

FALKNER HOUSE CHILD PROTECTION and SAFEGUARDING 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 2021 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
- 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 020 7373 2340
office20PR@falknerhouse.co.uk

Mrs Eleanor Dixon – headteacher (member of the LLP)

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 Lead based at Penywern Road 020 7373 2340 office20PR@falknerhouse.co.uk

Mrs Vanessa Woodward

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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.
- Actively address and support appropriate language and attitudes in school so as to avoid a culture of unacceptable behaviours, an unsafe environment for and in worst case scenarios a culture that normalises abuse leading to children accepting it as normal and not coming forward to report it.
- 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 and teaching that promotes physical health (including oral hygiene) and 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 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) and that they are being taken seriously.
- 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.

Job description and responsibilities of the DSL Mrs Griggs (in her absence, the DDSLS Mrs Rogers, Miss Lisa Day, Mr Larvin or Mrs Woodward) all of whom cover EYFS are to:

- follow KCSIE Part 1 and Annex A and Annex B 2021 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 and Mrs Woodward 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
- will ensure that the School holds two emergency contact numbers for each child.

In the case of any potential safeguarding issue, the DSL as part of her job description (or in her absence, the DDSLS Mrs Rogers, Miss Lisa Day, Mr Larvin or Mrs Woodward)) 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 Annex B 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. ISI regulations ask for proportionate reference be made in terms of abuse in the categories below in terms of our pupil cohort. Experience would show that at Falkner House we will have most concerns as to the possibilities of peer on peer abuse (including cyber bullying), mental health issues and domestic violence

- **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. It can occur in school or out of school and can also be hidden so staff must be vigilant and report concerns. 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 most likely includes, 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 / online 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, typically involving 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 and/or can occur between children outside the school. All staff, but especially the DSL and DDSLs 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 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 and can be seen as being the first step on slippery slope. Addressing inappropriate behaviour (even if it appears to be relatively innocuous) can be an important intervention that helps prevent problematic, abusive and/or violent behaviour in the future.

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?² 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 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 Mechanism¹⁵ 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 age appropriate guides to support children 5-11-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 which can be stressful for children. The Ministry of Justice has an online child arrangements information tool with clear and concise information on the dispute resolution service.

C. 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. Issues that have materialised up until now at Falkner House have generally been family related e.g. a child feeling under excess pressure as a result of external exams or suffering from family bereavement. All staff are asked to be alert and acute to signs of pupil mental stress and to 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 after prior notification to the school by the parent who 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 low level concerns, poor or unsafe practice and potential failures in the school's safeguarding regime and financial irregularities) with **senior staff**. Concerns could include staff being overfriendly with children, having favourites, taking photographs of children on their mobile phone, engaging with children on a 1:1 basis in a secluded area or behind a closed door, or using inappropriate sexualised, intimidating or offensive language. 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. Clearly concerns, if found to be valid, need to be recorded and dealt with appropriately.

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 photographs’ 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 directly 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) and also to the headteacher. 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 DSL will take the lead and immediately contact both the agency concerned and the LADO. The school will continue to support any investigation that is required.

All concerns, including what might seem to be **low level concerns**, about adults working with children need to be taken seriously. Such concerns should be shared with the DSL (or DDSL in the DSL’s absence) who must record, deal and take appropriate action. All staff should be clear as to what constitutes appropriate behaviour and be prepared to whistleblow.

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 DSL 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	di.donaldson@rbkc.gov.uk
Marissa Asli	07739 315 432	marissa.aslibangura@rbkc.gov.uk

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

RBKC	Duty Line	020 7361 3013	Out of hours	020 7361 3013
Westminster	Duty Line	020 7641 4000	Out of hours	020 7641 2388
Hammersmith & Fulham	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.

RBKC	020 7361 3013	LADO.Enquiries@rbkc.gov.uk
Hammersmith and Fulham	020 8753 5125	LADO@lbhf.gov.uk
Westminster:	020 7641 7668	LADO@westminster.gov.uk



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

Victoria Harris	07739 315 388	victoria.harris@rbkc.gov.uk
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Bi Borough PREVENT – Advice, guidance, training queries and referrals to Channel Panel:

RBKC	020 8753 5727	prevent@lbhf.gov.uk
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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
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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 5th October 2009, 31st March 2010, 14th September 2010 and 21st 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.

23rd 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

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

20th April 2018 the advice regarding Sexual Violence and Harassment was incorporated into the Policy

10th 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.

August 2019 – The Bursars, the Headteachers and the Proprietors reviewed the whole policy and procedures.

20th October 2020 the Bursars, the Headteachers and the Proprietors reviewed the whole policy and procedures after the publication of the revised ISI guidance

1st September 2021 the Bursar, the Headteachers and the Proprietors reviewed the whole policy and procedures after review of KCSIE 2021

The next review is due on or before 5th September 2022

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

K&C including Hilary Shaw and Marissa Asli (by Zoom)

28th April 2021

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

April 2021

Prevent training DSL (by Simon McTurk)

28th September 2015

Future dates

DSL and DDSL to be retrained

by

30th April 2023

Annual refreshers for all staff

by

5th September 2021

Induction for new staff (incl. Prevent)

by

date of arrival in school



Department
for Education

Keeping children safe in education 2021

**Statutory guidance for schools and
colleges**

September 2021

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Summary

What is the status of this guidance

This is statutory guidance from the Department for Education ('the Department') issued under Section 175 of the Education Act 2002, the Education (Independent School Standards) Regulations 2014, the Non-Maintained Special Schools (England) Regulations 2015, and the Education and Training (Welfare of Children) Act 2021. Schools and colleges in England **must** have regard to it when carrying out their duties to safeguard and promote the welfare of children. For the purposes of this guidance children includes everyone under the age of 18.

