. A forced marriage is one entered into without the full and free consent of one or both parties and where violence, threats or any other form of coercion is used to cause a person to enter into a marriage. Threats can be physical or emotional and psychological. A lack of full and free consent can be where a person does not consent or where they cannot consent (if they have learning disabilities, for example). Nevertheless, some communities use religion and culture as a way to coerce a person into marriage. Schools and colleges can play an important role in safeguarding children from forced marriage.

- **MENTAL HEALTH**

Staff should be aware that mental health problems can, in some cases, be an indicator that a child has suffered or is at risk of suffering abuse, neglect or exploitation. Staff should not attempt to make a diagnosis but are well placed to observe behaviour that suggests a child is experiencing a mental health problem. If staff have a mental health concern about a child they should take immediate action in line with this policy.

- **HOMELESSNESS**

Being homeless or being at risk of becoming homeless presents a real risk to a child’s welfare. The DSL (and any deputies) should be aware of contact details and referral routes into the Local Housing Authority so they can raise/progress concerns at the earliest opportunity. Indicators that a family may be at risk of homelessness include household debt, rent arrears, domestic abuse and anti-social behaviour, as well as the family being asked to leave a property. Whilst referrals and/or discussion with the Local Housing Authority should be progressed as appropriate, and in accordance with local procedures, this does not, and should not, replace a referral into children’s social care where a child has been harmed or is at risk of harm. The Homelessness Reduction Act 2017 places a new legal duty on English councils so that everyone who is homeless or at risk of homelessness will have access to meaningful help including an assessment of their needs and circumstances, the development of a personalised housing plan, and work to help them retain their accommodation or find a new place to live. The new duties shift focus to early intervention and encourage those at risk to seek support as soon as possible, before they are facing a homelessness crisis. In most cases school staff will be considering homelessness in the context of children who live with their families, and intervention will be on that basis.

## **SAFEGUARDING** (please also see the school Staff Handbook and the Health and Safety Policy)

Falkner House safeguards children in a variety of manners. Staff are governed by a behaviour policy (Staff Code of Conduct) which lays down an appropriate professional standard of conduct in terms of giving proper emotional and physical support to all pupils. Children are taught directly and indirectly in lessons, assemblies and most of all by example, the means and the importance of keeping themselves safe. They are taught to recognise when they are at risk and how to get help when they need it.

In terms of **physical safety**, the following is routine:

- Fire practices
- Secure external doors and locks on windows
- Children never leaving the premises unsupervised
- All reasonable steps are taken to prevent unauthorised persons entering the premises,
- Checking the identity of all visitors
- Obtaining an enhanced DBS check and other required checks on all employees and all those over 16 who look after children or who live on the premises children to ensure they are suitable to fulfil the requirements of their roles. Effective systems are in place to ensure that teachers, and any other person who is likely to have regular contact with children (including those living or working on the premises), are suitable.
- Not allowing people whose suitability has not been checked, including through a DBS check, to have unsupervised contact with children being cared for.
- Telling staff that they must disclose any convictions, cautions, court orders, reprimands and warnings which may affect their suitability to work with children (whether received before or during their employment at the setting).
- Falkner House must record information about staff qualifications and the identity checks and vetting processes that have been completed (including the criminal records disclosure, reference number, the date a disclosure was obtained and details of who obtained it) as part of the SCR
- Children are only released into the care of individuals who have been notified to the school by the parent, and thus parents are required to notify school in advance if anyone other than parent or known carer is to collect their child
- Teachers are prohibited from being under the influence of alcohol or any other substance which may affect their ability to care for children. If teachers are taking medication which may affect their ability to care for children, those teachers should seek medical advice. Those teachers 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 either premises (including in handbags etc.) must be securely stored and out of reach of children, at all times.
- Medical protocols are updated annually, for all children with significant medical conditions or needs and relevant medical information from the child's doctor or doctors is requested as supporting information.
- Risk assessments are reviewed at least annually (and acted on) for all aspects of school life including school visits
- Registers are taken before start of morning and afternoon school. A note of the number of children in the class is displayed for easy reference in an emergency. Children or adults leaving the school during the school day e.g. for a medical appointment have to sign in and out in the office. Parents are called immediately in the case of an unexplained absence
- Only use first names of children when publishing photographs so as to preserve identity
- Particular care is taken when children are engaged in one on one teaching – either academic, music or sport. Staff are given additional training, music rooms all have glass internal windows / doors and doors are generally kept open during individual lessons.

In terms of **emotional safety**, the following is routine:

- All children know that they can talk to any adult regarding any matter;
- Refer to Mental health and behaviour in schools (March 2015) and/or Counselling in schools: a blue print for the future (March 2015) if further guidance is required;
- There is a clear no- bullying culture supported by the behaviour policy;
- Kindness to others is regarded as paramount;
- Very close contact between school and home means children feel secure;
- Recommendation to parents to seek external professional advice from a therapist if this seems appropriate
- There is always a happy atmosphere within the school
- Pupils are not allowed personal mobile devices at school (aside from their school i-pad which is only used in the classroom or in supervised homework) or on trips etc. Please also see the Falkner House Parents Guide to technology and the Falkner House internet Policy.
- Staff are alert to the possibility of Fabricated Illness – hence the need to check supporting medical information.

### **In terms of e-Safety - teaching children how to keep safe online**

This is an integral part of the school computing and PHSEE curriculum (see Falkner House PHSEE Policy, syllabus and schemes of work and the Falkner House School Internet Policy, Staff Code of Conduct and Pupil iPad Code of Practice). Throughout computing lessons pupils are taught how to use the laptops responsibly. They will understand that at school:

- They must only access sites and material that have been approved by the teacher and that are relevant to their schoolwork
- They must log on to the school's computer network using their username and password and they must not allow any other pupil to use their username and password
- They must log off at the end of each session.
- They will not at any time log on to any internet chatroom or similar facility which may result in their personal details being disclosed or may identify them to persons unknown
- The school and its Internet Service Provider can, at any time, access and monitor their usage of the computer.
- They must not download anything from the internet unless given permission by a teacher
- They will only send and receive emails, or open attachments under the supervision of a teacher
- They must report any incidence of bad language or distasteful images to a teacher if they come across them accidentally
- They will always be themselves and will not pretend to be anyone or anything they are not
- unkind actions like posting photos, snide comments, meanness or bullying online is totally unacceptable

They are also taught both in their computing and PHSEE lessons and whenever appropriate that similar guidelines apply when out of school (replacing guidance of a teacher with guidance from a parent or responsible adult.) The dangers of cyber bullying and sexting are discussed as are the risks of being bullied, groomed, abused or radicalised on-line.

### **WHISTLEBLOWING**

The open and collegiate atmosphere at Falkner House makes it easy for staff to raise any concerns (including poor or unsafe practice and potential failures in the school's safeguarding regime and financial irregularities) with **senior staff**. Staff are highly valued and the general practice in the school is both open and reflective making it easy for staff to express their opinions. Staff are trained that any concern should be mentioned immediately (and the threshold for such concerns must be minimal) to the DSL or DDSLs who deputise and would always take any such concern seriously and decide what action should be taken. The nature of the school means that staff know that they would be supported and assisted emotionally and practically through a whistleblowing process. There is provision for mediation and dispute resolute where necessary as well as transparency and accountability in relation to how concerns are received and handled. The NSPCC whistleblowing helpline (0800 028 0285) is available to staff who do not feel able to raise child protection failures internally.

