



# Safeguarding, Child Protection and associated procedures

## Safeguarding, child protection and associated procedures

- APPENDIX 1 Safeguarding children
- APPENDIX 2 Named child protection staff and important contacts
- APPENDIX 3 Child protection procedures
- APPENDIX 4 Early help process procedural guide
- APPENDIX 5 Policy on safeguarding young people at risk of abuse through forced marriage, so called honour based violence and female genital mutilation
- APPENDIX 6 Peer on peer abuse including child on child sexual harassment and abuse
- APPENDIX 7 Sexting
- APPENDIX 8 Self-harm
- APPENDIX 9 Policy on anti-radicalisation
- APPENDIX 10 Child sexual and criminal exploitation
- APPENDIX 11 Procedure for dealing with allegations of abuse against staff
- APPENDIX X Child protection concern form and body map

## Safeguarding children

### 1. Introduction

- 1.1 Our safeguarding policy is embedded into the general ethos of all the academies forming part of Cuckoo Hall Academies Trust (CHAT), which is to ensure that our pupils are treated with respect and dignity, taught to treat each other with respect, feel safe, have a voice, and are listened to.
- 1.2 This policy has been developed in line with **Keeping Children Safe in Education 2018** and additionally has been written to not only reflect the particular needs of the primary and secondary pupils in the community which we serve, but to also allow fluidity of / additional safeguarding and child protection support across our schools by ensuring all CHAT Academies staff are familiar with its requirements.
- 1.3 The trustees, governors and staff of our academies fully recognise the contribution they make to safeguarding children. We recognise that all members of staff, including volunteers, have a full and active part to play in protecting our pupils from harm.
- 1.4 All staff, trustees and governors believe that our academies should provide caring, positive safe and stimulating environments which promote the social, physical and moral development of the individual child.

### 2. The aims of this policy are:

- 2.1 To support the child's development in ways that will foster security, confidence and independence.
- 2.2 To raise the awareness of both teaching and non-teaching staff of the need to safeguard children and of their responsibilities in identifying and reporting possible cases of abuse.
- 2.3 To provide a systematic means of monitoring children known or thought to be at risk of harm.
- 2.4 To emphasise the need for good levels of communication between all members of staff.
- 2.5 To maintain a structured procedure which is followed by all members of the school community where abuse is suspected.
- 2.6 To continue to promote effective working relationships with other agencies, especially the Police, Children's Social Services and the [Enfield Clinical Commissioning Group](#).
- 2.7 To ensure that all adults within our school who have contact with children have been checked as to their suitability as part of the recruitment and selection process.

### 3. Procedures

Our procedures for safeguarding children will comply with the Enfield Safeguarding Children Board (ESCB) procedures. [www.enfield.gov.uk/enfieldlscb](http://www.enfield.gov.uk/enfieldlscb) who have in turn have adopted and follow the London Child Protection Procedures. [www.londonscb.gov.uk/procedure](http://www.londonscb.gov.uk/procedure)

We will ensure that:

- 3.1 We have a named safeguarding lead supported by designated members of staff who undertake regular training every two years. The safeguarding team is clearly identified and all staff are aware. (Please see **APPENDIX 2** for named contacts across our academies)
- 3.2 All members of staff develop their understanding of the signs and indicators of abuse and refresh their training regularly.
- 3.3 CHAT Academies are aware that additional barriers exist when recognising possible abuse of pupils with any Special Educational Need. Our training prepares staff to recognise and respond to the additional vulnerabilities of these pupils.
- 3.4 All members of staff are trained in how to respond to a pupil who discloses abuse.
- 3.5 Parents / carers are made aware of the responsibilities of staff members with regard to child protection procedures.
- 3.6 Staff understanding of their responsibilities is monitored through regular use of online training and an end of course test.
- 3.7 All staff will have read the Government Guidance, *Keeping children safe in education (part 1)*. This guidance contains and refers to specific safeguarding issues and provides links to further information [www.gov.uk/government/publications/keeping-children-safe-in-education--2](http://www.gov.uk/government/publications/keeping-children-safe-in-education--2)
- 3.8 All staff are required to have read the school safeguarding and child protection policy.
- 3.9 All new members of staff will be made aware of our child protection procedures (Please see **APPENDIX 3**) and of the Government Guidance, *Keeping children safe in education (part 1)* as part of their induction into the school [www.gov.uk/government/publications/keeping-children-safe-in-education--2](http://www.gov.uk/government/publications/keeping-children-safe-in-education--2)
- 3.10 Our procedures will be regularly reviewed and up-dated.

## 4. Responsibilities

- 4.1 The designated staff teams are responsible for: -
  - 4.1.1 Adhering to the Enfield Safeguarding Children Board and academy procedures with regard to referring a child if there are concerns about possible abuse.
  - 4.1.2 Keeping written records of concerns about a child even if there is no need to make an immediate referral.
  - 4.1.3 Ensuring that all such records are kept confidentially, securely and separate from pupil records.
  - 4.1.4 Ensuring that Children's Services Referral and Assessment Team are made aware of any information pertaining to any pupil, currently the subject of a child protection plan which indicates that their level of risk has increased.

- 4.2 The designated safeguarding leads undertake training in keeping with the schedule recommended by the Local Safeguarding Children's Board.
- 4.3 **All** members of staff (paid and unpaid) have the statutory responsibility to safeguard and promote the welfare of children
- 4.4 All staff are made aware through regular training of their duty to raise concerns, where they exist, about the attitude or actions of colleagues.

## 5. Supporting children

- 5.1 We recognise that: -
- a child who is abused or is a witness to violence may find it difficult to develop and maintain a sense of self-worth
  - a child in these circumstances may feel helpless and / or humiliated.
  - a child may feel self-blame.
  - online safety is a key part of safeguarding our pupils as young people often don't see the internet as a separate part of their lives.
- 5.2 We also recognise that the academy may provide the only stability in the lives of children who have been abused or who are at risk of harm.
- 5.3 We accept that research shows that the behaviour of a child in these circumstances may range from that which is perceived to be normal to aggressive or withdrawn.
- 5.4 Our academies will support all pupils by:
- 5.4.1 Encouraging self-esteem and self-assertiveness whilst not condoning aggression or bullying.
  - 5.4.2 Promoting a caring, safe and positive environment within the school.
  - 5.4.3 Liaising and working together with all other support services and those agencies involved in the safeguarding of children.
  - 5.4.4 Notifying Children's Social Services as soon as there is a significant concern.
  - 5.4.5 When a pupil about whom there are ongoing or recent concerns leaves an academy, we will provide them with continuing support by ensuring that appropriate information is securely and confidentially forwarded to the pupil's new school.

## 6. Confidentiality







- 6.1 We recognise that all matters relating to Child Protection are confidential in addition to our duty to protect the rights of individuals' personal data under GDPR and the Data Protection Act 2018. Consideration will be given to when and how it is appropriate to share information to ensure effective working to protect children.

- 6.2 The Head teacher or designated member of staff will only disclose information about a pupil to other members of staff on a '*need to know*' basis where it is appropriate in order to support and protect the child effectively.
- 6.3 All staff must be aware that they have a professional responsibility to share information with other agencies where it is necessary in order to safeguard children.
- 6.4 All staff must be aware that they cannot promise a child to keep secrets which might compromise the child's safety or well-being.

## **7. Supporting staff**

- 7.1 We recognise that staff working in our academies who have become involved with a child who has suffered harm, or appears to be likely to suffer harm, may find the situation stressful and upsetting.
- 7.2 We will support such staff by providing an opportunity to talk through their anxieties with an appropriate member of staff and will seek further support as appropriate.

## Named child protection staff

ACADEMY	DESIGNATED CHILD PROTECTION TEAM
 <b>020 8804 4126</b> <a href="mailto:cuckoo@chat-edu.org.uk">cuckoo@chat-edu.org.uk</a>	<b>Nicky Ross</b> Head teacher <b>Florinda Shamoli</b> Deputy head teacher <b>Gemma Vincent</b> Deputy head teacher SUPPORTED BY ADDITIONAL TRAINED MEMBERS OF SLT
 <b>020 8805 9811</b> <a href="mailto:eha@chat-edu.org.uk">eha@chat-edu.org.uk</a>	<b>Matt Clifford</b> Head teacher <b>Jade-Simone Bacon</b> Deputy head teacher <b>Gary Collison</b> Assistant head teacher SUPPORTED BY KINGFISHER SAFEGUARDING TEAM AS REQUIRED
 <b>020 8443 9631</b> <a href="mailto:heron@chat-edu.org.uk">heron@chat-edu.org.uk</a>	<b>Arthur Barzey</b> Head teacher <b>Stephanie Simpson</b> Deputy head teacher <b>Lois Burgess</b> SEND Co-ordinator SUPPORTED BY ADDITIONAL TRAINED MEMBERS OF SLT & HEADS OF YEAR
 <b>020 8344 9890</b> <a href="mailto:kingfisher@chat-edu.org.uk">kingfisher@chat-edu.org.uk</a>	<b>Matt Clifford</b> Head teacher <b>James Kirsch</b> Assistant head teacher <b>Lydia Pavlou</b> Assistant head teacher SUPPORTED BY ENFIELD HEIGHTS SAFEGUARDING TEAM AS REQUIRED
 <b>020 8443 0708</b> <a href="mailto:woodpecker@chat-edu.org.uk">woodpecker@chat-edu.org.uk</a>	<b>Sharon Parson</b> Head teacher <b>Michelle Griffin</b> Deputy head teacher SUPPORTED BY ADDITIONAL TRAINED MEMBERS OF SLT
 Safeguarding Team <b>020 8804 4126 (Ext 620)</b> <b>020 8843 9631 (Ext 327)</b>	<b>Sarah Cook</b> Head of Safeguarding <b>Cansu Diprima</b> Safeguarding Officer