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. The guidance **should** be read alongside:

- statutory guidance [Working Together to Safeguard Children](#);
- departmental advice [What to do if you are Worried a Child is Being Abused - Advice for Practitioners](#); and
- [departmental advice Sexual Violence and Sexual Harassment Between Children in Schools and Colleges](#)

Unless otherwise specified:

- ‘school’ means: all schools whether maintained, non-maintained or independent schools (including academies, free schools and alternative provision academies), maintained nursery schools¹ and pupil referral units.
- ‘college’ means further education colleges and sixth-form colleges as established under the Further and Higher Education Act 1992, institutions designated as being within the further education sector² and providers of post 16 Education as set out

¹ The [Early Years Foundation Stage Framework](#) (EYFS) is mandatory for all early years’ providers. It applies to all schools, including maintained nursery schools that have early years provision. Maintained nursery schools, like the other schools listed under ‘About this guidance’, must have regard to Keeping children safe in education when carrying out duties to safeguard and promote the welfare of children (by virtue of section 175(2) of the Education Act 2002 – see footnote 21 for further detail on this requirement).

² Under section 28 of the Further and Higher Education Act 1992 (‘designated institutions’).

in the Education and Training (Welfare of Children) Act 2021³: 16-19 Academies, Special Post-16 institutions and Independent Training Providers. For colleges, the guidance relates to their responsibilities towards children who are receiving education or training at these institutions.

Who is this guidance for?

This statutory guidance should be read and followed by:

- 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;
- management committees of pupil referral units (PRUs); and
- senior leadership teams.

Throughout the guidance, reference to “governing bodies and proprietors” includes management committees unless otherwise stated.

School and college staff

It is essential that **everybody** working in a school or college understands their safeguarding responsibilities. Governing bodies and proprietors should ensure that those staff who work directly with children read at least Part one of this guidance. Governing bodies and proprietors, working with their senior leadership teams and especially their designated safeguarding lead, should ensure that those staff who do not work directly with children read either Part one or Annex A (a condensed version of Part one) of this guidance. This is entirely a matter for the school or college and will be based on their assessment of which guidance will be most effective for their staff to safeguard and promote the welfare of children.

Governing bodies and proprietors should ensure that mechanisms are in place to assist staff to understand and discharge their role and responsibilities as set out in Part one (or Annex A if appropriate) of this guidance.

³ [Education and Training \(Welfare of Children\) Act 2021](#)

What does this guidance replace?

This guidance replaces Keeping children safe in education 2020 updated January 2021.
A table of substantive changes is included at Annex G.

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 the 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 the impairment of children's mental and physical health or development;
 - ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and
 - taking action to enable all children to have the best outcomes.
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, promote children's welfare 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.⁴ 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 **any** concerns about a child's welfare should follow the processes set out in paragraphs 55-70. 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.⁵

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, which should amongst other things also include the policy and procedures to deal with peer on peer abuse;
- behaviour policy (which should include measures to prevent bullying, including cyberbullying, prejudice-based and discriminatory bullying);⁶
- 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).

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

⁵ 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.

⁶ All schools are required to have a behaviour policy (full details are here). If a college or chooses to have a behaviour policy it should be provided to staff as described above.

Copies of policies and a copy of Part one (or Annex A, if appropriate) of this document should be provided to **all** staff at induction.

14. **All** staff should receive appropriate safeguarding and child protection training (including online safety) at induction. The training should be regularly updated. In addition, all staff should receive safeguarding and child protection (including online safety) 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 help⁷ 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.⁸

17. **All** staff should know what to do if a child tells them he/she is being abused, exploited 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 any form of abuse, as this may ultimately not be in the best interests of the child.

18. All staff should be able to reassure victims 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 abuse, sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report.

What school and college staff should look out for

Early help

19. **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 or has certain health conditions and has specific additional needs;

⁷ Detailed information on early help can be found in Chapter 1 of [Working Together to Safeguard Children](#)

⁸ More detailed information on statutory assessments can be found in Chapter 1 of [Working Together to Safeguard Children](#).

- has special educational needs (whether or not they have a statutory Education, Health and Care Plan);
- has a mental health need;
- 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 or county lines;
- is frequently missing/goes missing from care or from home;
- is at risk of modern slavery, trafficking, sexual or criminal exploitation;
- is at risk of being radicalised or exploited;
- has a family member in prison, or is affected by parental offending;
- is in a family circumstance presenting challenges for the child, such as drug and alcohol misuse, adult mental health issues and domestic abuse;
- is misusing drugs or alcohol themselves;
- has returned home to their family from care;
- is at risk of 'honour'-based abuse such as Female Genital Mutilation or Forced Marriage;
- is a privately fostered child; and
- is persistently absent from education, including persistent absences for part of the school day.

Abuse and neglect

20. **All** staff should be aware of indicators of abuse and neglect. Knowing what to look for is vital for the early identification of abuse and neglect (see paragraphs 26-30), and specific safeguarding issues such as child criminal exploitation and child sexual exploitation (see paragraphs 32-39) so that staff are able to identify cases of children who may be in need of help or protection.

21. If staff are unsure, they should **always** speak to the designated safeguarding lead, or deputy.

22. **All** school and college staff should be aware that abuse, neglect and safeguarding issues are rarely standalone events and cannot be covered by one definition or one label alone. In most cases, multiple issues will overlap with one another, therefore staff should always be vigilant and always raise any concerns with their designated safeguarding lead (or deputy).

23. **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, sexual abuse, serious youth violence and county lines.

24. **All** staff should be aware that technology is a significant component in many safeguarding and wellbeing issues. Children are at risk of abuse online as well as face to face. In many cases abuse will take place concurrently via online channels and in daily life. Children can also abuse their peers online, this can take the form of abusive, harassing, and misogynistic messages, the non-consensual sharing of indecent images, especially around chat groups, and the sharing of abusive images and pornography, to those who do not want to receive such content.

25. In all cases, if staff are unsure, they should always speak to the designated safeguarding lead (or deputy).

Indicators of abuse and neglect

26. **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.

27. **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.

28. **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.

29. **Sexual abuse:** involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing, and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse. Sexual abuse can take place online, and technology can be used to facilitate offline abuse. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children. The sexual abuse of children by other children is a specific safeguarding issue (also known as peer on peer abuse) in education and **all** staff should be aware of it and of their school or colleges policy and procedures for dealing with it, (see paragraph 49).