### **STAFF INTERACTION WITH PUPILS and USE OF TECHNOLOGY including CAMERAS (including EYFS)**

Please see the Falkner House Staff Code of Conduct, the Falkner House School Internet Policy and the Falkner House PHSEE policy syllabus and schemes of work. The school computing curriculum also details internet safety in and out of school.

Use of mobiles and personal devices:

- Staff should turn off mobiles at all times except during lunch or mid-morning breaks. Any phone conversations should be held in private so as not to disturb other staff.
- The children should not see staff with their phones either in school or out on trips. The only exceptions to this is use of the school mobile when on a trip or at PE.
- During work hours minimal use of personal mobile phones at work is permitted, for example important or urgent communications with family. Staff should not share their personal details with parents or mobiles; this includes personal mobile phone numbers.
- If staff use a personal device while at school they may only access sites and material that are appropriate.
- When logging into Google Drive for the first time on school devices, staff will need to enter a two-factor authentication code which will be received on a personal mobile phone. Staff will try to ensure that they are logged onto any new devices before or after the school day begins to avoid carrying their phones around.
- Any personal mobile devices that may be brought into school will only contain material that is appropriate.
- If accessing the school shared files remotely through a personal device, to sign out when finished.

Use of cameras:

- Photographs of pupils by staff should only be taken using a school device in connection with normal school activities e.g. trips, sporting events, or for academic purposes. Any such 'school photograph' must immediately be

deleted from the device once they have been promptly uploaded to the school website, the school's IT system or sent to the relevant parent.

- No 'school photograph' is to be uploaded to any social media site or to any website without authorisation from the Headteacher.
- If members of the public are observed photographing / videoing Falkner House pupils in the playground or off-site staff should politely ask them to stop.

## **ALLEGATIONS AGAINST:**

### **THE DSL who is the PRINCIPAL**

This must be immediately reported (without notifying the head) to the LADO (the term for the designated officer in K&C directly and within one working day (contact details below).

### **LLP MEMBERS other than the DSL (which include the two headteachers)**

This must be immediately reported to the LADO immediately and within one working day (contact details below). The LADO will then advise how to proceed.

### **STAFF (INCLUDING VOLUNTEERS AND SUPPLY STAFF)** – see the Falkner House Staff Code of Conduct

Any allegation against a member of staff must be reported to the DSL (or DDSL in the case of the DSL's absence; they must keep the DSL informed). It must be taken seriously and managed without delay. The school will not undertake any investigations of an allegation without prior consultation with the LADO, or in the most serious cases the police, so as not to jeopardise statutory investigations. A course of action must be agreed upon with the LADO. In a case of serious harm, the police are to be informed from the outset and in this situation, the LADO should also be informed within one working day. Discussions should be recorded in writing and communication with both the individual and the parents of the child / children concerned agreed. Careful consideration, with due weight given to the LADO's views must be given as to whether suspension is warranted. Every effort must be made to maintain confidentiality and to avoid unwanted publicity. These restrictions apply up to the point where the accused person is charged with an offence or the DfE / Teaching Regulation Agency (TRA) publish information about an investigation or decision in a disciplinary case. In the event of enquiries being made by other parents, they should be told only that an allegation of misconduct has been made against a member of staff and that it is being investigated. No further information is to be given without legal advice. If there has been a substantiated allegation against a member of staff, then the LADO will be involved to help determine any possible improvements to policy or practice to help prevent similar events in the future.

Where an allegation is made against a supply teacher, the Headteacher will immediately contact both the agency concerned and the LADO. The school will continue to support any investigation that is required.

**DBS** The school will report promptly (offering as much evidence about the circumstances of the case as possible) any person (employed, contracted, volunteer or student) to the DBS whose services are no longer used for regulated activity when DBS referral criteria are met – i.e. who has harmed or posed risk of harm to a child and who has been removed from working (paid or unpaid) with children, or would have been removed had he or she not left earlier. Compromise agreements cannot be used to prevent a referral to the DBS when such a referral is legally required.

**TRA** The school will also consider making a referral to the TRA where a teacher has been dismissed (or would have been dismissed had he/she not resigned) and a prohibition order may be appropriate

### **OTHER PUPILS / PEER ON PEER ABUSE** (please see above for definitions and further details)

The Falkner House Behaviour Policy details the school's disciplinary policy and procedures that apply. Clearly there is a range of "bad behaviour": incidents are dealt with by staff and noted in the individual pupil notes while more serious episodes of bad behaviour are also noted in the school log. In the case of suspected peer on peer abuse a member of the DSL team must be informed. All staff are trained in how to manage peer on peer abuse. Both the perpetrator and the victim should be treated as being of risk but equally the victim will always be closely and sympathetically supported by the school staff. As necessary, the DSL will inform social services and the parents of the victim and the alleged perpetrator. The DSL may wish to discuss with the victim and their parents whether there should be police involvement.

### **FAMILY MEMBERS**

If it is suspected or reported that child abuse or domestic violence may be occurring within a family, then the school will consult with Social Services to determine when and how to take forward communication with the parents. Only the DSL can make this decision after consultation with Social Services. If a matter is deemed sufficiently serious or if the child alleges that they have been abused or if the School believes that by contacting the parents, the child may be placed at greater risk, then the DSL will contact the Duty Officer at the Social Services before any contact is made with the child's parents. Social Services will give advice about the next steps. Any fears of the children in these situations must be sensitively handled, and social workers informed of these fears and concerns. If both the reporter and the Child Protection



Co-ordinator believe there to be clear and immediate evidence of abuse caused by a known person, then immediate contact will be made with the Police. The Police will take the responsibility of informing all other appropriate agencies.

## LEGAL CONCERNS

**DEFAMATION** - One of the main concerns quoted by adults in their reluctance to report suspicions of abuse is the fear that the person suspected will sue them for defamation if the allegation turns out to be unfounded. To be defamatory, a statement must first of all be untrue. Even if subsequently shown to be untrue, the statement will be protected by "qualified privilege" if it is made to the appropriate authority in response to a duty whether legal, moral or social or in the protection of an interest.

**BREACH OF CONFIDENCE** - If certain conditions are met, information may be regarded as confidential. Passing on confidential information without permission could lead to an action for breach of confidence. If the conditions listed below are satisfied and an action is raised, it would be a defence to show that the information was passed on in pursuit of the public interest. As there is a clear public interest in the protection of children, it is difficult to envisage any such action succeeding. Information would be regarded as confidential if:

- The information disclosed was confidential in character (not for example, a matter of public record, such as a person's age)
- Disclosure has or would cause actual harm to the person whose confidence was breached
- One could infer that the confider did not want the information passed on.

**CONFIDENTIALITY** - Confidentiality is an important issue for children, parents and professionals. Children and parents may wish to raise or share concerns but be fearful of setting in train a series of events, which will have far-reaching and unwanted consequences. They may seek an assurance of confidentiality before expressing their concerns. Staff will also be concerned because they do not want to lose the trust of those who may have sought their help. Neither do they wish to feel responsible for initiating what might be seen as uncomfortable procedures, but they recognise they have a responsibility towards the children.