## Important contacts

Enfield's Multi Agency Safeguarding Hub (MASH)	Tel: 020 8379 5555 (Office hours) Tel: 020 8379 1000 (Out of hours)
LADO (Local Authority Designated Officer)	<b>Maria Anastasi</b> Tel: 020 8379 2850
Enfield Local Authority PREVENT Officer	<b>Suj Ponampalam</b> Tel: 020 8379 6137
Metropolitan Police PREVENT Engagement Officer	<b>PC Garrett Pennery</b> [1691 SO] Tel: 07887 546 395
NSPCC Whistleblowing Helpline	Tel: 0800 028 0285

## Child protection procedures

There are essentially four key steps to remember and this procedure explains them. They are referred to as the **4 Rs**:

- **Recognising** abuse or neglect
- **Responding** to the concerns
- **Referring** concerns on
- **Recording** any actions taken and outcomes.

Members of our academy workforce could have their suspicion or concern raised in a number of ways, the most likely of which can be one or more of the following:

- A child 'disclosing' abuse
- Bruising or evidence of physical hurt
- Unusual behaviour by a child
- The conduct of a member of the academy's workforce

Concerns about a specific child should be reported immediately by telephone to a member of the Designated Safeguarding Team (See **APPENDIX 2**) and confirmed in writing within 24 hours.

**Any** delay could prejudice the welfare of a child.

### How to respond to a disclosure by a child

- Stay calm.
- Listen carefully to what is said.
- Find an appropriate early opportunity to explain that it is likely that the information will need to be shared with others – **do not promise to keep secrets.**
- Tell the child that the matter will need to be shared but will only be disclosed to those who need to know about it.
- Allow the child to continue at her / his own pace.
- Ask questions for clarification only, and at all times avoid asking leading questions.
- Reassure the child that they have done the right thing in telling you.
- Tell them what you will do next, and with whom the information will be shared.
- Using the child's own words, record in writing what was said as soon as possible – note the date, time, any names mentioned, to whom the information was given and ensure that the record is signed and dated.



It is important to remember that the person who first encounters a case of alleged abuse is not responsible for deciding whether abuse has occurred. That is a task for the professional child protection agencies, following consideration and referral from the Designated Safeguarding Team.

### **Action staff must take immediately when a concern arises**

1. Report the concern immediately to the Designated Safeguarding Team (See **APPENDIX 2**). They will then determine the next steps to take, including consultation with other professional agencies (e.g. Children's Services) in order to determine the best course of action. Consideration will need to be given as to whether the concern involves an immediate risk of significant harm, a clear allegation of abuse by the child, or does not involve an immediate risk of significant harm.
2. It is not the responsibility of any member of academy staff (including the Designated Safeguarding Team) to determine if abuse has taken place; rather they are responsible for reporting on their concerns to the appropriate authorities.
3. Concerns that are anonymous or that relate to historical concerns (e.g. relating to previous staff or an incident that happened some time ago) should not be ignored and must be reported to the Designated Safeguarding Team.
4. A record must be kept of the concern.
5. Remember - do not delay reporting the matter by trying to obtain more information.
6. You should not remove clothing in order to examine the child where she / he is alleging injuries unless there is a clear need to do so in order to administer first aid.

## Early help process procedural guide

### Introduction

We recognise that the academy plays a significant part in the prevention of harm to our pupils by providing pupils with good lines of communication with trusted adults, supportive friends and an ethos of protection.

The school community will therefore: -

- Ensure and maintain an ethos where children feel secure and are encouraged to talk and are always listened to.
- Ensure that all children know there are adults in the school whom they can approach if they are worried or in difficulty.
- Include in the curriculum opportunities for PSHE which equip children with the skills they need to stay safe from harm and to know to whom they should turn for help.

Our CHAT wide LABS process is utilised to identify and support vulnerable children who may need additional support either in school or through accessing early help services.

### Early help framework (EHF)

The Early Help Framework (EHF) aims to help identify the need for other services, including health, social services, police, behavioural and Educational Psychologists.

Our academies recognise the importance of effectively using the Early Help Framework to access support for children and their families and we recognise that every person whose role involves working with children and young people needs to be prepared and able to recognise the need for support. We aim to use the EHF to identify and provide the appropriate support for individual pupils and help early identification.

We use the Early Help Framework when: -

- There is a concern about a child's health, welfare, progress in learning or other aspect of their wellbeing
- A child's needs are unclear, different from the norm and/or broader than the school can address

Using a EHF will help identify a child's needs and / or get other services involved to help meet them. The elements that form the Early Help Framework will include collecting together and sharing information about all the following areas: -

- general health
- physical development
- speech, language and communication development
- emotional and social development
- behaviour development
- self-esteem, self-image and social presentation

- family and social relationships
- self-care skills and independence
- learning, including: understanding, reasoning and problem-solving, progress and achievement in learning, participation in learning, educational aspirations
- basic parental care, including safety and protection
- emotional warmth and family stability
- parental guidance, behaviour boundaries and stimulation at home
- family history, including functioning and wellbeing
- wider family
- housing and financial considerations
- social and community factors

## Completing the assessment

It may be necessary to complete an Early Help Assessment on a pupil at any time. The decision to carry out the assessment should be taken jointly with the relevant staff and a member of the senior leadership team (SLT) or safeguarding team, the pupil (where appropriate) and parent / carers using the following guidelines: -

1. Any concerns will be discussed with pupil, parents and other agencies already involved with the child. (If a parent refuses to cooperate we will clearly record that agreement to complete the EHF has been refused.) However, it is possible to override this lack of consent, and where we are concerned about a child's welfare or safety will seek immediate advice from Child Protection Duty Officer Intake and Assessment Team (CPDO - Social Services.)
2. The SLT / safeguarding team will be involved in the process of completing the assessment with the class teacher, pupil and parents. At this stage, actions can be agreed that can be delivered by the teacher and the academy.
3. This may mean discussions with all the other agencies involved who may want to use the school as the centre of the '*team around the family*' (TAF) to deliver on their actions as well. To avoid confusion there will need to be a 'lead professional' who will check the pupil's progress. This may be a member of SLT or the safeguarding team.

The most likely outcomes of the assessment are: -

- concerns have been resolved and no further action(s) is required;
- some actions have been agreed and a date has been set for reviewing and monitoring progress
- some actions have been agreed but further action is required from other agencies and these have been identified

## Policy on safeguarding young people at risk of abuse through forced marriage, so called honour based violence and female genital mutilation

### Forced marriage

Forced marriage should not be confused with an arranged marriage. Parties within an arranged marriage have the choice to accept the arrangement or not. The tradition of arranged marriages has operated successfully within many communities and countries for a very long time.

A forced marriage is one where one or both people do not (or in cases of people with learning disabilities, cannot) consent to the marriage and pressure or abuse is used.

Awareness of the issue of forced marriage is raised through our regular safeguarding training. If staff are worried that they, or someone else, might be forced into marriage we encourage them to speak to the safeguarding team who can signpost them to appropriate support. (See **APPENDIX 2**)

We understand that people often do not come forward as they are too frightened or feel disloyal to their family or community for speaking out. The CHAT Safeguarding Team will look to provide sensitive and appropriate support at every stage of the process by working with other agencies and taking into account the views and safety of all parties at all times.

### So called honour based violence

There is no honour in threatening or harming others with violence. A small number of women and men experience violence of threats from their family or community to protect perceived family "honour".

There is no religious or cultural basis to this violence. It is a crime and must be treated as such.

Members of the school community who are in fear of this kind of violence or believe that someone may be suffering may not always recognise the seriousness of the situation; however, so called honour based violence takes lives. CHAT takes these issues seriously and addresses them during regular staff training. All staff members are encouraged to report any concerns to the safeguarding team who can contact agencies that offer advice and support. (See **APPENDIX 2**)

### Warning signs of possible so called honour based violence

- Broken communication between the victim and friends
- Absence from education / the workplace
- Criticism of the victim for "western" adoption of dress / make up
- Restrictions in leaving the house or being accompanied outside the home
- Depressive or suicidal tendencies in an otherwise happy person

## Female Genital Mutilation

The World Health Organisation (WHO) states that Female Genital Mutilation (FGM) “*comprises all procedures that involve partial or total removal of the external female genitalia or other injury to the female genital organs for non-medical reasons*” (WHO 2008)

Each of our academies recognises that, while there is no intent to harm a girl or young woman through FGM, the practice is extremely traumatic, can be fatal and has significant short and long term mental and physical suffering. The procedure can lead to menstrual and sexual problems, difficulties in giving birth and infertility.