30. **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

31. **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 and or alcohol misuse, deliberately missing education and consensual and non-consensual sharing of nudes and semi-nudes images and/or videos⁹ can be signs that children are at risk. Other safeguarding issues all staff should be aware of include:

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

32. Both CSE and CCE are forms of abuse that occur where an individual or group takes advantage of an imbalance in power to coerce, manipulate or deceive a child into

⁹ Consensual image sharing, especially between older children of the same age, may require a different response. It might not be abusive – but children still need to know it is illegal- whilst non-consensual is illegal and abusive. [UKCIS](#) provides detailed advice about sharing of nudes and semi-nude images and videos.

taking part in sexual or criminal activity, in exchange for something the victim needs or wants, and/or for the financial advantage or increased status of the perpetrator or facilitator and/or through violence or the threat of violence. CSE and CCE can affect children, both male and female and can include children who have been moved (commonly referred to as trafficking) for the purpose of exploitation.

Child Criminal Exploitation (CCE)

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

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

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

Further information about CCE including definitions and indicators is included in Annex B.

Child Sexual Exploitation (CSE)

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

37. CSE can occur over time or be a one-off occurrence, and may happen without the child's immediate knowledge e.g. through others sharing videos or images of them on social media.

38. CSE can affect any child, who has been coerced into engaging in sexual activities. This includes 16 and 17 year olds who can legally consent to have sex. Some children may not realise they are being exploited e.g. they believe they are in a genuine romantic relationship.

39. Further information about CSE including definitions and indicators is included in Annex B.

Female Genital Mutilation (FGM)

40. 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**.¹⁰ 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 B for further details.

Mental Health

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

42. Only appropriately trained professionals should attempt to make a diagnosis of a mental health problem. Education 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.

43. 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.

44. Schools and colleges can access a range of advice to help them identify children in need of extra mental health support, this includes working with external agencies. More information can be found in the [mental health and behaviour in schools guidance](#), colleges may also wish to follow this guidance as best practice. Public Health England has produced a range of resources to support secondary school teachers to promote positive health, wellbeing and resilience among children. See [Rise Above](#) for links to all materials and lesson plans.

¹⁰ 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).

45. 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.

Peer on peer abuse (child on child)

46. **All** staff should be aware that children can abuse other children (often referred to as peer on peer abuse). And that it can happen both inside and outside of school or college and online. It is important that all staff recognise the indicators and signs of peer on peer abuse and know how to identify it and respond to reports.

47. All staff should understand, that even if there are no reports in their schools or colleges it does not mean it is not happening, it may be the case that it is just not being reported. As such it is important if staff have **any** concerns regarding peer on peer abuse they should speak to their designated safeguarding lead (or deputy).

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

49. Peer on peer abuse is most likely to include, but may not be limited to:

- bullying (including cyberbullying, prejudice-based and discriminatory bullying);
- abuse in intimate personal relationships between peers;
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm (this may include an online element which facilitates, threatens and/or encourages physical abuse);
- sexual violence,¹¹ such as rape, assault by penetration and sexual assault; (this may include an online element which facilitates, threatens and/or encourages sexual violence);
- sexual harassment,¹² such as sexual comments, remarks, jokes and online sexual harassment, which may be standalone or part of a broader pattern of abuse;

¹¹ For further information about sexual violence see Annex B.

¹² For further information about sexual harassment see Annex B.

- causing someone to engage in sexual activity without consent, such as forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party;
- consensual and non-consensual sharing of nudes and semi nudes images and or videos¹³ (also known as sexting or youth produced sexual imagery);
- upskirting,¹⁴ which typically involves taking a picture under a person's clothing without their permission, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm; and
- initiation/hazing type violence and rituals (this could include activities involving harassment, abuse or humiliation used as a way of initiating a person into a group and may also include an online element).

50. **All** staff should be clear as to the school's or college's policy and procedures with regards to peer on peer abuse and the important role they have to play in preventing it and responding where they believe a child may be at risk from it.

Serious violence

51. **All** staff should be aware of the indicators, which may signal 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 and may be at risk of criminal exploitation (see paragraphs 33-35).

52. **All** staff should be aware of the range of risk factors which increase the likelihood of involvement in serious violence, such as being male, having been frequently absent or permanently excluded from school, having experienced child maltreatment and having been involved in offending, such as theft or robbery. 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](#).¹⁵

¹³ UKCIS guidance: [Sharing nudes and semi-nudes advice for education settings](#)

¹⁴ For further information about 'upskirting' see Annex B.

¹⁵ For further information about county lines see Annex B

Additional information and support

53. 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.

54. **Annex B** 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

55. 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.

56. If staff have **any concerns** about a child's welfare, they should act on them **immediately**. See page 23 for a flow chart setting out the process for staff when they have concerns about a child.

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

58. Options will then include:

- managing any support for the child internally via the school's or college's own pastoral support processes;
- undertaking an early help assessment;¹⁶ or
- making a referral to statutory services,¹⁷ for example as the child might be in need, is in need or suffering, or is likely to suffer harm.

¹⁶ Further information on early help assessments, provision of early help services and accessing services is in Chapter 1 of [Working Together to Safeguard Children](#).

¹⁷ 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.

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

60. 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 the effective identification, assessment, and allocation of appropriate service provision, whether this is when problems first emerge, or where a child is already known to local authority children's social care (such as a child in need or a child with a protection plan). [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 (DPA) and UK General Data Protection Regulation (UK GDPR). DPA and UK GDPR do not prevent the sharing of information for the purposes of keeping children safe and promoting their welfare. 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 safeguard and promote the welfare of children.

Early help

61. 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 children's social care assessments and services

62. Concerns about a child's welfare should be referred to local authority children's social care. 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.

63. Children's social care assessments should consider where children are being harmed in contexts outside the home, 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 enable a contextual approach to address such harm. Additional information is available here: [Contextual Safeguarding](#).

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

Children in need

65. 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:

66. 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. This includes all forms of abuse and neglect, female genital mutilation, or other so-called 'honour'-based abuse, forced marriage and extra-familial harms like radicalisation and sexual exploitation.