Problems may arise when a child consults a member of staff about a problem and does not want that information to be shared with parents. Whilst staff will try to encourage children to share the information with parents, there may be circumstances in which any pressure to pass the information on could result in the child keeping the problem to themselves, or not sharing concerns in the future. Whilst every effort will be made to respect a desire for confidentiality, if serious concerns arise about a child's welfare, it may be necessary for that information to be passed on to the appropriate authorities. It will be made clear to those seeking advice that the staff member may not be able to promise confidentiality but that they will not breach the confidence without letting the person know that they intend to do so.

The policy of Falkner House is to work in partnership with parents in order to promote the welfare of children and to build up relationships of trust with children. Children and parents should feel able to raise concerns about safety and welfare with the school in the knowledge that these will be dealt with sensitively. Due to the nature of such concerns, the school will operate on the presumption that anything imparted in confidence will be treated in confidence. This is subject to three qualifications: -

1. Anything imparted "in confidence" to a member of staff or an associate of the school may be shared with a restricted number of colleagues, if that person feels in need of support and guidance
2. If serious concerns are raised about the safety or welfare of a child, the person approached may be obliged, in terms of the school's child protection procedures, to pass that information on to the DSL. In these circumstances, the person approached would not, except in an emergency, breach the confidence without letting the child know their intentions
3. Falkner House School will, of course, pass on information when legally obliged so to do.

## **SAFEGUARDING AND CHILD PROTECTION CONTACTS**

**Mrs Dixon** is the member of the partnership and “Board Level Lead” with specific responsibility overseeing safeguarding and Child Protection  
020 7373 2340

**Bi - Borough** (Royal Borough of Kensington and Chelsea (RBKC) and Westminster)

**Tri-Borough** (RBKC, Westminster and Hammersmith & Fulham)

### **Bi - Borough (Safeguarding and Child Protection Training, Consultation and Advice:**

Di Donaldson	07890 397 061	<a href="mailto:di.donaldson@rbkc.gov.uk">di.donaldson@rbkc.gov.uk</a>
Marissa Asli	07739 315 432	<a href="mailto:marissa.aslibangura@rbkc.gov.uk">marissa.aslibangura@rbkc.gov.uk</a>

### **Consultation & Advice about a child/young person resident in:**

<b>RBKC</b>	Duty Line	020 7361 3013	Out of hours	020 7361 3013
<b>Westminster</b>	Duty Line	020 7641 4000	Out of hours	020 7641 2388
<b>Hammersmith &amp; Fulham</b>	Duty Line	020 8753 6600	Out of hours	020 8748 8588

**Tri-Borough Local Authority Designated Officer (LADO)** for referral and management of allegations against staff: LADO referrals to be made to the following phone numbers/emails depending on the borough where the incident took place or where the employing agency is. The referral form to complete is embedded below. Referrals are dealt with by Child Protection Advisors who hold delegated LADO powers across all three boroughs.

<b>RBKC</b>	020 7361 3013	<a href="mailto:LADO.Enquiries@rbkc.gov.uk">LADO.Enquiries@rbkc.gov.uk</a>
<b>Hammersmith and Fulham</b>	020 8753 5125	<a href="mailto:LADO@lbhf.gov.uk">LADO@lbhf.gov.uk</a>
<b>Westminster:</b>	020 7641 7668	<a href="mailto:LADO@westminster.gov.uk">LADO@westminster.gov.uk</a>



LADO Referral  
Form.docx

### **Tri -Borough Local Safeguarding Children’s Board (LSCP):**

Victoria Harris	07739 315 388	<a href="mailto:victoria.harris@rbkc.gov.uk">victoria.harris@rbkc.gov.uk</a>
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### **Bi Borough PREVENT – Advice, guidance, training queries and referrals to Channel Panel:**

RBKC	020 8753 5727	<a href="mailto:prevent@lbhf.gov.uk">prevent@lbhf.gov.uk</a>
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**DfE PREVENT** dedicated telephone helpline and mailbox for non-emergency advice for staff:  
020 7340 7264 [counter.extremism@education.gov.uk](mailto:counter.extremism@education.gov.uk)

NSPCC 0800 800 5000

Police 020 8246 0826 (or 101)

A full list of contact details is held by the school offices.

## **Notes of reviews:**

Policy and procedures and the efficiency of the school's systems are examined and reviewed on at least an annual basis by the DSL, the member with overview of child protection and the DDSL's

On 5<sup>th</sup> October 2009, 31<sup>st</sup> March 2010, 14<sup>th</sup> September 2010 and 21<sup>st</sup> March 2013 the Bursar and the Headteacher at Brechin Place (who is the DSL) reviewed the whole policy and procedures and the efficiency of the systems in the light of ISI training. The relevant sections of the staff handbook and the policy were merged, and a more holistic approach adopted and various details of the policy amended.

In April 2014 in the light of the new DfE publications in particular KCSIE the Bursar and the Headteacher again reviewed the whole policy and procedures and amended them accordingly.

23<sup>rd</sup> April 2015 the Policy was reviewed and approved by Hilary Shaw (Bi-Borough Safeguarding and Child Protection Schools and Education Officer). Her revisions have been incorporated

In January, June, and September 2015, after the publication of the new ISI regulations, and revised KCSIE and Prevent Duty, the Bursar, the Headteacher and the Proprietors reviewed the whole policy and procedures and amended them accordingly.

**In July 2016** after the publication of the revised KCSIE the Bursar, the Headteachers and the Proprietors reviewed the whole policy and procedures and amended them accordingly.

In September 2016 the revised advice regarding "missing children in education" was incorporated into the Policy

28<sup>th</sup> March 2018 the telephone list was updated following advice from K&C.

20<sup>th</sup> April 2018 the advice regarding Sexual Violence and Harassment was incorporated into the Policy

**10<sup>th</sup> September 2018** after the publication of the revised KCSIE the Bursars, the Headteachers and the Proprietors reviewed the whole policy and procedures and amended them accordingly

**The next review is due on or before 5<sup>th</sup> September 2020**

**There is an annual meeting of the members of the LLP to discuss and review the Child Protection and Safeguarding Policy, including the effectiveness of procedures and their implementation and the 'Falkner House LOG'. The minutes of this meeting and the DSLs report are on the FH Log**

## **Training**

### **Staff training**

For all staff including inter-agency training of DSL and DDSL

Hilary Shaw K&C

30<sup>th</sup> April 2019

Refresher /induction for all staff conducted by DSL and Mrs Dixon

5<sup>th</sup> September 2019

Prevent training DSL (by Simon McTurk)

28<sup>th</sup> September 2015

### **Future dates**

DSL and DDSL to be retrained

by

30<sup>th</sup> April 2021

Annual refreshers for all staff

by

5<sup>th</sup> September 2020

Induction for new staff (incl. Prevent)

by

date of arrival in school



Department  
for Education

# **Keeping children safe in education**

**Statutory guidance for schools and  
colleges**

**Part one: Information for all school and  
college staff**

**September 2020**

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## Summary

Keeping children safe in education is statutory guidance that schools and colleges in England must have regard to when carrying out their duties to safeguard and promote the welfare of children.