Although for some communities it is considered a religious act or cultural requirement, FGM is illegal in the UK and therefore is a Child Protection Issue as per the [Prohibition of Female Circumcision Act 1985](#)

[The Female Genital Mutilation Act 2003](#) also makes it an offence to take UK nationals and those with permanent UK residence overseas for the purpose of circumcision, to aid and abet, counsel or procure the carrying out of FGM.

If any of the above concerns are brought to the attention of any of our designated child protection teams, they will be immediately reported to the Local Authority’s Children’s Services.

Should a young person disclose that FGM has been carried out, in addition to liaising with the Safeguarding Manager, the member of staff to whom the disclosure was made must report it in a statement to the police.

### Indicators that FGM may have taken place include:

- Family comes from a community that is known to practice FGM (such as: sub-Saharan Africa, Asia, Middle East, Burkina Faso, Djibouti, Egypt, Eritrea, Ethiopia, Gambia, Guinea, Mali, Sierra Leone, Somalia, Sudan)
- Although girls and women from the Democratic Republic of Congo, Ghana, Niger, Tanzania, Togo, Uganda and Yemen are less likely to undergo FGM, there are particular ethnic communities within these countries where prevalence is higher.
- Girls and young women who are British citizens but whose parents were born in countries that practice FGM, may also be at risk.
- Having returned from a holiday in one of the above countries, a girl or young woman presents as suffering emotional / psychological effects of undergoing FGM (e.g. withdrawal, depression etc)
- A girl or young woman regularly spends time out of class or from other activities with bladder or menstrual problems etc.
- A girl or young woman requiring to be excused from PE without the support of her GP doctor.

**Indicators that FGM may be about to take place include:**

- A family from one of the above countries / communities is known to be planning a holiday to one of the above countries;
- A girl or young woman expressing anxiety about a special procedure or a special occasion which may include discussion of a holiday to their country of origin;
- A girl or young woman may refer to FGM either in relation to themselves or another family member or friend;
- A girl or young woman requesting help to prevent it happening;
- A boy may indicate some concern about his sister or other female relative.

**Support and information can also be obtained from**

The Agency for Culture and Change Management (ACCM)

[www.accmuk.com](http://www.accmuk.com)

Tel: 01234 356 910

## Peer on peer abuse including child on child sexual harassment and abuse

CHAT Academies recognise that abuse is abuse. It is never acceptable for it to be tolerated or passed off as "*banter*", "*just having a laugh*" or "*part of growing up*".

### Peer-on-peer abuse

We recognise the gendered nature of peer-on-peer abuse, and are aware that not only that females are at higher risk of experiencing it, but also that all peer-on-peer abuse is unacceptable and will be taken seriously.

Peer-on-peer abuse can take many different forms, such as:

- Physical abuse
- Initiation / hazing-type violence and rituals
- Sexual violence and sexual harassment
- Sexting (See **APPENDIX 7**)

It is not enough to respond to incidents as they arise. Through the promotion of our values, CHAT Academies strive to create an environment that actively discourages abuse and challenges the attitudes which underlie it.

### Bullying, emotional and physical abuse including initiation / hazing-type violence and rituals

If one child or young person causes harm to another, this should not necessarily be dealt with as abuse as bullying, fighting and harassment between pupils are not generally seen as child protection issues. However, it may be appropriate to regard a young person's behaviour as abusive if: -

- There is a large difference in power between the young people concerned; or
- The perpetrator has repeatedly tried to harm one or more other children; or
- There are concerns about the intention of the alleged perpetrator

If the evidence suggests that there was an intention to cause severe harm to the victim, this should be regarded as abusive regardless of whether or not severe harm was actually caused.

### Child-on-child sexual abuse

When a child (anyone under the age of 18) commits an act of sexual violence or harassment against another child, consideration should always be given that this may constitute abuse. Sexual abuse may fall under one of two categories: -

**Sexual violence** rape, assault by penetration, or sexual assault (intentional sexual touching)

**Sexual harassment** unwanted conduct of a sexual nature – such as sexual comments, sexual jokes or taunting, physical behaviour like interfering with clothes, or online harassment such as sexting (See **APPENDIX 7**)

## Protection and action to be taken

Should it be deemed that a young person or child has abused another, a referral should be made as per our usual Safeguarding procedures. (A child protection concern form can be found at **APPENDIX X** and is also available from the Safeguarding team). The designated Safeguarding Lead will notify children's social care as appropriate.

It should be recognised that it is of the utmost importance that the needs and safety of both the alleged perpetrator and the victim are considered. Issues relating to the safety of victims and potential victims must be discussed first and completely separately from any issues relating to the needs of the alleged perpetrator.

The response to reports of peer-on-peer sexual violence and sexual harassment will be decided on a case-by-case basis with the designated safeguarding lead (DSL) taking a lead role, supported by other agencies as required.

Where there has been a report of sexual violence, the designated safeguarding lead (or another member of the safeguarding team) should make an immediate risk and needs assessment, considering: -

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

Where there has been a report of sexual harassment, the need for a risk assessment should be considered on a case-by-case basis.

Where scenarios involve working with children's social care, staff must not wait for the outcome of an investigation before protecting the victim and other children - the Safeguarding Team must work closely with children's social care to ensure the academy's actions do not jeopardise a statutory investigation. There must be immediate consideration for safeguarding the victim, alleged perpetrator and all other children above all else.

In cases of sexual abuse, it is especially important that consideration is given to the needs of both parties and particularly the victim with regard to confidentiality.

Information should be shared within the school community on a '*need to know*' basis only where it is necessary for an effective investigation, to resolve issues or to protect the safety and wellbeing of one or both parties. All staff who are aware of sensitive information must be made clearly aware of the importance of maintaining confidentiality.



## Sexting

### Introduction

There are a number of definitions of 'sexting' but for the purposes of this policy sexting is simply defined as: *Images or videos generated by children under the age of 18, or of children under the age of 18, that are of a sexual nature or are indecent.* These images may be shared between young people and / or adults via a mobile phone, handheld device, computer, 'tablet' or website with people they may not even know.

'Sexting' is one of a number of 'risk-taking' behaviours associated with the use of digital devices, social media or the internet. It is accepted that young people experiment and challenge boundaries and therefore the risks associated with 'online' activity can never be completely eliminated.

Cuckoo Hall Academies Trust takes a pro-active approach to help students to understand, assess, manage and avoid the risks associated with 'online activity', recognises its duty of care to young people who do find themselves involved in such activity and our responsibility to report such behaviours where legal or safeguarding boundaries are crossed.

It is likely that no two cases will be the same and it is necessary to carefully consider each case on its own merit. However, it is important that we apply a consistent approach when dealing with an incident to help protect young people and the school. For this reason, the Designated Safeguarding Lead and the Academy Head teacher needs to be informed of any 'sexting' incidents. The range of contributory factors in each case also needs to be considered in order to determine an appropriate and proportionate response.

### Disclosure by a student

Sexting disclosures should follow the normal safeguarding practices and protocols. A student is likely to be very distressed especially if the image has been circulated widely and if they don't know who has shared it, seen it or where it has ended up. They will need pastoral support during the disclosure and after the event. They may even need immediate protection or a referral to police or social services; parents should be informed as soon as possible (police advice permitting). The following questions will help decide upon the best course of action: -

- Is the student disclosing about receiving an image, sending an image or sharing an image?
- What sort of image is it?
- Is it potentially illegal or is it inappropriate?
- Are the school child protection and safeguarding policies and practices being followed? *For this reason, a member of the Safeguarding team should be involved as soon as possible.*
- How widely has the image been shared and is the device in their possession?
- Is it a school device or a personal device?
- Does the student need immediate support and / or protection?
- Are there other students and / or young people involved?
- Do they know where the image has ended up?

## Experimental conduct

The Association of Chief Police Officers (ACPO) advise that as a general rule it will almost always be proportionate to refer any incident involving 'aggravated' sharing of images to the Police, whereas purely '*experimental conduct*' may proportionately dealt with without such referral, most particularly if it involves the young person sharing images of themselves.

'*Experimental conduct*' commonly refers to that shared between two individuals (e.g. girlfriend and boyfriend) with no intention to publish the images further. Coercion is not a feature of such conduct, neither are requests for images sent from one person to multiple other young persons. Any conduct involving, or possibly involving, the knowledge or participation of adults will always be referred to the police. If an '*experimental*' incident is not referred to the Police, the reasons for this should be recorded.

If any illegal images of a young person are found, the Safeguarding Team will discuss this with the Police.

## Searching a device

It is vital that we always put the young person first. Staff will not search the device if this will cause additional stress to the student / person whose image has been distributed **unless** there is clear evidence to suggest not to do so would impede a police inquiry. Instead wherever possible we will rely on the description by the young person, secure the device and contact the Police.

The [Education Act 2011](#) allows for a device to be examined, confiscated and securely stored if there is reason to believe it contains indecent images or extreme pornography. On occasions where searching a device is deemed necessary we will do so in line with our **Searching and Confiscation policy** (available on the website)

If it is necessary to search a device then, where possible, the search should be conducted by someone of the same gender as the person whose image is being sought.