What will the local authority do?

67. Within one working day of a referral being made, a local authority social worker should acknowledge its 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;
- any services are required by the child and family and what type of services;
- the child is in need and should be assessed under section 17 of the Children Act 1989. Chapter one of [Working Together to Safeguard Children](#) provides details of the assessment process;
- 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. Chapter one of [Working Together to Safeguard Children](#) provides details of the assessment process; and

- further specialist assessments are required to help the local authority to decide what further action to take.

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

69. 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).

70. 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

71. **All** concerns, discussions and decisions made, and the reasons for those decisions, should be recorded in writing. Information should be kept confidential and stored securely. It is good practice to keep concerns and referrals in a separate child protection file for each child.

Records should include:

- a clear and comprehensive summary of the concern;
- details of how the concern was followed up and resolved;
- a note of any action taken, decisions reached and the outcome.

72. If in doubt about recording requirements, staff should discuss with the designated safeguarding lead (or deputy).

Why is all of this important?

73. It is important for children to receive the right help at the right time to address safeguarding risks, prevent issues escalating and to promote children's welfare. Research and serious case reviews have repeatedly shown the dangers of failing to take effective action.¹⁸ Further information about serious case reviews can be found in Chapter four of [Working Together to Safeguard Children](#). Examples of poor practice include:

- failing to act on and refer the early signs of abuse and neglect;
- poor record keeping;

¹⁸An analysis of serious case reviews can be found at gov.uk/government/publications/analysis-of-serious-case-reviews-2014-to-2017.

- failing to listen to the views of the child;
- failing to re-assess concerns when situations do not improve;
- not sharing information with the right people within and between agencies;
- 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

74. Schools and colleges should have processes and procedures in place to manage any safeguarding concerns about staff members (including supply staff, volunteers, and contractors). If staff have safeguarding concerns or an allegation is made about another member of staff (including supply staff, volunteers, and contractors) 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, or a situation where there is a conflict of interest in reporting the matter to the headteacher, this should be reported directly to the local authority designated officer(s) (LADOs). Details of your local LADO should be easily accessible on your local authority's website.

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

75. 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.

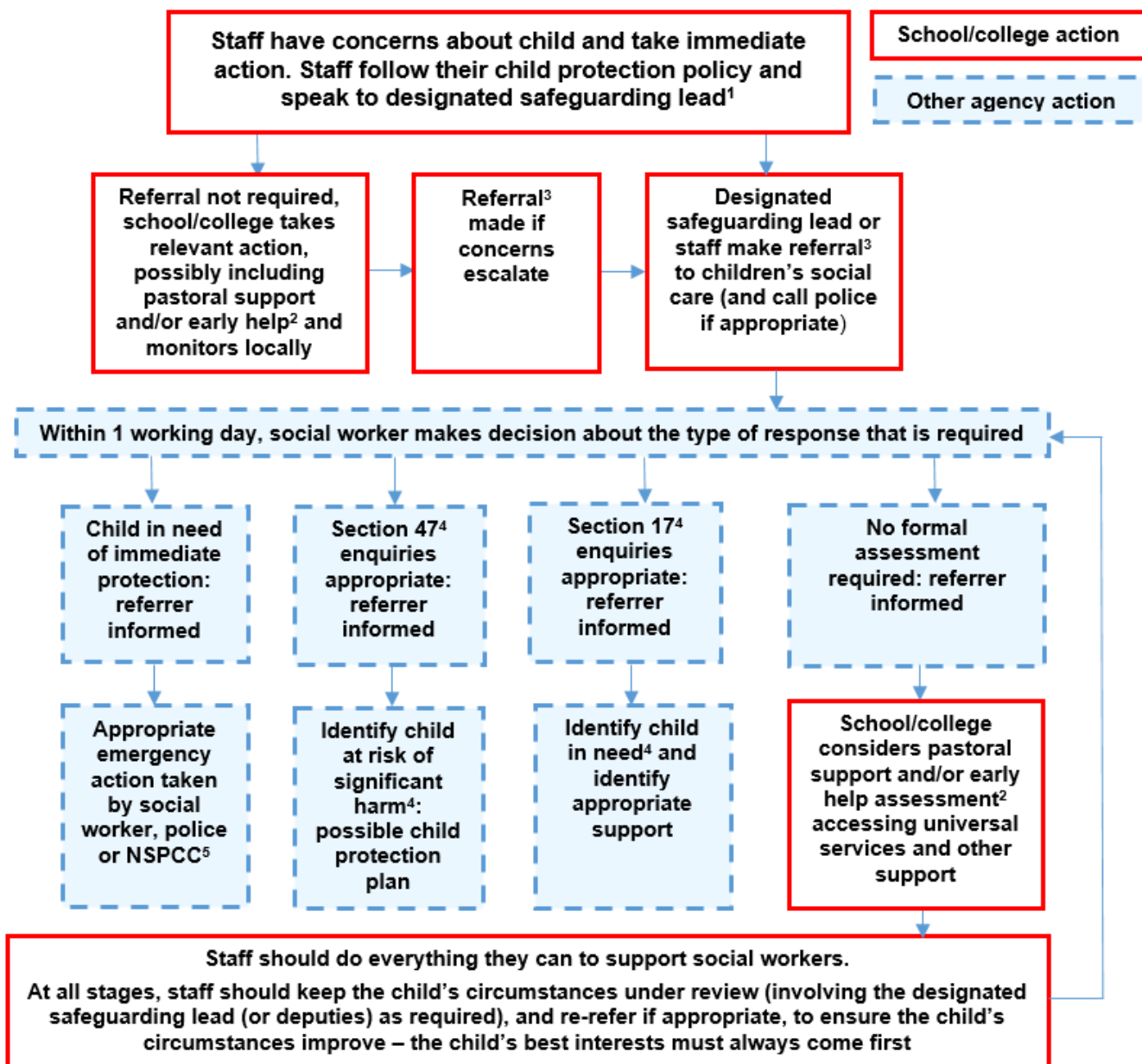
76. Appropriate whistleblowing procedures should be put in place for such concerns to be raised with the school's or college's senior leadership team.