- governing bodies of maintained schools (including maintained nursery schools) and colleges;
- proprietors of independent schools (including academies, free schools and alternative provision academies) and non-maintained special schools. In the case of academies, free schools and alternative provision academies, the proprietor will be the academy trust; and
- management committees of pupil referral units (PRUs)

are asked to ensure that **all staff** in their school or college **read** at least Part one of the guidance.

For ease of reference Part one is set out here as a standalone document.

## About this guidance

We use the terms “**must**” and “**should**” throughout the guidance. We use the term “must” when the person in question is legally required to do something and “should” when the advice set out should be followed unless there is good reason not to.

# Part one: Safeguarding information for all staff

## What school and college staff should know and do

### A child centred and coordinated approach to safeguarding

1. Schools and colleges and their staff are an important part of the wider safeguarding system for children. This system is described in statutory guidance [Working Together to Safeguard Children](#).
2. Safeguarding and promoting the welfare of children is **everyone's** responsibility. **Everyone** who comes into contact with children and their families has a role to play. In order to fulfil this responsibility effectively, all practitioners should make sure their approach is child-centred. This means that they should consider, at all times, what is in the **best interests** of the child.
3. No single practitioner can have a full picture of a child's needs and circumstances. If children and families are to receive the right help at the right time, **everyone** who comes into contact with them has a role to play in identifying concerns, sharing information and taking prompt action.
4. Safeguarding and promoting the welfare of children is defined for the purposes of this guidance as:
  - protecting children from maltreatment;
  - preventing impairment of children's mental and physical health or development;
  - ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and
  - taking action to enable all children to have the best outcomes.
5. Children includes everyone under the age of 18.

### The role of school and college staff

6. School and college staff are particularly important as they are in a position to identify concerns early, provide help for children, and prevent concerns from escalating.
7. **All** staff have a responsibility to provide a safe environment in which children can learn.

8. **All staff** should be prepared to identify children who may benefit from early help.<sup>1</sup> Early help means providing support as soon as a problem emerges at any point in a child's life, from the foundation years through to the teenage years.
9. **Any staff member** who has a concern about a child's welfare should follow the referral processes set out in paragraphs 41-53. Staff should expect to support social workers and other agencies following any referral.
10. Every school and college should have a designated safeguarding lead who will provide support to staff to carry out their safeguarding duties and who will liaise closely with other services such as children's social care.
11. The designated safeguarding lead (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.
12. The Teachers' Standards 2012 state that teachers (which includes headteachers) should safeguard children's wellbeing and maintain public trust in the teaching profession as part of their professional duties.<sup>2</sup>

## What school and college staff need to know

13. **All staff** should be aware of systems within their school or college which support safeguarding and these should be explained to them as part of staff induction. This should include the:

- child protection policy;
- behaviour policy;<sup>3</sup>
- staff behaviour policy (sometimes called a code of conduct);
- safeguarding response to children who go missing from education; and
- role of the designated safeguarding lead (including the identity of the designated safeguarding lead and any deputies).

Copies of policies and a copy of Part one of this document should be provided to staff at induction.

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<sup>1</sup> Detailed information on early help can be found in Chapter 1 of [Working Together to Safeguard Children](#).

<sup>2</sup> The [Teachers' Standards](#) apply to: trainees working towards QTS; all teachers completing their statutory induction period (newly qualified teachers [NQTs]); and teachers in maintained schools, including maintained special schools, who are subject to the Education (School Teachers' Appraisal) (England) Regulations 2012.

<sup>3</sup> All schools are required to have a behaviour policy (full details are [here](#)). If a college chooses to have a behaviour policy it should be provided to staff as described above.



14. **All** staff should receive appropriate safeguarding and child protection training which is regularly updated. In addition, all staff should receive safeguarding and child protection updates (for example, via email, e-bulletins and staff meetings), as required, and at least annually, to provide them with relevant skills and knowledge to safeguard children effectively.
15. **All** staff should be aware of their local early help<sup>4</sup> process and understand their role in it.
16. **All** staff should be aware of the process for making referrals to children's social care and for statutory assessments under the Children Act 1989, especially section 17 (children in need) and section 47 (a child suffering, or likely to suffer, significant harm) that may follow a referral, along with the role they might be expected to play in such assessments.<sup>5</sup>
17. **All** staff should know what to do if a child tells them he/she is being abused or neglected. Staff should know how to manage the requirement to maintain an appropriate level of confidentiality. This means only involving those who need to be involved, such as the designated safeguarding lead (or a deputy) and children's social care. Staff should never promise a child that they will not tell anyone about a report of abuse, as this may ultimately not be in the best interests of the child.

## What school and college staff should look out for

### Early help

18. **Any** child may benefit from early help, but all school and college 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 in to 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 at risk of modern slavery, trafficking or exploitation;
  - is at risk of being radicalised or exploited;
  - is in a family circumstance presenting challenges for the child, such as drug and alcohol misuse, adult mental health issues and domestic abuse;

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<sup>4</sup> Detailed information on early help can be found in Chapter 1 of [Working Together to Safeguard Children](#).

<sup>5</sup> More information on statutory assessments is included at paragraph 48. Detailed information on statutory assessments can be found in Chapter 1 of [Working Together to Safeguard Children](#).

- is misusing drugs or alcohol themselves;
- has returned home to their family from care; and
- is a privately fostered child.

## Abuse and neglect

19. Knowing what to look for is vital to the early identification of abuse and neglect. **All** staff should be aware of indicators of abuse and neglect so that they are able to identify cases of children who may be in need of help or protection. If staff are unsure, they should **always** speak to the designated safeguarding lead (or deputy).

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

21. **All** staff should be aware that safeguarding incidents and/or behaviours can be associated with factors outside the school or college and/or can occur between children outside of these environments. **All** staff, but especially the designated safeguarding lead (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 can be vulnerable to multiple harms including (but not limited to) sexual exploitation, criminal exploitation, and serious youth violence.

## Indicators of abuse and neglect

22. **Abuse:** a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others. Abuse can take place wholly online, or technology may be used to facilitate offline abuse. Children may be abused by an adult or adults or by another child or children.

23. **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.

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

(including cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, although it may occur alone.

25. **Sexual abuse:** involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. 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 in education (see paragraph 29).

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

### **Safeguarding issues**

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

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

28. Both CSE and CCE are forms of abuse and both occur where an individual or group takes advantage of an imbalance in power to coerce, manipulate or deceive a child into sexual or criminal activity. Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, sexual identity, cognitive ability, physical strength, status, and access to economic or other resources. In some cases, the abuse will be in exchange for something the victim needs or wants and/or will be to the financial benefit or other advantage (such as increased status) of the perpetrator or facilitator. 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. Victims can be exploited even when activity appears consensual and it should be noted exploitation as well as being physical can be facilitated and/or take place online. More information include definitions and indicators are included in Annex A.

## Peer on peer abuse

29. **All** staff should be aware that children can abuse other children (often referred to as peer on peer abuse). This is most likely to include, but may not be limited to:

- bullying (including cyberbullying);
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm;
- sexual violence,<sup>6</sup> such as rape, assault by penetration and sexual assault;
- sexual harassment,<sup>7</sup> such as sexual comments, remarks, jokes and online sexual harassment, which may be stand-alone or part of a broader pattern of abuse;
- upskirting,<sup>8</sup> which typically involves taking a picture under a person's clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm;
- sexting (also known as youth produced sexual imagery); and
- initiation/hazing type violence and rituals.