**Never** search a mobile device even in response to an allegation or disclosure if this is likely to cause additional stress to the student / young person.

## Handling images

### [If an indecent image or extreme pornography is identified: -](#)

#### Always

- Inform and involve the Safeguarding Team who will ensure that the Designated Safeguarding Lead is able to take any necessary strategic decisions.
- Record the incident.
- If there is an indecent image of a child on a website or a social networking site, then the Safeguarding Team will report the image to the site hosting it.

Under normal circumstances the team would follow the reporting procedures on the respective website; however, in the case of a sexting incident involving a child or young person where it

may be felt that they may be at risk of abuse, the team will report the incident directly to [CEOP](#) so that law enforcement can make an assessment, expedite the case with the relevant provider and ensure that appropriate action is taken to safeguard the child.

### **Never**

- Print out any material for evidence.
- Move any material from one storage device to another.

### **If the image has been shared across a personal mobile device: -**

#### **Always**

- Confiscate and secure the device(s).
- Close down or switch the device off as soon as possible. This may prevent anyone removing evidence 'remotely'

#### **Never**

- View the image unless there is a clear reason to do so or view it without an additional adult present (this additional person does not need to view the image and certainly should not do so if they are of a different gender to the person whose image has been shared).
- Send, share or save the image anywhere.
- Allow students to do any of the above.

### **If the image has been shared across a school network, a website or a social network**

#### **Always**

- Block the network to all users and isolate the image.

#### **Never**

- Send or print the image.
- Move the material from one place to another.
- View the image outside of the protocols in the school's safeguarding and child protection policies and procedures.

### **Who should deal with the incident**

The person to whom the initial disclosure is made to must act in accordance with the school safeguarding and / or child protection policy in ensuring that a member of the Safeguarding Team and a senior member of staff are involved in dealing with the incident.

The Designated Safeguarding Lead should always record the incident. The Head teacher must also always be informed.

## Deciding on a response

There may be many reasons why a student has engaged in sexting e.g. it may be a romantic / sexual exploration scenario or it may be due to coercion. It is important to remember that it won't always be appropriate to inform the police; this will depend on the nature of the incident.

However, it is important that incidents are always consistently recorded. It may also be necessary to assist the young person in removing the image from a website or elsewhere.

If indecent images of a young person are found, it is the Safeguarding Team who will make any referrals and contact the police if appropriate. Referrals may be made to Social Care, but where it may be thought that a crime may have taken place, the police should be contacted.

Young persons who have engaged in 'experimental sexting' which is contained between two persons will be referred to the Multi Agency Safeguarding Hub (MASH) in order to identify if any support and guidance may be accessed. Those who are felt to be victims of 'sexting' will also be referred the MASH at a point where the police feel that this will not impede an investigation.

The academy will put the necessary safeguards in place for the student e.g. they may need counselling support or immediate protection. The head teacher or a member of the Designated Safeguarding Team should inform parents and / or carers about the incident and how it is being managed, unless there is a clear risk in doing so.

## Containment and prevention

The young persons involved in 'sexting' may be left feeling sensitive and vulnerable for some time. They will require monitoring by and support from appropriate adults within the academy setting.

Where cases of 'sexting' become widespread or there is thought to be the possibility of contagion then the school will reinforce the need for safer 'online' behaviour using a variety of resources.

Other staff may need to be informed of incidents and should be prepared to act if the issue is continued or referred to by other students.

The pupils' parents should usually be told what has happened so that they can keep a watchful eye over the young person especially when they are online at home.

The academy, its students and parents should be on high alert, challenging behaviour and ensuring that the victim is well cared for and protected.

Creating a supportive environment for pupils in relation to the incident is very important.

Preventative educational programmes on sexting can be found on CEOP's advice-giving website [www.thinkuknow.co.uk](http://www.thinkuknow.co.uk)

## The legal position

It is important to be aware that young people involved in sharing sexual videos and pictures may be committing a criminal offence. Specifically, crimes involving indecent photographs (including pseudo

images) of a person under 18 years of age fall under Section 1 of the [Protection of Children Act 1978](#) and Section 160 of the [Criminal Justice Act 1988](#).

Under this legislation it is a crime to:

- Take an indecent photograph or allow an indecent photograph to be taken;
- Make an indecent photograph (this includes downloading or opening an image that has been sent via email);
- Distribute or show such an image;
- Possess with the intention of distributing images;
- Advertise and possess such images.

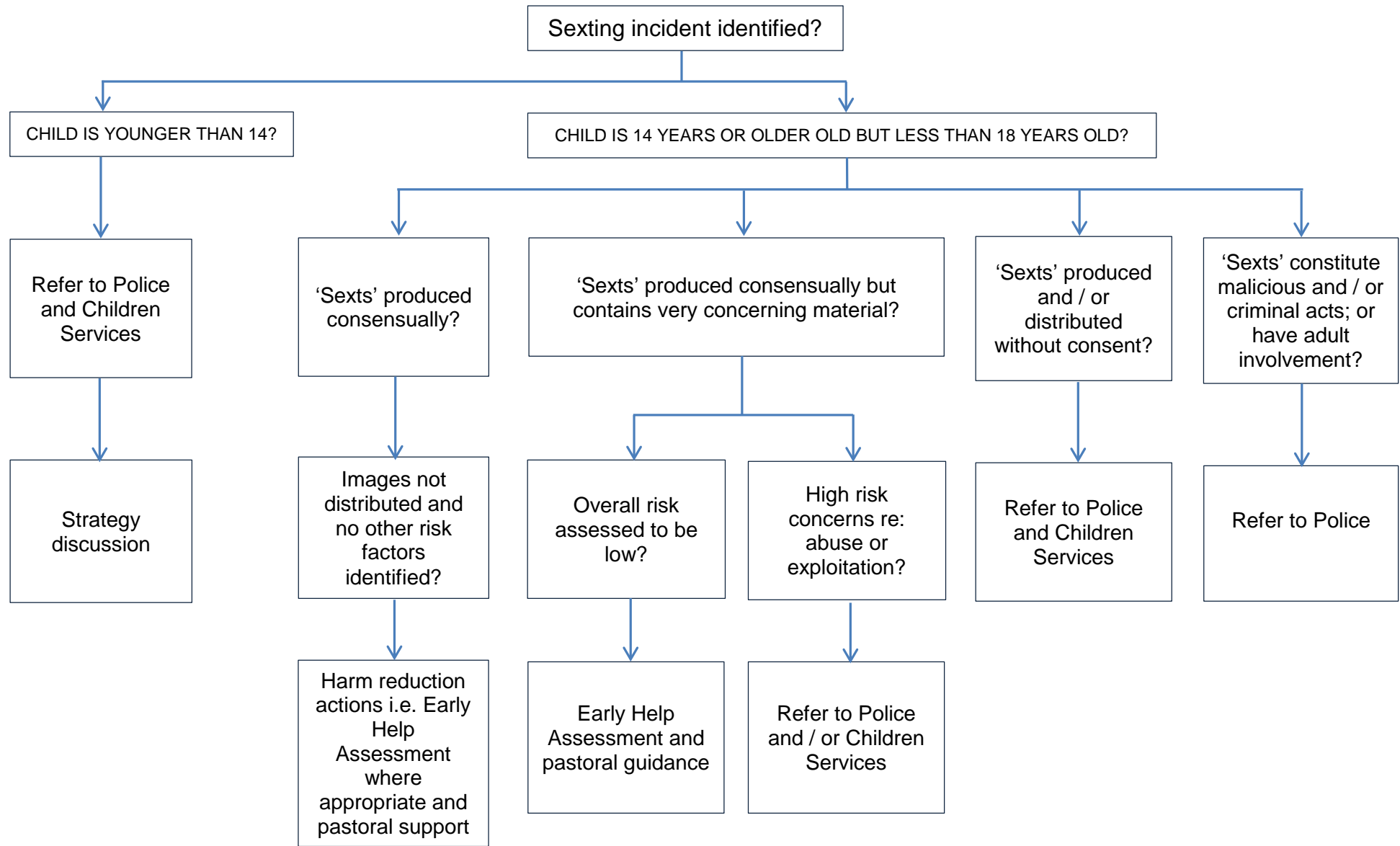
While any decision to charge individuals for such offences is a matter for the Crown Prosecution Service, it is unlikely to be considered in the public interest to prosecute children. However, children and young people need to be aware that they may be breaking the law. If they send or possess images they may be visited by police and on some occasions media equipment could be removed. This is more likely if they have distributed images.

## Further information

### NSPCC (Sexting)

[www.nspcc.org.uk/preventing-abuse/keeping-children-safe/sexting](http://www.nspcc.org.uk/preventing-abuse/keeping-children-safe/sexting)

**Sexting Incidents flowchart**



## Different levels of sexting

The following is adapted from Wolak and Finkelhor 'Sexting: a Typology'. March 2011

Aggravated incidents involving criminal or abusive elements beyond the creation, sending or possession of youth-produced sexual images

### Adult offenders

Develop relationships with and seduce underage teenagers, in criminal sex offences even without the added element of youth-produced images. Victims may be family friends, relatives, community members or contacted via the Internet. The youth produced sexual images generally, but not always, are solicited by the adult offenders.