77. 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 are open to them:

- general guidance on whistleblowing can be found via: [Advice on Whistleblowing](#)
- 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.¹⁹

¹⁹ 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



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

² 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.

³ 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](#).

⁴ 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](#).

⁵ This could include applying for an Emergency Protection Order (EPO).

Annex A: Safeguarding information for school and college staff

The following is a condensed version of Part one of Keeping children safe in education. It can be provided (instead of Part one) to those staff who do not directly work with children, if the governing body or proprietor think it will provide a better basis for those staff to promote the welfare and safeguard children.

The role of school and college staff

1. Safeguarding and promoting the welfare of children is **everyone's** responsibility. **Everyone** who comes into contact with children has an important role to play.
2. School and college staff are particularly important as they are in a position to identify concerns early, provide help for children, promote children's welfare and prevent concerns from escalating. It is important all staff (including those who do not work directly with children) recognise the important role they play in protecting children.

What school and college staff need to know

3. For the purposes of safeguarding, a child is anyone under the age of 18. 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.

All staff should:

- be aware of the systems in their school or college which support safeguarding, and these should be explained to them as part of staff induction. As a minimum this Annex and the child protection policy should be shared with staff at induction;
- receive appropriate safeguarding and child protection training (including online safety) which is regularly updated. In addition, all staff should receive safeguarding and child protection updates (including online safety) (for example, via emails, e-bulletins and staff meetings), as required, and at least annually, to provide them with the skills and knowledge to safeguard children effectively;
- know the identity of the designated safeguarding lead (and any deputies) and how to contact them;

- know what to do if a child tells them they are being abused or neglected. This includes understanding they should never promise a child that they will not tell anyone else about a report of abuse, as this is unlikely to be in the best interests of the child; and,
- Should be able to reassure all victims 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 abuse, sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report.

What school and college staff should look out for

Abuse and neglect

4. 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, including exploitation, so that they are able to identify cases of children who may be in need of help or protection.
5. If staff are unsure, they should always speak to the designated safeguarding lead (or deputy).

Forms of abuse and neglect

6. **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 by other children or adults, in a family or in an institutional or community setting by those known to them or, more rarely, by others.
7. **Physical abuse:** a form of abuse that may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child.
8. **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. Some level of emotional abuse is involved in all types of maltreatment of a child, although it may occur alone.
9. **Sexual abuse:** involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually

inappropriate ways, or grooming a child in preparation for abuse. Sexual abuse can take place online, and technology can be used to facilitate offline abuse. Sexual abuse is not solely perpetrated by adult males. Females can also be abusers as can other children. The sexual abuse of children by other children is a specific safeguarding issue (also known as peer on peer abuse) in education and **all** staff should be aware of it and their school or colleges policy and procedures for dealing with it.

10. **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 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.

11. All staff should be aware that child sexual and child criminal exploitation are forms of child abuse.

Safeguarding issues

12. 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 misuse, deliberately missing education, serious violence (including that linked to county lines), radicalisation and consensual and non-consensual sharing of nudes and semi-nudes¹²⁷ (also known as youth produced sexual imagery) put children in danger.

Peer on peer abuse

13. All staff should be aware that children can abuse other children (often referred to as peer on peer abuse). It can happen both inside and outside of school/college and online. It is important that all staff recognise the indicators and signs of peer on peer abuse and know how to identify it and respond to reports.

14. All staff should be clear as to the school or college's policy and procedures with regards to peer on peer abuse. Peer on peer abuse is most likely to include, but may not be limited to:

- bullying (including cyberbullying, prejudice-based and discriminatory bullying);

¹²⁷ Consensual image sharing, especially between older children of the same age, may require a different response. It might not be abusive – but children still need to know it is illegal- whilst non-consensual is illegal and abusive. [UKCIS](#) provides detailed advice about sharing of nudes and semi-nude images and videos.

- abuse in intimate personal relationships between peers;
- physical abuse which can include 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;
- non-consensual sharing of nudes and semi nudes images and/or videos;
- causing someone to engage in sexual activity without consent, such as forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party;
- upskirting, which typically involves taking a picture under a person's clothing without their permission, with the intention of viewing their genitals or buttocks to obtain sexual gratification or cause the victim humiliation, distress or alarm; and
- initiation/hazing type violence and rituals (this could include activities involving harassment, abuse or humiliation used as a way of initiating a person into a group and may also include an online element).

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

15. Staff working with children should 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.

16. Staff should not assume a colleague or another professional will take action and share information that might be critical in keeping children safe.

17. If staff have **any concerns** about a child's welfare, they should act on them immediately. They should follow their school or college's child protection policy and speak to the designated safeguarding lead (or deputy). In the absence of the designated safeguarding lead staff should speak to a member of the school or college's senior leadership team.

18. The designated safeguarding lead (or deputy) will generally lead on next steps, including who else, if anyone, in the school or college should be informed and whether to pass a concern to children's social care and/or the police. In some instances, staff may be expected to support the children social care assessment process. If this is the case, the designated safeguarding lead (or deputy) will support them.

Why is all of this important?

19. 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 and immediate action. Examples of poor practice includes failing to act on and refer the early signs of abuse and neglect.

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

20. If staff have safeguarding concerns about another member of staff (including volunteers, supply staff, tradespersons and visitors) they should speak to the headteacher or to another member of the school's or college's senior leadership team.

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

21. 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.

22. Appropriate whistleblowing procedures should be in place for concerns to be raised with the school or college's senior leadership team. Where staff feel unable to raise an issue with their employer or feel that their genuine safeguarding concerns are not being addressed [NSPCC whistleblowing advice line](#) is available. Staff can call 0800028 0285 – 8:00 AM to 8:00 PM, Monday to Friday and email: help@nspcc.org.uk. Alternatively, staff can write to: National Society for the Prevention of Cruelty to Children (NSPCC), Weston House, 42 Curtain Road, London EC2A 3NH.

Annex B: Further information

Annex B 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 harm, it is important that a referral to children's social care (and if appropriate the police) is made immediately.