30. **All** staff should be clear as to the school's or college's policy and procedures with regards to peer on peer abuse.

## Serious violence

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

32. All staff should be aware of the associated risks and understand the measures in place to manage these. Advice for schools and colleges is provided in the Home Office's [Preventing youth violence and gang involvement](#) and its [Criminal exploitation of children and vulnerable adults: county lines](#) guidance.<sup>9</sup>

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<sup>6</sup> For further information about sexual violence see Annex A.

<sup>7</sup> For further information about sexual harassment see Annex A.

<sup>8</sup> For further information about 'upskirting' see Annex A.

<sup>9</sup> For further information about county lines see Annex A.

## Female Genital Mutilation

33. Whilst **all** staff should speak to the designated safeguarding lead (or deputy) with regard to any concerns about female genital mutilation (FGM), there is a specific **legal duty on teachers**.<sup>10</sup> 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. See Annex A for further details.

## Mental Health

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

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

36. Where children have suffered abuse and neglect, or other potentially traumatic adverse childhood experiences, this can have a lasting impact throughout childhood, adolescence and into adulthood. It is key that staff are aware of how these children's experiences, can impact on their mental health, behaviour and education.

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

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

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<sup>10</sup> Under Section 5B(11) (a) of the Female Genital Mutilation Act 2003, "teacher" means, in relation to England, a person within section 141A(1) of the Education Act 2002 (persons employed or engaged to carry out teaching work at schools and other institutions in England).

## Additional information and support

39. Departmental advice [What to Do if You Are Worried a Child is Being Abused - Advice for Practitioners](#) provides more information on understanding and identifying abuse and neglect. Examples of potential indicators of abuse and neglect are highlighted throughout the advice and will be particularly helpful for school and college staff. The [NSPCC](#) website also provides useful additional information on abuse and neglect and what to look out for.

40. **Annex A** contains important additional information about specific forms of abuse and safeguarding issues. School and college leaders and those staff who work directly with children should read the annex.

## What school and college staff should do if they have concerns about a child

41. Staff working with children are advised to maintain an attitude of '**it could happen here**' where safeguarding is concerned. When concerned about the welfare of a child, staff should always act in the **best** interests of the child.

42. If staff have **any concerns** about a child's welfare, they should act on them immediately. See page 16 for a flow chart setting out the process for staff when they have concerns about a child.

43. If staff have a concern, they should follow their own organisation's child protection policy and speak to the designated safeguarding lead (or deputy).

44. Options will then include:

- managing any support for the child internally via the school's or college's own pastoral support processes;
- an early help assessment;<sup>11</sup> or
- a referral for statutory services,<sup>12</sup> for example as the child might be in need, is in need or suffering or likely to suffer harm.

45. The designated safeguarding lead or a deputy should always be available to discuss safeguarding concerns. If in exceptional circumstances, the designated

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<sup>11</sup> Further information on early help assessments, provision of early help services and accessing services is in Chapter 1 of [Working Together to Safeguard Children](#).

<sup>12</sup> Chapter 1 of [Working Together to Safeguard Children](#) sets out that the safeguarding partners should publish a threshold document that should include the criteria, including the level of need, for when a case should be referred to local authority children's social care for assessment and for statutory services under section 17 and 47. Local authorities, with their partners, should develop and publish local protocols for assessment. A local protocol should set out clear arrangements for how cases will be managed once a child is referred into local authority children's social care.

safeguarding lead (or deputy) is not available, this should not delay appropriate action being taken. Staff should consider speaking to a member of the senior leadership team and/or take advice from local children's social care. In these circumstances, any action taken should be shared with the designated safeguarding lead (or deputy) as soon as is practically possible.

46. Staff should not assume a colleague or another professional will take action and share information that might be critical in keeping children safe. They should be mindful that early information sharing is vital for effective identification, assessment and allocation of appropriate service provision. [Information Sharing: Advice for Practitioners Providing Safeguarding Services to Children, Young People, Parents and Carers](#) supports staff who have to make decisions about sharing information. This advice includes the seven golden rules for sharing information and considerations with regard to the Data Protection Act 2018 and General Data Protection Regulation (GDPR). If in any doubt about sharing information, staff should speak to the designated safeguarding lead or a deputy. Fears about sharing information **must not** be allowed to stand in the way of the need to promote the welfare, and protect the safety of children.

### Early help

47. If early help is appropriate, the designated safeguarding lead (or deputy) will generally lead on liaising with other agencies and setting up an inter-agency assessment as appropriate. Staff may be required to support other agencies and professionals in an early help assessment, in some cases acting as the lead practitioner. Any such cases should be kept under constant review and consideration given to a referral to children's social care for assessment for statutory services, if the child's situation does not appear to be improving or is getting worse.

### Statutory assessments

48. **Where a child is suffering, or is likely to suffer from harm, it is important that a referral to children's social care (and if appropriate the police) is made immediately.** Referrals should follow the local referral process.

### Children in need

A child in need is defined under the Children Act 1989 as a child who is unlikely to achieve or maintain a reasonable level of health or development, or whose health and development is likely to be significantly or further impaired, without the provision of services; or a child who is disabled. Local authorities are required to provide services for children in need for the purposes of safeguarding and promoting their welfare. Children in need may be assessed under section 17 of the Children Act 1989.

### Children suffering or likely to suffer significant harm

Local authorities, with the help of other organisations as appropriate, have a duty to make enquiries under section 47 of the Children Act 1989 if they have reasonable cause

to suspect that a child is suffering, or is likely to suffer, significant harm. Such enquiries enable them to decide whether they should take any action to safeguard and promote the child's welfare and must be initiated where there are concerns about maltreatment, including all forms of abuse and neglect, female genital mutilation or other so-called honour based violence, and extra-familial threats like radicalisation and sexual exploitation.

49. The online tool [Report Child Abuse to Your Local Council](#) directs to the relevant local children's social care contact number.

### **What will the local authority do?**

50. Within one working day of a referral being made, a local authority social worker should acknowledge receipt to the referrer and make a decision about the next steps and the type of response that is required. This will include determining whether:

- the child requires immediate protection and urgent action is required;
- the child is in need, and should be assessed under section 17 of the Children Act 1989;
- there is reasonable cause to suspect the child is suffering or likely to suffer significant harm, and whether enquiries must be made and the child assessed under section 47 of the Children Act 1989;
- any services are required by the child and family and what type of services;
- further specialist assessments are required to help the local authority to decide what further action to take; and
- to see the child as soon as possible if the decision is taken that the referral requires further assessment.

51. The referrer should follow up if this information is not forthcoming.

52. If social workers decide to carry out a statutory assessment, staff should do everything they can to support that assessment (supported by the designated safeguarding lead (or deputy) as required).

53. If, after a referral, the child's situation does not appear to be improving, the referrer should consider following local escalation procedures to ensure their concerns have been addressed and, most importantly, that the child's situation improves.

### **Record keeping**

54. All concerns, discussions and decisions made, and the reasons for those decisions, should be recorded in writing. If in doubt about recording requirements, staff should discuss with the designated safeguarding lead (or deputy).