### Youth Only: Intent to Harm

Cases which: -

- arise from interpersonal conflict such as break-ups and fights among friends
- involve criminal or abusive conduct such as blackmail, threats or deception
  - involve criminal sexual abuse or exploitation by juvenile offenders.

### Youth Only: Reckless Misuse

No intent to harm but images are taken or sent without the knowing or willing participation of the young person who is pictured. In these cases, pictures are taken or sent thoughtlessly or recklessly and a victim may have been harmed as a result, but the culpability appears somewhat less than in the malicious episodes.

*Experimental incidents* involve the creation and sending of youth produced sexual images, with no adult involvement, no apparent intent to harm or reckless misuse.

### Romantic episodes

In which young people in ongoing relationships make images for themselves or each other, and images were not intended to be distributed beyond the pair.

### Sexual attention seeking

In which images are made and sent between or among young people who were not known to be romantic partners, or where one youngster takes pictures and sends them to many others or posts them online, presumably to draw sexual attention.

### Other

Cases that do not appear to have aggravating elements, like adult involvement, malicious motives or reckless misuse, but also do not fit into the Romantic or Attention Seeking sub-types. These involve either young people who take pictures of themselves for themselves (no evidence of any sending or sharing or intent to do so) or pre-adolescent children (age 9 or younger) who did not appear to have sexual motives.

## Self-harm

### Managing self-harm

Self-harm is a growing cause of concern. Staff can become aware of possible self-harm through a number of ways but most frequently through self-disclosure or peer disclosure.

All concerns around self-harm must be taken seriously and staff should follow safeguarding procedures and ensure that concerns are reported to the designated safeguarding lead promptly.

### Dealing with a disclosure of self harm

Dealing with a disclosure of self-harm can be difficult and distressing. Some tips on how to respond are below

Use the “do and don’t” sections to guide your responses whilst following the steps laid out in the flowcharts below.

### Do’s and Don’ts

#### DO

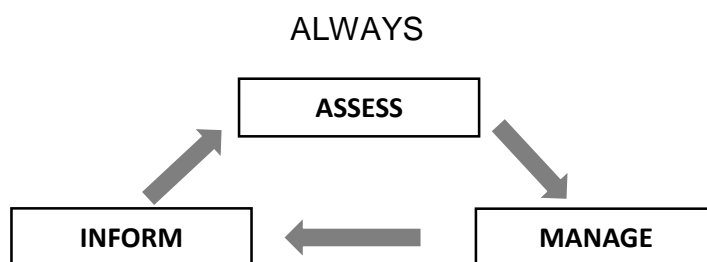
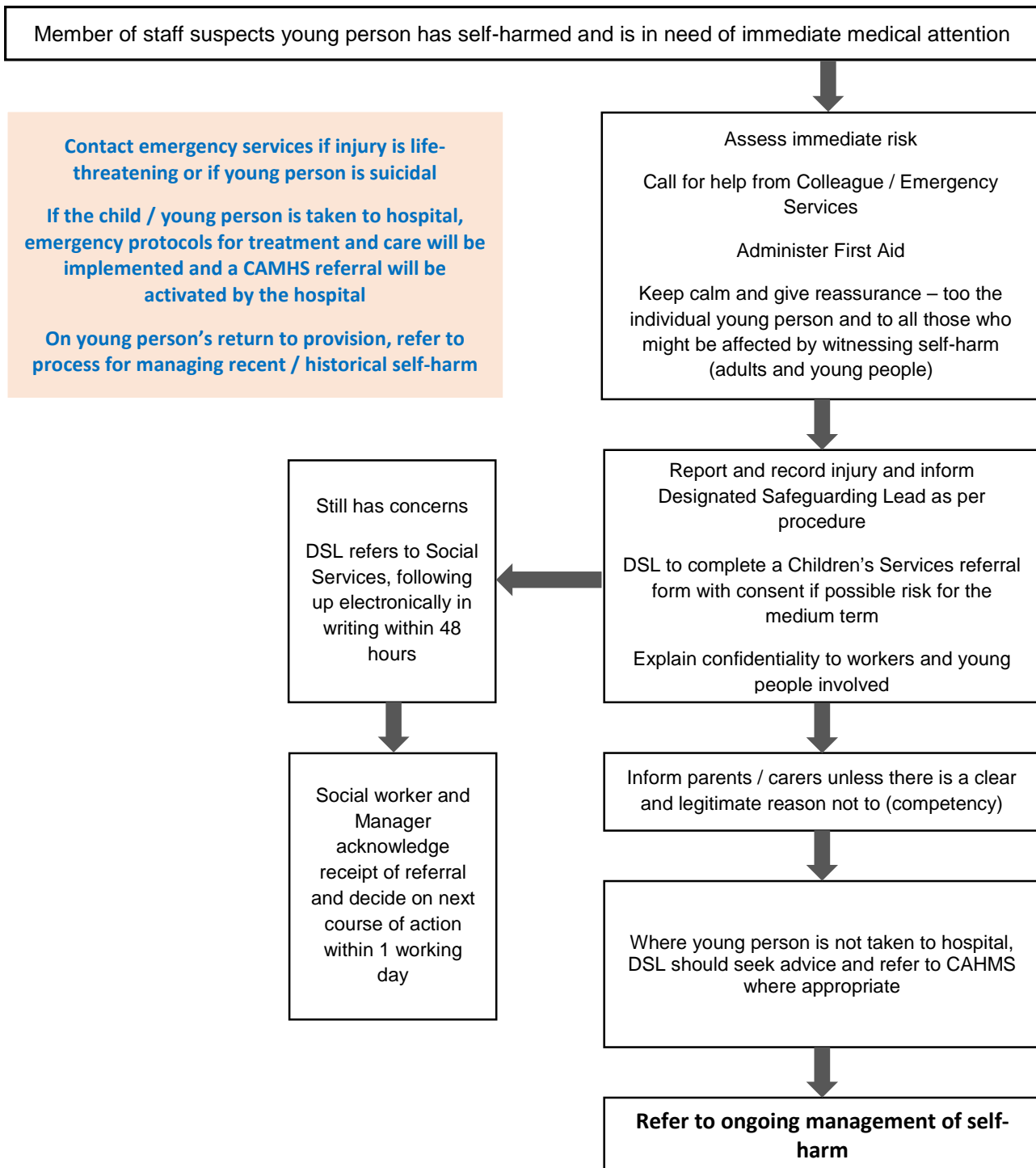
- Listen carefully to what you are told.
- Ask appropriate questions to determine level of risk using TED questions (tell, explain, describe)
- Explain to the young person that you will need to share what you have been told.
- Remind the young person that they have done the right thing in sharing and that you are there to support them.
- Stay with the young person if you have immediate concerns for their safety

#### DON'T

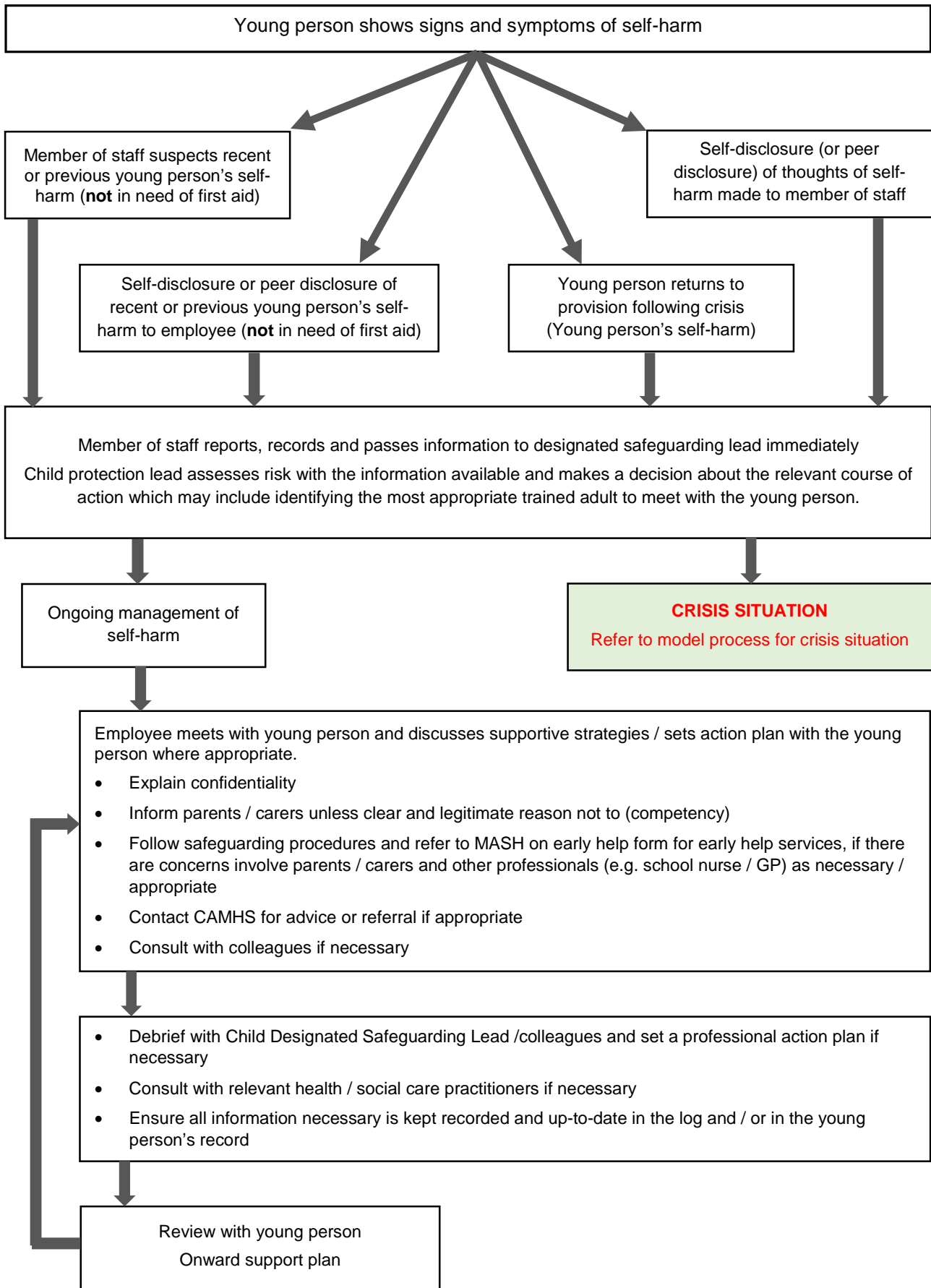
- Pass judgement on what you are being told.
- Try not to show, shock, distaste or distress.
- Make the child promise not to do it again.
- Promise to keep a secret.
- Promise not to tell the young person’s parents.