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Child abduction and community safety incidents

Child abduction is the unauthorised removal or retention of a minor from a parent or anyone with legal responsibility for the child. Child abduction can be committed by parents or other family members; by people known but not related to the victim (such as neighbours, friends and acquaintances); and by strangers.

Other community safety incidents in the vicinity of a school can raise concerns amongst children and parents, for example, people loitering nearby or unknown adults engaging children in conversation.

As children get older and are granted more independence (for example, as they start walking to school on their own) it is important they are given practical advice on how to keep themselves safe. Many schools provide outdoor-safety lessons run by teachers or by local police staff.

It is important that lessons focus on building children's confidence and abilities rather than simply warning them about all strangers. Further information is available at:

www.actionagainstabduction.org and www.clevernevergoes.org.

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, 'honour'-based abuse 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. The National Information Centre on Children of Offenders, [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) and Child Sexual Exploitation (CSE)

We know that different forms of harm often overlap, and that perpetrators may subject children and young people to multiple forms of abuse, such as criminal exploitation (including county lines) and sexual exploitation.

In some cases the exploitation or abuse will be in exchange for something the victim needs or wants (for example, money, gifts or affection), and/or will be to the financial benefit or other advantage, such as increased status, of the perpetrator or facilitator.

Children can be exploited by adult males or females, as individuals or in groups. They may also be exploited by other children, who themselves may be experiencing exploitation – where this is the case, it is important that the child perpetrator is also recognised as a victim.

Whilst the age of the child may be a contributing factor for an imbalance of power, there are a range of other factors that could make a child more vulnerable to exploitation, including, sexual identity, cognitive ability, learning difficulties, communication ability, physical strength, status, and access to economic or other resources.

Some of the following can be indicators of both child criminal and sexual exploitation where children:

- appear with unexplained gifts, money or new possessions;
- associate with other children involved in exploitation;
- suffer from changes in emotional well-being;
- misuse drugs and alcohol;
- go missing for periods of time or regularly come home late; and
- regularly miss school or education or do not take part in education.

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

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

Some additional specific indicators that may be present in CSE are children who:

- have older boyfriends or girlfriends; and
- suffer from sexually transmitted infections, display sexual behaviours beyond expected sexual development or become pregnant.

Further information on signs of a child's involvement in sexual exploitation is available in Home Office guidance: [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 using dedicated mobile phone lines or other form of "deal line". This activity can happen locally as well as across the UK - no specified distance of travel is required. Children and vulnerable adults are exploited to move, store and sell 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 (mainstream and special), further and higher educational institutions, pupil referral units, children's homes and care homes.

Children are also increasingly being targeted and recruited online using social media. Children can easily become trapped by this type of exploitation as county lines gangs can manufacture drug debts which need to be worked off or threaten serious violence and kidnap towards victims (and their families) if they attempt to leave the county lines network.

A number of the indicators for CSE and CCE as detailed above may be applicable to where children are involved in county lines. Some additional specific indicators that may be present where a child is criminally exploited through involvement in county lines are children who:

- go missing and are subsequently found in areas away from their home;
- have been the victim or perpetrator of serious violence (e.g. knife crime);

- are involved in receiving requests for drugs via a phone line, moving drugs, handing over and collecting money for drugs;
- are exposed to techniques such as ‘plugging’, where drugs are concealed internally to avoid detection;
- are found in accommodation that they have no connection with, often called a ‘trap house or cuckooing’ or hotel room where there is drug activity;
- owe a ‘debt bond’ to their exploiters;
- have their bank accounts used to facilitate drug dealing.

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

Modern Slavery and the National Referral Mechanism

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

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

Cybercrime

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

- unauthorised access to computers (illegal ‘hacking’), for example accessing a school’s computer network to look for test paper answers or change grades awarded;
- denial of Service (Dos or DDoS) attacks or ‘booting’. These are attempts to make a computer, network or website unavailable by overwhelming it with internet traffic from multiple sources; and,
- making, supplying or obtaining malware (malicious software) such as viruses, spyware, ransomware, botnets and Remote Access Trojans with the intent to commit further offence, including those above.

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

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

Note that **Cyber Choices** does not currently cover 'cyber-enabled' crime such as fraud, purchasing of illegal drugs on-line and child sexual abuse and exploitation, nor other areas of concern such as on-line bullying or general on-line safety.

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

Domestic abuse

The Domestic Abuse Act 2021 received Royal Assent on 29 April 2021. The Act introduces the first ever statutory definition of domestic abuse and recognises the impact of domestic abuse on children, as victims in their own right, if they see, hear or experience the effects of abuse. The statutory definition of domestic abuse, based on the previous cross-government definition, ensures that different types of relationships are captured, including ex-partners and family members. The definition captures a range of different abusive behaviours, including physical, emotional and economic abuse and coercive and controlling behaviour. Both the person who is carrying out the behaviour and the person to whom the behaviour is directed towards must be aged 16 or over and they must be "personally connected" (as defined in section 2 of the 2021 Act).

Types of domestic abuse include intimate partner violence, abuse by family members, teenage relationship abuse and child/adolescent to parent violence and abuse. Anyone can be a victim of domestic abuse, regardless of sexual identity, age, ethnicity, socio-economic status, sexuality or background and domestic abuse can take place inside or outside of the home. The government will issue statutory guidance to provide further information for those working with domestic abuse victims and perpetrators, including the impact on children.

All children can witness and be adversely affected by domestic abuse in the context of their home life where domestic abuse occurs between family members. Experiencing domestic abuse and/or violence can have a serious, long lasting emotional and psychological impact on children. In some cases, a child may blame themselves for the abuse or may have had to leave the family home as a result.

Young people can also experience domestic abuse within their own intimate relationships. This form of peer on peer abuse is sometimes referred to as 'teenage relationship abuse'. Depending on the age of the young people, this may not be recognised in law under the statutory definition of 'domestic abuse' (if one or both parties are under 16). However, as with any child under 18, where there are concerns about safety or welfare, child safeguarding procedures should be followed and both young victims and young perpetrators should be offered support. The Act's provisions, including the new definition, will be commenced over the coming months.