## Why is all of this important?

55. It is important for children to receive the right help at the right time to address risks and prevent issues escalating. Research and serious case reviews have repeatedly shown the dangers of failing to take effective action.<sup>13</sup> Examples of poor practice include:

- failing to act on and refer the early signs of abuse and neglect;
- poor record keeping;
- failing to listen to the views of the child;
- failing to re-assess concerns when situations do not improve;
- not sharing information;
- sharing information too slowly; and
- a lack of challenge to those who appear not to be taking action.

## What school and college staff should do if they have safeguarding concerns about another staff member who may pose a risk of harm to children

56. If staff have safeguarding concerns, or an allegation is made about another member of staff (including supply staff and volunteers) posing a risk of harm to children, then:

- this should be referred to the headteacher or principal;
- where there are concerns/allegations about the headteacher or principal, this should be referred to the chair of governors, chair of the management committee or proprietor of an independent school; and
- in the event of concerns/allegations about the headteacher, where the headteacher is also the sole proprietor of an independent school, this should be reported directly to the designated officer(s) at the local authority.

Further details can be found in Part four of this guidance.

## What school or college staff should do if they have concerns about safeguarding practices within the school or college

57. All staff and volunteers should feel able to raise concerns about poor or unsafe practice and potential failures in the school's or college's safeguarding regime, and know that such concerns will be taken seriously by the senior leadership team.

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<sup>13</sup> An analysis of serious case reviews can be found at [gov.uk/government/publications/analysis-of-serious-case-reviews-2014-to-2017](https://www.gov.uk/government/publications/analysis-of-serious-case-reviews-2014-to-2017)

58. Appropriate whistleblowing procedures should be put in place for such concerns to be raised with the school's or college's senior leadership team.

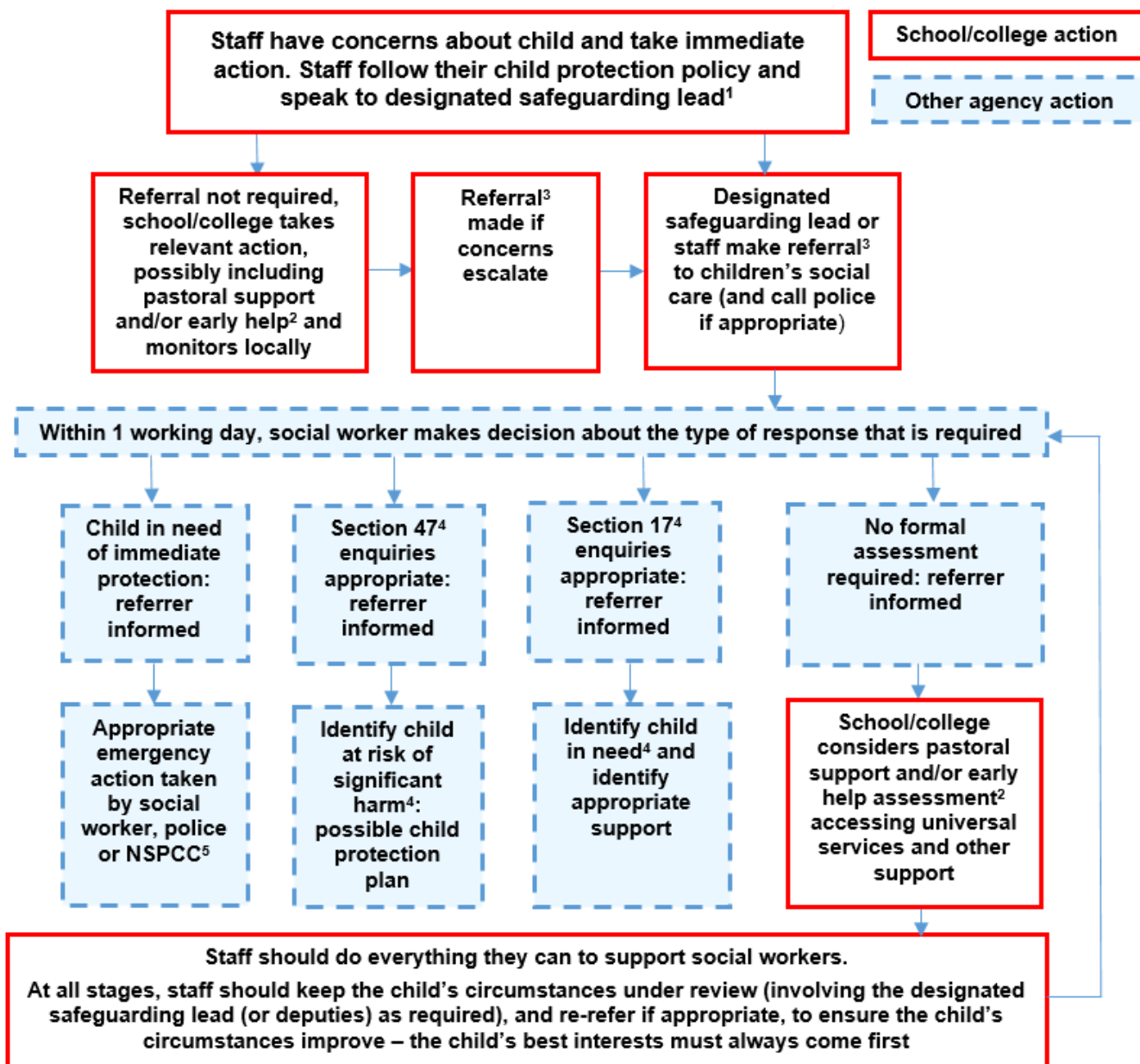
59. Where a staff member feels unable to raise an issue with their employer, or feels that their genuine concerns are not being addressed, other whistleblowing channels may be open to them:

- general guidance on whistleblowing can be found via: [Advice on Whistleblowing](#); and
- the [NSPCC's what you can do to report abuse dedicated helpline](#) is available as an alternative route for staff who do not feel able to raise concerns regarding child protection failures internally or have concerns about the way a concern is being handled by their school or college. Staff can call 0800 028 0285 – line is available from 8:00 AM to 8:00 PM, Monday to Friday and email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk).<sup>14</sup>

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<sup>14</sup> Alternatively, staff can write to: National Society for the Prevention of Cruelty to Children (NSPCC), Weston House, 42 Curtain, Road, London EC2A 3NH.

## Actions where there are concerns about a child



<sup>1</sup> In cases which also involve a concern or an allegation of abuse against a staff member, see Part Four of this guidance.

<sup>2</sup> Early help means providing support as soon as a problem emerges at any point in a child's life. Where a child would benefit from co-ordinated early help, an early help inter-agency assessment should be arranged. Chapter one of [Working Together to Safeguard Children](#) provides detailed guidance on the early help process.

<sup>3</sup> Referrals should follow the process set out in the local threshold document and local protocol for assessment. Chapter one of [Working Together to Safeguard Children](#).

<sup>4</sup> Under the Children Act 1989, local authorities are required to provide services for children in need for the purposes of safeguarding and promoting their welfare. Children in need may be assessed under section 17 of the Children Act 1989. Under section 47 of the Children Act 1989, where a local authority has reasonable cause to suspect that a child is suffering or likely to suffer significant harm, it has a duty to make enquiries to decide whether to take action to safeguard or promote the child's welfare. Full details are in Chapter one of [Working Together to Safeguard Children](#).