## Managing self-harm | Crisis situation



## Managing self-harm | Not in need of urgent medical treatment



## Policy on anti-radicalisation

### Introduction and scope

Our academies are fully committed to safeguarding and promoting the welfare of all its students. We recognise that safeguarding against radicalisation is no different from safeguarding against any other vulnerability.

The current threat of radicalisation in the United Kingdom may include the exploitation of vulnerable people, to involve them in terrorism or in activity in support of terrorism. The school is clear that this exploitation and radicalisation should be viewed as a safeguarding concern.

All staff are expected to uphold and promote the fundamental principles of British values, including democracy, the rule of law, individual liberty, mutual respect, and tolerance of those with different faiths and beliefs.

All pupils and teachers have the right to speak freely and voice their opinions. However, free speech is not an unqualified privilege but is subject to laws and policies governing equality, human rights, community safety and community cohesion. The Academy provides a safe space in which pupils and staff can understand the risks associated with terrorism and develop knowledge and skills to be able to challenge extremist arguments.

### Aims and principles

The main aims of this Policy are to ensure staff are fully engaged in being vigilant about radicalisation; that they overcome professional disbelief that such issues will not happen here and ensure that we work alongside other professional bodies and agencies to ensure that our students are safe from harm.

The principle objectives are that:

- All trustees, governors and staff who work with our children and young people will have an understanding of what radicalisation and extremism are and why we need to be vigilant in school;
- All trustees, governors and staff who work with our children and young people will know what the school policy is on anti-radicalisation and extremism and will follow the policy when issues arise;
- All parents / carers and students will know that the school has policies in place to keep students safe from harm and that the school regularly reviews its systems to ensure they are appropriate and effective.

### Definitions

Radicalisation is defined as the act or process of making a person more radical or favouring of extreme or fundamental changes in political, economic or social conditions, institutions or habits of the mind.

Extremism is defined as the holding of extreme political or religious views.

## Procedures for referrals

It is important for us to be constantly vigilant and remain fully informed about the issues which affect the region in which we teach. We remind staff to suspend any professional disbelief that instances of radicalisation '*could not happen here*' and to refer **any** concerns to the designated child protection teams (See **APPENDIX 2**).

The Prevent Duty is the duty in the Counter-Terrorism and Security Act 2015 on specified authorities, in the exercise of their functions, to have due regard to the need to prevent people from being drawn into terrorism.

The Prevent Duty does not require schools to carry out intrusion into family life but as with any other safeguarding risk the Academy will take action when they observe behaviour of concern.

The Designated Person will seek advice from Children's Services to identify when it is appropriate to make a referral to the Channel programme

[www.gov.uk/government/publications/protecting-children-from-radicalisation-the-prevent-duty](http://www.gov.uk/government/publications/protecting-children-from-radicalisation-the-prevent-duty)

## The role of the curriculum

Our curriculum promotes respect, tolerance and diversity. Children are encouraged to share their views and recognise that they are entitled to have their own different beliefs which should not be used to influence others.

Our PSHE (Personal, Social and Health Education), Citizenship and SMSC (Spiritual, Moral, Social and Cultural) provision is embedded across the curriculum and underpins the ethos of our school.

We strive to equip our students with confidence, self-belief, respect and tolerance as well as setting high standards and expectations for themselves.

Children are regularly taught about how to stay safe when using the internet and are encouraged to recognise that people are not always who they say they are online. They are taught to seek adult help if they are upset or concerned about anything they read or see on the internet.

## Staff training

Staff receive training to enable them to identify children who may be vulnerable to radicalisation and how to respond. This is seen as part of school staff wider safeguarding duties and is similar in nature to protecting children from other harms whether these come from within their family or are the product of outside influences. The Designated Safeguarding Lead has undertaken Prevent Awareness training and is able to provide advice and support to other members of staff on protecting children from the risks of radicalisation.

## Child sexual and criminal exploitation

### Introduction

*“The sexual exploitation of children and young people under 18 involves situations, contexts and relationships where young people (or a third person or persons) receive ‘something’ (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of performing, and / or others performing on them, sexual activities. Child sexual exploitation can occur through use of technology without the child’s immediate recognition, for example the persuasion to post sexual images on the internet / mobile phones with no immediate payment or gain. In all cases those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources.”* The National Working Group for Sexually Exploited Children & Young People, 2008

As per the *All Party Parliamentary Group report on Runaway and Missing Children and Adults (March 2016)*, patterns of grooming of children for criminal exploitation are very similar to those of sexual exploitation. Historically, child sexual exploitation was often perceived amongst professionals as the victim’s fault or due to their risky behaviour. We believe that in some areas of the UK a similar culture exists around criminal exploitation by gangs.

The market in illegal drugs is a key activity for gang involved children and young people who are also being recruited to travel to areas away from home in order to sell them. In the worst cases this can be a form of child trafficking as young people find themselves in unsafe environments, completely isolated and with no way of contacting anyone for support.

Perpetrators of Child Criminal Exploitation may be children or young people who themselves have previously been (or are currently being) criminally exploited and victims of Child Criminal Exploitation

### Our priorities

Academies forming Cuckoo Hall Academies Trust recognise the need to make clear their commitment to deal effectively with Child Sexual Exploitation (CSE) and Child Criminal Exploitation (CCE). Each academy within the trust will ensure that: -

- They identify, and make known to staff and pupils, designated lead staff for CSE / CCE who are fully trained and update their training regularly. (This will usually be the same staff named in **APPENDIX 2**)
- All staff are made aware of and understand CSE / CCE indicators and referral pathways,
- Pupils are taught about CSE / CCE and how to protect themselves and each other,
- Pupils are taught about healthy (including sexual) relationships, peer pressure, bullying, e-safety, gang activity etc, and how these topics can relate to CSE / CCE.
- Pupils know who to go to for help and support and to whom they should report CSE / CCE concerns
- Relevant staff work in partnership with other agencies,

- Procedures are in place to continually gather, record and share CSE CCE information with the Enfield Children's Service's as soon as practicable, including ongoing data on pupils running away or going missing for episodes,
- They consider effective ways of raising awareness of CSE / CCE with parents / carers.

## What to look out for

### Vulnerabilities

ALL children and young people, including those from supportive families can be vulnerable to sexual and criminal exploitation. However, some children and young people are known to be at greater risk. For example, those that have: -

- a chaotic home / family life,
- a history of abuse (including familial child sexual abuse, risk of forced marriage, risk of so called 'honour'-based violence, physical abuse, emotional abuse or neglect),
- experienced loss/bereavement,
- associations with gangs through relatives / peers, or are living in a gang neighbourhood,
- friendships with children / young people who are being sexually exploited,
- learning difficulties,
- hostel / bed & breakfast accommodation or live in residential care,
- low self-esteem / confidence,
- responsibilities as a 'young carer' (i.e. have caring responsibilities for parents' / family members with mental or physical health problems, or who are misusing substances).

### Warning signs

Children and young people who are being sexually / criminally exploited may be: -

- going missing from home or care,
- persistently absent from school,
- increasing their use of social media, dating sites, image sharing apps etc,
- involved in risky online relationships including new contacts with people out of city,
- sharing inappropriate / indecent online images with peers, or with people only met online,
- becoming isolated / estranged from family and friends,
- meeting people befriended online,
- involved in offending behaviour,

- misusing drugs / alcohol,
- experiencing sexual cyber-bullying,
- changing their physical appearance,
- experiencing repeated sexually transmitted infections, pregnancy and terminations,
- in poor mental health and / or self-harming, having thoughts of, or attempting, suicide,
- receiving money & gifts from unknown sources.