Operation Encompass

[Operation Encompass](#) operates in all 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 immediate support to be put in place, according to the child's needs. Operation Encompass does not replace statutory safeguarding procedures. Where appropriate, the police and/or schools should make a referral to children's social care if they are concerned about a child's welfare. More information about the scheme and how schools can become involved is available on the Operation Encompass website.

National Domestic Abuse Helpline

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

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

- [NSPCC- UK domestic-abuse Signs Symptoms Effects](#)
- [Refuge what is domestic violence/effects of domestic violence on children](#)
- [Safelives: young people and domestic abuse.](#)
- [Domestic abuse: specialist sources of support - GOV.UK \(www.gov.uk\)](#) (includes information for adult victims, young people facing abuse in their own relationships and parents experiencing child to parent violence/abuse)

- [Home : Operation Encompass](#) (includes information for schools on the impact of domestic abuse on children)

Homelessness

Being homeless or being at risk of becoming homeless presents a real risk to a child's welfare. The designated safeguarding lead (and any deputies) should be aware of contact details and referral routes into the Local Housing Authority so they can raise/progress concerns at the earliest opportunity. Indicators that a family may be at risk of homelessness include household debt, rent arrears, domestic abuse and anti-social behaviour, as well as the family being asked to leave a property. Whilst referrals and/or discussion with the Local Housing Authority should be progressed as appropriate, 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 social care will be the lead agency for these children 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 who might be at risk of HBA or who has suffered from HBA, they should speak to the designated safeguarding lead (or deputy). As appropriate, the designated safeguarding lead (or deputy) 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**¹²⁸ 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](#).

¹²⁸ 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).

Teachers **must** personally report to the police cases where they discover that an act of FGM appears to have been carried out.¹²⁹ 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](#).

Further information can be found in the [Multi-agency statutory guidance on female genital mutilation](#) and the [FGM resource pack](#) particularly section 13.

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 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 32-36 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 fmufcdo.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**¹³⁰ is the vocal or active opposition to our fundamental values, including democracy, the rule of law, individual liberty and the mutual respect and

¹²⁹ 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.

¹³⁰ As defined in the Government's Counter Extremism Strategy <https://www.gov.uk/government/publications/counter-extremism-strategy>.

tolerance of different faiths and beliefs. This also includes calling for the death of members of the armed forces.

- **Radicalisation**¹³¹ refers to the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups.
- **Terrorism**¹³² 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 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"¹³³ to the need to prevent people from being drawn into terrorism".¹³⁴ This duty is known as the Prevent duty.

¹³¹ As defined in the Revised Prevent Duty Guidance for England and Wales.

<https://www.gov.uk/government/publications/prevent-duty-guidance/revised-prevent-duty-guidance-for-england-and-wales>

¹³² As defined in the Terrorism Act 2000 (TACT 2000) <http://www.legislation.gov.uk/ukpga/2000/11/contents>

¹³³ 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.

¹³⁴ "Terrorism" for these purposes has the same meaning as for the Terrorism Act 2000 (section 1(1) to (4) of that Act).

The Prevent duty should be seen as part of schools' and colleges' wider safeguarding obligations. Designated safeguarding leads and other senior leaders in schools 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). Designated safeguarding leads and other senior leaders in colleges should familiarise themselves with the [Prevent duty guidance: for further education institutions in England and Wales](#). The guidance is set out in terms of four general themes: risk assessment, working in partnership, staff training, and IT policies.

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.

The designated safeguarding lead should consider if it would be appropriate to share any information with the new school or college in advance of a child leaving. For example, information that would allow the new school or college to continue supporting victims of abuse or those who are currently receiving support through the 'Channel' programme, and have that support in place for when the child arrives.

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

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 (often referred to as peer on peer abuse) and it can take many forms. It **can** happen both inside and outside of school/college and online. It is important that all staff recognise the indicators and signs of peer on peer abuse and know how to identify it and respond to reports. This **can** include (but is not limited to): bullying (including cyberbullying, prejudice-based and discriminatory bullying); abuse within intimate partner relationships; physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm; sexual violence and sexual harassment; consensual and non-consensual sharing of nudes and semi-nudes images and/or videos; causing someone to engage in sexual activity without consent, such as forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party; upskirting and initiation/hazing type violence and rituals. Addressing inappropriate behaviour (even if it appears to be relatively innocuous) **can** be an important intervention that helps prevent problematic, abusive and/or violent behaviour in the future.

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 from primary to secondary stage and into colleges. It can also occur online. 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 and will be exacerbated if the alleged perpetrator(s) attends the same school or college. Sexual violence and sexual harassment exist on a continuum and may overlap, they can occur online and face to face (both physically and verbally) and are never acceptable.

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.

Staff should be aware that some groups are potentially more at risk. Evidence shows girls, children with special educational needs and disabilities (SEND) and LGBT children are at greater risk.

Staff should be aware of the importance of:

- challenging inappropriate behaviours;
- 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 physical behaviours (potentially criminal in nature), such as grabbing bottoms, breasts and genitalia, pulling down trousers, 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 and that it can happen both inside and outside of school/college. When referring to sexual violence we are referring to sexual violence offences under the Sexual Offences Act 2003¹³⁵ as described below:

¹³⁵ [Legislation.gov.uk](https://www.legislation.gov.uk).

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. (Schools should be aware that sexual assault covers a very wide range of behaviour so a single act of kissing someone without consent, or touching someone's bottom/breasts/genitalia without consent, can still constitute sexual assault.)

Causing someone to engage in sexual activity without consent: A person (A) commits an offence if: s/he intentionally causes another person (B) to engage in an activity, the activity is sexual, B does not consent to engaging in the activity, and A does not reasonably believe that B consents. (This could include forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party.)

What is consent?¹³⁶ 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.¹³⁷ Further information about consent can be found here: [Rape Crisis England & Wales - Sexual consent](#)

- a child under the age of 13 can never consent to any sexual activity;
- the age of consent is 16; ¹³⁸

¹³⁶ 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 or sexually assaulted in any way. More information: [here](#).