<sup>5</sup> This could include applying for an Emergency Protection Order (EPO).

## Annex A - Further safeguarding information

Annex A contains important additional information about specific forms of abuse and safeguarding issues. School and college leaders and those staff who work directly with children should read this annex.

As per Part one of this guidance, if staff have any concerns about a child's welfare, they should act on them immediately. They should follow their own organisation's child protection policy and speak to the designated safeguarding lead (or deputy).

**Where a child is suffering, or is likely to suffer from significant harm, it is important that a referral to children's social care (and if appropriate the police) is made immediately.**

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## Children and the court system

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

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

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

## Children missing from education

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

## Children with family members in prison

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

## Child Criminal Exploitation (CCE)

CCE is where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child into any criminal activity (a) in exchange for something the victim needs or wants, and/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.

CCE can include children being forced to work in cannabis factories, being coerced into moving drugs or money across the country (county lines, see page 20 for more information), forced to shoplift or pickpocket, or to threaten other young people.

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.

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

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

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

- children who have older boyfriends or girlfriends; and
- children who suffer from sexually transmitted infections or become pregnant.

The department provide: [Child sexual exploitation: guide for practitioners](#)

## County lines

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

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

One of the ways of identifying potential involvement in county lines are missing episodes (both from home and school), when the victim may have been trafficked for the purpose of transporting drugs and a referral to the National Referral Mechanism<sup>15</sup> should be considered. If a child is suspected to be at risk of or involved in county lines, a safeguarding referral should be considered alongside consideration of availability of local services/third sector providers who offer support to victims of county lines exploitation.

Further information on the signs of a child’s involvement in county lines is available in guidance published by the [Home Office](#).

## Domestic abuse

The cross-government definition of domestic violence and abuse is: any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can encompass, but is not limited to: psychological; physical; sexual; financial; and emotional.

All children can witness and be adversely affected by domestic abuse in the context of their home life where domestic abuse occurs between family members. Exposure to domestic abuse and/or violence can have a serious, long lasting emotional and

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<sup>15</sup> [national crime agency human-trafficking](#).

psychological impact on children. In some cases, a child may blame themselves for the abuse or may have had to leave the family home as a result.

## **Operation Encompass**

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

## **National Domestic Abuse Helpline**

Refuge runs the National Domestic Abuse Helpline, which can be called free of charge and in confidence, 24 hours a day on 0808 2000 247. Its website provides guidance and support for potential victims, as well as those who are worried about friends and loved ones. It also has a form through which a safe time from the team for a call can be booked.

Additional advice on identifying children who are affected by domestic abuse and how they can be helped is available at:

- [NSPCC- UK domestic-abuse Signs Symptoms Effects](#)
- [Refuge what is domestic violence/effects of domestic violence on children](#)
- [Safelives: young people and domestic abuse.](#)

## **Homelessness**

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

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



help including an assessment of their needs and circumstances, the development of a personalised housing plan, and work to help them retain their accommodation or find a new place to live. The following factsheets usefully summarise the new duties: [Homeless Reduction Act Factsheets](#). The new duties shift focus to early intervention and encourage those at risk to seek support as soon as possible, before they are facing a homelessness crisis.

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

## **So-called 'honour-based' abuse (including Female Genital Mutilation and Forced Marriage)**

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

### **Actions**

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

mandatory reporting duty placed on **teachers**<sup>16</sup> that requires a different approach (see following section).

## FGM

FGM comprises all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs. It is illegal in the UK and a form of child abuse with long-lasting harmful consequences.

### FGM mandatory reporting duty for teachers

Section 5B of the Female Genital Mutilation Act 2003 (as inserted by section 74 of the Serious Crime Act 2015) places a statutory duty upon **teachers** along with regulated health and social care professionals in England and Wales, to report to the police where they discover (either through disclosure by the victim or visual evidence) that FGM appears to have been carried out on a girl under 18. Those failing to report such cases may face disciplinary sanctions. It will be rare for teachers to see visual evidence, and they should **not** be examining pupils or students, but the same definition of what is meant by “to discover that an act of FGM appears to have been carried out” is used for all professionals to whom this mandatory reporting duty applies. Information on when and how to make a report can be found at: [Mandatory reporting of female genital mutilation procedural information](#)

Teachers **must** personally report to the police cases where they discover that an act of FGM appears to have been carried out.<sup>17</sup> Unless the teacher has good reason not to, they should still consider and discuss any such case with the school’s or college’s designated safeguarding lead (or deputy) and involve children’s social care as appropriate. The duty does not apply in relation to at risk or suspected cases (i.e. where the teacher does not discover that an act of FGM appears to have been carried out, either through disclosure by the victim or visual evidence) or in cases where the woman is 18 or over. In these cases, teachers should follow local safeguarding procedures. The following is a useful summary of the FGM mandatory reporting duty: [FGM Fact Sheet](#).

## Forced marriage

Forcing a person into a marriage is a crime in England and Wales. A forced marriage is one entered into without the full and free consent of one or both parties and where

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<sup>16</sup> Under Section 5B(11)(a) of the Female Genital Mutilation Act 2003, “teacher” means, in relation to England, a person within section 141A(1) of the Education Act 2002 (persons employed or engaged to carry out teaching work at schools and other institutions in England).

<sup>17</sup> Section 5B(6) of the Female Genital Mutilation Act 2003 states teachers need not report a case to the police if they have reason to believe that another teacher has already reported the case.

violence, threats or any other form of coercion is used to cause a person to enter into a marriage. Threats can be physical or emotional and psychological. A lack of full and free consent can be where a person does not consent or where they cannot consent (if they have learning disabilities, for example). Nevertheless, some perpetrators use perceived cultural practices as a way to coerce a person into marriage. Schools and colleges can play an important role in safeguarding children from forced marriage.

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

## Preventing radicalisation

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

- [Extremism](#)<sup>18</sup> is the vocal or active opposition to our fundamental values, including democracy, the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs. This also includes calling for the death of members of the armed forces.
- [Radicalisation](#)<sup>19</sup> refers to the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups.
- **Terrorism**<sup>20</sup> is an action that endangers or causes serious violence to a person/people; causes serious damage to property; or seriously interferes or disrupts an electronic system. The use or threat **must** be designed to influence the government or to intimidate the public and is made for the purpose of advancing a political, religious or ideological cause.

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

However, it is possible to protect vulnerable people from extremist ideology and intervene to prevent those at risk of radicalisation being radicalised. As with other

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<sup>18</sup> As defined in the Government's Counter Extremism Strategy.

<sup>19</sup> As defined in the Revised Prevent Duty Guidance for England and Wales.

<sup>20</sup> As defined in the Terrorism Act 2000 (TACT 2000)

safeguarding risks, staff should be alert to changes in children's behaviour, which could indicate that they may be in need of help or protection. Staff should use their judgement in identifying children who might be at risk of radicalisation and act proportionately which may include the designated safeguarding lead (or deputy) making a Prevent referral.

The school's or college's designated safeguarding lead (and any deputies) should be aware of local procedures for making a Prevent referral.

## The Prevent duty

All schools and colleges are subject to a duty under section 26 of the Counter-Terrorism and Security Act 2015 (the CTSA 2015), in the exercise of their functions, to have "due regard<sup>21</sup> to the need to prevent people from being drawn into terrorism".<sup>22</sup> This duty is known as the Prevent duty.