### **Online sexual exploitation includes:**

- befriending through online chat rooms/messaging services
- online grooming techniques, e.g. stalking, identity pretence, false promises e.g. meeting celebrities, tickets, gifts
- asking children to take and share indecent images of themselves
- leverage for further demands (e.g. threat to show other people recorded sexual acts by child / young person).
- arranging offline meeting for purpose of sexually abusing child
- contact from perpetrators in other countries, & abused online
- speed of grooming can be very quick - leaving little 'thinking time' (the restrained influencing of a child over several months has been largely replaced by rapid escalation to threats, intimidation and coercion).

### **Risk assessment and consent**

In assessing whether a child or young person is a victim of sexual exploitation, or at risk of becoming a victim, careful consideration should be given to the issue of consent. It is important to bear in mind that:

- sexual activity with a child under 16 is an offence;
- a child under the age of 13 is not legally capable of consenting to sex (it is statutory rape) or any other type of sexual touching;
- it is an offence for a person to have a sexual relationship with a 16 or 17 year old if they hold a position of trust or authority in relation to them;
- where sexual activity with a 16 or 17 year-old does not result in an offence being committed, it may still result in harm, or the likelihood of harm being suffered;
- non consensual sex is rape whatever the age of the victim;

- if the victim is incapacitated through drink or drugs, or the victim or his or her family has been subject to violence or the threat of it, they cannot be considered to have given true consent and therefore offences may have been committed.
- child sexual exploitation is therefore potentially a child protection issue for all children under the age of 18 years and not just those in a specific age group.

## What to do next

Any member of staff who suspects or receives information that a child or young person may be involved in sexual or criminal exploitation (including suspicion that they are being groomed online), should refer their concerns to their Designated Safeguarding Team (See **APPENDIX 2**). It is they who will refer the matter to Children's Social Care.

If there are concerns about the involvement of a person who:

- works with children; *and / or*
- is in a position of trust

The Local Authority Designated Officer (LADO) will be informed in line with our *procedures for dealing with allegations of abuse against staff* (Please see **APPENDIX 11**)

Where appropriate, the child or young person's wishes and feelings, as well as those of their parents / carers should be sought and taken into consideration when deciding how to proceed unless to do so would not be in the child or young person's best interest and may put them at further risk of harm.

Some children or young people may have been trafficked and will need support to access services. Practitioners should refer to the 'Designated Competent Authorities' based within the United Kingdom Human Trafficking Centre (UKHTC) and The United Kingdom Border Agency (UKBA). Their contact details are below.

## Useful contacts and web links / hyperlinks

### Enfield Safeguarding Children Board

<https://new.enfield.gov.uk/enfieldscb/>

### Parents against child sexual exploitation

PACE is the leading national charity working with parents / carers of sexually exploited children

<http://paceuk.info/>

### National Crime Agency | Modern Slavery Human Trafficking Unit (MSHTU)

[www.nationalcrimeagency.gov.uk/about-us/what-we-do/specialist-capabilities/uk-human-trafficking-centre](http://www.nationalcrimeagency.gov.uk/about-us/what-we-do/specialist-capabilities/uk-human-trafficking-centre)

### 'Thinkuknow'

Information about 'selfies' and 'sexting'

[www.thinkuknow.co.uk](http://www.thinkuknow.co.uk)



### **Barnardo's | Spot the signs**

Advice for parents, professionals and young people on the signs of sexual exploitation and how to keep safe.

[http://www.barnardos.org.uk/get\\_involved/campaign/cse/spotthesigns.htm](http://www.barnardos.org.uk/get_involved/campaign/cse/spotthesigns.htm)

## **Further information**

### **Child abuse concerns: guide for practitioners**

Guidance to help practitioners identify the signs of child abuse and neglect and understand what action to take

[www.gov.uk/government/publications/what-to-do-if-youre-worried-a-child-is-being-abused--2](http://www.gov.uk/government/publications/what-to-do-if-youre-worried-a-child-is-being-abused--2)

### **NSPCC (Sexting)**

[www.nspcc.org.uk/preventing-abuse/keeping-children-safe/sexting](http://www.nspcc.org.uk/preventing-abuse/keeping-children-safe/sexting)

## Procedure for dealing with allegations of abuse against staff

### Introduction

All academies forming part of Cuckoo Hall Academies Trust take the responsibility of caring for children seriously.

We recognise that any possibility that a member of staff or volunteer may have hurt a child must not only be investigated thoroughly, but in a way that does not prejudice either the child or the member of staff.

Any investigation of an allegation of abuse against a member of staff or volunteer must follow the professional standards and routines described in this policy and will be undertaken in accordance with the guidelines laid out in 'Keeping Children Safe in Education – Statutory guidance for schools and colleges'. <https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

### Initial allegation made to the academy

It is our policy that any allegation of abuse made by a member of staff, volunteer or student must be reported immediately to the respective academy's Head teacher and it is the responsibility of the adult, to whom that disclosure is made, to do so.

In the absence of the Head teacher, the allegation should be reported to a member of the academy's designated child protection team (See **APPENDIX 2**)

The Head teacher will report the allegation to the Chief Executive Officer on the same day that the allegation is received, should it meet any of the following criteria where any member of staff (including a volunteer or visiting professional) in the school has: -

- behaved in a way that has harmed a child, or may have harmed a child;
- possibly committed a criminal offence against or related to a child; or
- behaved towards a child or children in a way that indicates he / she would pose a risk to children (which includes cases of verbal abuse).

The Chief Executive Officer may wish to seek procedural advice from the Trust's Safeguarding Manager and / or from the local authority.

There may be up to 3 strands in the consideration of an allegation: -

- a police investigation of a possible criminal offence
- enquiries and assessment by children's social care about whether a child is in need of a protection or in need of services (Social Services).
- consideration by the school of disciplinary action in respect of the individual.

Should the allegation relate to / be made against a Head teacher, this should be brought to the attention of the Chief Executive Officer (CEO) immediately

Should the allegation be made against the Chief Executive Officer (CEO) then this should be brought to the attention of the Chair of the Board of Trustees immediately.

## Initial consideration

Before investigating the allegation or discussing the allegation with the staff member in question the Head teacher must discuss the matter with the Local Authority Designated Officer (LADO) to provide any details of the allegation and the circumstances in which it was made in accordance with our legal duty. The Chief Executive Officer should also be informed who will notify the Board of Trustees where appropriate.

The LADO will advise whether or not informing the parent / carers of the child (fully or partially) will impede the investigation. If it is agreed the information can be fully or partially shared, the Head teacher will inform the parent / carer. In the event the child is injured and requires medical treatment the parent / carer may need to be informed straightaway.

The Head teacher will also seek advice from the LADO, the police and / or Local Authority children's social care to agree what information can be disclosed to the person accused. This should be as soon as possible to inform of the nature of the allegation, how the enquiry will be conducted and the possible outcomes (e.g. disciplinary action, and dismissal or referral to the barring lists or regulatory body). If the person is a member of a union or professional association, he / she will be advised to contact that organisation.

The LADO will identify and make any necessary referrals to external agencies.

If the allegation is about physical contact, the strategy discussion and initial evaluation with the police will take into account the fact that teachers and other school staff are at liberty to use reasonable force to control or restrain pupils in certain circumstances, including dealing with disruptive behaviour (in line with Section 93 of the *Education and Inspections Act 2006*).

[www.legislation.gov.uk/ukpga/2006/40/contents](http://www.legislation.gov.uk/ukpga/2006/40/contents)

## Action following initial consideration

Where the initial consideration decides that it does not involve a possible criminal offence, the responsibility of dealing with the allegation rests with the Head teacher. In such cases, and if the nature of the allegation does not require the involvement of external agencies, it will be progressed in accordance with the appropriate internal procedures.

Where further investigation is required to inform consideration of disciplinary action the Head teacher should discuss who will undertake that with the LADO.

## Case subject to police investigation

If the police and / or Crown Prosecution Service (CPS) decide not to charge the individual with an offence, or decide to administer a caution, or the person is acquitted by a Court, the police should wherever possible aim to pass to the Head teacher, all information they have which may be relevant to a disciplinary case. In those circumstances the Head teacher and the LADO should proceed as described above.

## Supporting those involved

With the agreement of the LADO and / or Reviewing Officer, parents or carers of a child or children involved will be told of the allegations as soon as possible if they are not already aware. They will

also be kept informed about the progress of the case and told the outcome where there is not a criminal prosecution.

**Parents and carers should also be made aware of the requirement to maintain confidentiality about any allegations made against teachers whilst investigations are ongoing.** If parents or carers wish to apply to the court to have reporting restrictions removed, they should seek legal advice.

The legislation imposing restrictions makes clear that “publication” of material that may lead to the identification of the teacher who is the subject of the allegation is prohibited.

Publication includes “any speech, writing, relevant programme or other communication in whatever form, which is addressed to the public at large or any section of the public”. For example, a parent who published details of the allegation on a social networking site would be in breach of the reporting restrictions (if what was published could lead to the identification of the teacher by members of the public).