¹³⁷ [PSHE Teaching about consent](#) from the PSHE association provides advice and lesson plans to teach consent at Key stage 3 and 4.

¹³⁸ It is important to differentiate between consensual sexual activity between children of a similar age and that which involves any power imbalance, coercion or exploitation. Due to their additional training, the designated safeguarding lead (or deputy) should be involved and generally speaking leading the school or college response. If in any doubt, they should seek expert advice.

- sexual intercourse without consent is rape.

Sexual harassment

When referring to sexual harassment we mean ‘unwanted conduct of a sexual nature’ that can occur online and offline and both inside and outside of school/college. 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.¹³⁹ It may include:
- consensual and non-consensual sharing of nudes and semi-nudes images and/or videos.¹⁴⁰ As set out in [UKCIS Sharing nudes and semi-nudes: advice for education settings working with children and young people](#) (which provides detailed advice for schools and colleges) taking and sharing nude photographs of U18s is a criminal offence;
 - sharing of unwanted explicit content;
 - upskirting (is a criminal offence¹⁴¹);

¹³⁹[Project deSHAME](#) from Childnet provides useful research, advice and resources regarding online sexual harassment.

¹⁴⁰ Consensual image sharing, especially between older children of the same age, may require a different response. It might not be abusive – but children still need to know it is illegal- whilst non-consensual is illegal and abusive.

¹⁴¹ [The Voyeurism \(Offences\) Act 2019](#) which amends the Sexual Offences Act 2003 to make upskirting a specific offence of voyeurism. The Act came into force on 12 April 2019.

- sexualised online bullying;
- unwanted sexual comments and messages, including, on social media;
- sexual exploitation; coercion and threats.

Upskirting¹⁴²

The Voyeurism (Offences) Act 2019, which is commonly known as the Upskirting Act, came into force on 12 April 2019. ‘Upskirting’ is where someone takes a picture under a person’s 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 sex, 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 incredibly important. How the school or college responds to a report can encourage or undermine the confidence of future victims of sexual violence and sexual harassment to report or come forward. Schools and colleges not recognising, acknowledging or understanding the scale of harassment and abuse and/or downplaying of some behaviours can actually lead to a culture of unacceptable behaviour. 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 55 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).

Toolkits

- [Childnet - STAR SEND Toolkit equips, enables and empowers educators with the knowledge they need to support young people with special educational needs and disabilities.](#)

¹⁴²Additional information can be found at [GOV.UK](https://www.gov.uk).

- [Childnet - Just a joke? provides lesson plans, activities, a quiz and teaching guide designed to explore problematic online sexual behaviour with 9-12 year olds.](#)
- [Childnet - Step Up, Speak Up a practical campaign toolkit that addresses the issue of online sexual harassment amongst young people aged 13-17 years old.](#)
- [Preventing Harmful Sexual Behaviour toolkit by the Lucy Faithfull Foundation, the toolkit contains links to useful information, resources and support, including practical tips to prevent HSB.](#)
- [NSPCC - Harmful sexual behaviour framework](#) An evidence-informed framework for children and young people displaying HSB.
- [Contextual Safeguarding Network – Beyond Referrals - Schools](#) levers for addressing HSB in schools.

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
- [Tackling Child Sexual Abuse Strategy](#) – Home Office policy paper
- [Together we can stop child sexual abuse](#) – HM Government campaign

Bullying

- [Preventing bullying including cyberbullying](#) - DfE advice

Children missing from education, home or care

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

Children with family members in prison

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

Child Exploitation

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

Drugs

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

(so called) “Honour Based Abuse” including FGM and forced marriage

- [Female genital mutilation: information and resources](#)- Home Office guidance
- [Female genital mutilation: multi agency statutory guidance](#) - DfE, DH, and HO statutory guidance
- [Forced marriage](#) - Forced Marriage Unit (FMU) statutory guidance
- [FGM resource pack](#) – HM Government guidance

Health and Well-being

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

Homelessness

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

Private fostering

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

Radicalisation

- [Prevent duty guidance](#)- Home Office guidance

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

Violence

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

Annex C: Role of the designated safeguarding lead

Governing bodies and proprietors should ensure an appropriate **senior member** of staff, from the school or college **leadership team**, is appointed to the role of designated safeguarding lead.¹⁴³ The designated safeguarding lead should take **lead responsibility** for safeguarding and child protection (including online safety). This should be explicit in the role holder's job description.

This person should have the appropriate status and authority within the school or college to carry out the duties of the post. The role of the designated safeguarding lead carries a significant level of responsibility, and they should be given the additional time, funding, training, resources and support they need to carry out the role effectively. Their additional responsibilities include providing advice and support to other staff on child welfare, safeguarding and child protection matters, taking part in strategy discussions and inter-agency meetings, and/or supporting other staff to do so, and to contributing to the assessment of children.

Deputy designated safeguarding leads

It is a matter for individual schools and colleges as to whether they choose to have one or more deputy designated safeguarding leads. Any deputies should be trained to the same standard as the designated safeguarding lead and the role should be explicit in their job description. Whilst the activities of the designated safeguarding lead can be delegated to appropriately trained deputies, the ultimate lead responsibility for child protection, as set out above, remains with the designated safeguarding lead, this lead responsibility should not be delegated.

Availability

During term time the designated safeguarding lead (or a deputy) should always be available (during school or college hours) for staff in the school or college to discuss any safeguarding concerns. Whilst generally speaking the designated safeguarding lead (or

¹⁴³When a school has a sole proprietor rather than a governing body, appropriate steps should be taken to ensure that the member of the senior leadership team who is appointed as designated safeguarding lead (DSL) is able to discharge that role with sufficient independence, particularly in relation to any allegations involving the proprietor or members of the proprietor's family. This may involve including in the appointment as DSL, written confirmation that part of the duties of the post involve contacting the Local Authority Designated Officer (LADO) on any matter that the DSL considers cannot be properly dealt with internally. Consideration could also be given to providing the DSL with access to external advice from an appropriate company or legal service.