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

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

## Channel

Channel is a voluntary, confidential support programme which focuses on providing support at an early stage to people who are identified as being vulnerable to being drawn into terrorism. Prevent referrals may be passed to a multi-agency Channel panel, which will discuss the individual referred to determine whether they are vulnerable to being drawn into terrorism and consider the appropriate support required. A representative from the school or college may be asked to attend the Channel panel to help with this assessment. An individual's engagement with the programme is entirely voluntary at all stages.

Guidance on Channel is available at: [Channel guidance](#).

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<sup>21</sup> According to the Prevent duty guidance 'having due regard' means that the authorities should place an appropriate amount of weight on the need to prevent people being drawn into terrorism when they consider all the other factors relevant to how they carry out their usual functions.

<sup>22</sup> "Terrorism" for these purposes has the same meaning as for the Terrorism Act 2000 (section 1(1) to (4) of that Act).

## Additional support

The department has published further advice for schools on the [Prevent duty](#). The advice is intended to complement the Prevent guidance and signposts to other sources of advice and support.

The Home Office has developed three e-learning modules:

- [Prevent awareness e-learning](#) offers an introduction to the Prevent duty.
- [Prevent referrals e-learning](#) supports staff to make Prevent referrals that are **robust, informed** and with **good intention**.
- [Channel awareness e-learning](#) is aimed at staff who may be asked to contribute to or sit on a multi-agency Channel panel.

[Educate Against Hate](#), is a government website designed to support school teachers and leaders to help them safeguard their students from radicalisation and extremism. The platform provides free information and resources to help school staff identify and address the risks, as well as build resilience to radicalisation.

For advice specific to further education, the Education and Training Foundation (ETF) hosts the [Prevent for FE and Training](#). This hosts a range of free, sector specific resources to support further education settings comply with the Prevent duty. This includes the Prevent Awareness e-learning, which offers an introduction to the duty, and the Prevent Referral e-learning, which is designed to support staff to make robust, informed and proportionate referrals.

The ETF Online Learning environment provides online training modules for practitioners, leaders and managers, support staff and governors/Board members outlining their roles and responsibilities under the duty.

## Peer on peer/ child on child abuse

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

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

### Context

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

harassing a single child or group of children.

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

Staff should be aware of the importance of:

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

## What is sexual violence and sexual harassment?

### Sexual violence

It is important that school and college staff are aware of sexual violence and the fact children can, and sometimes do, abuse their peers in this way. When referring to sexual violence we are referring to sexual violence offences under the Sexual Offences Act 2003<sup>23</sup> as described below:

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

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

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

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<sup>23</sup> See Sexual Offences Act 2003 available at [Legislation.gov.uk](https://www.legislation.gov.uk)

**What is consent?**<sup>24</sup> Consent is about having the freedom and capacity to choose. Consent to sexual activity may be given to one sort of sexual activity but not another, e.g. to vaginal but not anal sex or penetration with conditions, such as wearing a condom. Consent can be withdrawn at any time during sexual activity and each time activity occurs. Someone consents to vaginal, anal or oral penetration only if s/he agrees by choice to that penetration and has the freedom and capacity to make that choice.<sup>25</sup>

## Sexual harassment

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

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

- sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance and calling someone sexualised names;
- sexual “jokes” or taunting;
- physical behaviour, such as: deliberately brushing against someone, interfering with someone’s clothes (schools and colleges should be considering when any of this crosses a line into sexual violence - it is important to talk to and consider the experience of the victim) and displaying pictures, photos or drawings of a sexual nature; and
- online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence.<sup>26</sup> It may include:
  - non-consensual sharing of sexual images and videos;
  - sexualised online bullying;
  - unwanted sexual comments and messages, including, on social media;
  - sexual exploitation; coercion and threats; and
  - upskirting.

## Upskirting<sup>27</sup>

The Voyeurism (Offences) Act, which is commonly known as the Upskirting Act, came into force on 12 April 2019. ‘Upskirting’ is where someone takes a picture under a

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<sup>24</sup> It is important school and college staff (and especially designated safeguarding leads and their deputies) understand consent. This will be especially important if a child is reporting they have been raped. More information: [here](#).

<sup>25</sup> [PSHE Teaching about consent](#) from the PSHE association provides advice and lesson plans to teach consent at Key stage 3 and 4.

<sup>26</sup> [Project deSHAME](#) from Childnet provides useful research, advice and resources regarding online sexual harassment.

<sup>27</sup> Additional information can be found at [GOV.UK](#).

persons clothing (not necessarily a skirt) without their permission and or knowledge, with the intention of viewing their genitals or buttocks (with or without underwear) to obtain sexual gratification, or cause the victim humiliation, distress or alarm. It is a criminal offence. Anyone of any gender, can be a victim.

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

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

If staff have a concern about a child or a child makes a report to them, they should follow the referral process as set out from paragraph 41 in Part one of this guidance. As is always the case, if staff are in any doubt as to what to do they should speak to the designated safeguarding lead (or a deputy).

## **Additional advice and support**

### **Abuse**

- [What to do if you're worried a child is being abused](#) – DfE advice
- [Domestic abuse: Various Information/Guidance](#) - Home Office (HO)
- [Faith based abuse: National Action Plan](#) - DfE advice
- [Relationship abuse: disrespect nobody](#) - Home Office website

### **Bullying**

- [Preventing bullying including cyberbullying](#) - DfE advice
- [Preventing and Tackling Bullying](#), DfE advice

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

- [Children missing education](#) - DfE statutory guidance
- [Child missing from home or care](#) - DfE statutory guidance
- [Children and adults missing strategy](#) - Home Office strategy



## Children with family members in prison

- [National Information Centre on Children of Offenders](#) - Barnardo's in partnership with HM Prison and Probation Service

## Child Exploitation

- [Trafficking: safeguarding children](#) - DfE and HO guidance

## Drugs

- [Drugs: advice for schools](#) - DfE advice
- [Drug strategy 2017](#) - Home Office strategy
- [Information and advice on drugs](#) - Talk to Frank website
- [ADEPIS platform sharing information and resources for schools: covering drug \(& alcohol\) prevention](#) - Website by Mentor UK

## “Honour Based Abuse” (so called)

- [Female genital mutilation: information and resources](#) - Home Office guidance
- [Female genital mutilation: multi agency statutory guidance](#) - DfE, DH, and HO statutory guidance

## Health and Well-being

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

## Homelessness

- [Homelessness: How local authorities should exercise their functions](#) - Ministry of Housing, Communities & Local Government guidance

## Online (see also Annex D)

- [Sexting: responding to incidents and safeguarding children](#) - UK Council for Internet Safety

## Private fostering

- [Private fostering: local authorities](#) - DfE statutory guidance

## Radicalisation

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

## Upskirting

- [Upskirting know your rights](#) – UK Government

## Violence

- [Gangs and youth violence: for schools and colleges](#) - Home Office advice
- [Ending violence against women and girls 2016-2020 strategy](#) - Home Office strategy
- [Violence against women and girls: national statement of expectations for victims](#) - Home Office guidance
- [Sexual violence and sexual harassment between children in schools and colleges](#) - DfE advice
- [Serious violence strategy](#) - Home Office Strategy



Department  
for Education

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