**N.B.** The deliberations of a disciplinary hearing and the information taken into account in reaching the decision cannot normally be disclosed, but the parents or carers of the child will be told the outcome. In such cases where a child may have suffered significant harm or there may be a criminal prosecution, children’s social care or the police as appropriate will be consulted by the Head teacher or Chief Executive Officer to consider what support the child may need. They will also keep the person who is the subject of the allegation informed of the progress of the case and consider what other support is appropriate for the individual.

Please see Section 141F of the Education Act 2002 (as inserted by Section 13 of Part 3 of the 2011 amendments) [www.legislation.gov.uk/ukpga/2011/21/section/13/enacted](http://www.legislation.gov.uk/ukpga/2011/21/section/13/enacted)

## Timescales (monitoring)

It is in everyone’s interest to resolve cases as quickly as possible, consistent with a fair and thorough investigation. Every effort will be made to manage cases to avoid any unnecessary delay whilst co-operating fully with the relevant agencies.

## Suspension

Suspension will be considered in any case where there is cause to suspect a child is at risk of significant harm, or the allegation warrants investigation by the police, or is so serious that it might be grounds for dismissal. However, a person will not be suspended automatically, or without careful thought.

Any suspension will be considered under the terms of our disciplinary policy. Decisions will be made after consultation with the LADO who will canvass police / social services views about whether the accused member of staff needs to be suspended from contact with children, so as to inform the school’s consideration of suspension. The Head teacher or the Chief Executive Officer will keep the individual informed about developments at school.

Social contact with colleagues and friends should not be prevented unless there is evidence to suggest that such contact is likely to be prejudicial to the gathering and presentation of evidence.

## Action on conclusion of a case

In cases where it is decided that a person who has been suspended can return to work, the academy will consider how best to facilitate that and we appreciate that most people will benefit from some help and support. Depending on the individual's circumstances, a phased return and / or the provision of a monitor to provide assistance with support may be appropriate. The school will also consider how the person's contact with the child or children who made the allegation can be best managed if they are still attending the school

## Record keeping

The following definitions should be used when determining the outcome of allegation investigations:

- **Substantiated**  
There is sufficient evidence to prove the allegation
- **Unsubstantiated**  
There is insufficient evidence to either prove or disprove the allegation The term, therefore, does not imply guilt or innocence
- **False**  
There is sufficient evidence to disprove the allegation
- **Malicious**  
There is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive

Whilst records of allegations and subsequent actions are held securely, details of allegations that are found to have been malicious should be removed from the personnel record of that member of staff.

For all other allegations, it is important that a clear and comprehensive summary of the allegation, details of how the allegation was followed up and resolved, and a note of any action taken and decisions reached, is kept on the confidential personnel file of the accused, and a copy provided to the person concerned.

## Action in respect of false allegations

If an allegation is found to be false, the Head teacher will refer the matter to Children's social services to determine whether the child concerned is in need of services, or may have been abused by someone else. In the rare event that an allegation is shown to have been deliberately invented or malicious, the Head teacher will consider whether any disciplinary action is appropriate against the pupil who made it, or the police should be asked to consider whether any action might be appropriate against the person responsible if he / she was not a pupil.

## Resignation and settlement agreements

Every effort will be made to reach a conclusion in all cases even if: -

- The individual refuses to cooperate, having been given a full opportunity to answer the allegation and make representations.
- It may not be possible to apply any disciplinary sanctions if a person's period of notice expires before the process is complete.

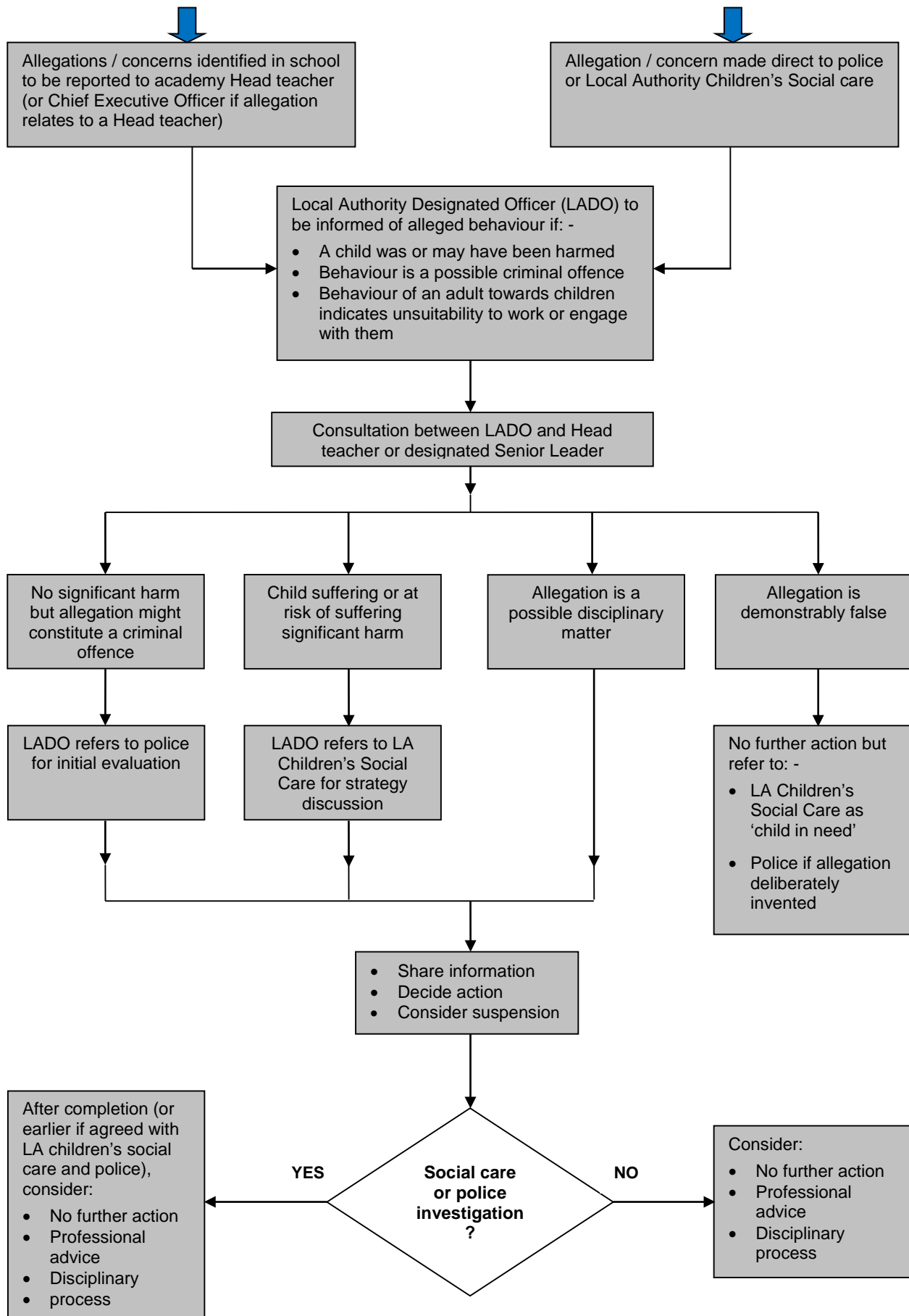
If the accused person resigns, or ceases to provide their services, this should not prevent an allegation being followed up in accordance with this guidance. A referral to the DBS must be made, if the criteria for a referral are met and those circumstances it will not be appropriate to reach a settlement / compromise agreement.

A settlement agreement which prevents the academy from making a DBS referral when the criteria has been met would likely result in a criminal offence being committed as the academy would not be complying with its legal duty to make the referral.

## Learning lessons

At the conclusion of a case in which an allegation is substantiated, the academy will review the circumstances of the case to determine whether there are any improvements to be made to the school or college's procedures or practice to help prevent similar events in the future. This should include issues arising from the decision to suspend the member of staff, the duration of the suspension and whether or not suspension was justified. Lessons should also be learnt from the use of suspension when the individual is subsequently reinstated.

### Procedure for dealing with allegations of abuse against staff flow chart



## Safeguarding and child protection concern report

**Do not delay** in reporting your concern, where you are concerned that a child may be at immediate risk contact a member of the Safeguarding Team **immediately** away and then submit this form within 24 hours of the initial report

Academy (please tick)				
 <input type="checkbox"/>	 <input type="checkbox"/>	 <input type="checkbox"/>	 <input type="checkbox"/>	 <input type="checkbox"/>

### Details

<b>PUPIL'S NAME:</b>	<b>Date of birth:</b>
<b>Class teacher:</b>	<b>Year group:</b>

### Cause of concern



Your response / actions so far

Date and time of incident or period of time that you have had this concern

Additional information including background, interaction with parents etc.

<b>Body map included?</b>	Please tick either <b>Yes</b> <input type="checkbox"/>	or <b>No</b> <input type="checkbox"/>
---------------------------	--	---------------------------------------

Reported by:	Reported to:
Signature:	Date:

### Body Map

These body maps may be photocopied as required.

Only complete the body map if the injuries are clearly visible or shown to you freely.

Please note on the body map any bruising, scars, injuries, red marks etc giving as much detail as possible under the prevailing circumstances as to size, colour and so on.

