

# SAFEGUARDING AND CHILD PROTECTION POLICY 2023/2024



## Policy Cover Sheet

Please fill in the following details:

Policy Name	Safeguarding and Child Protection Policy
Version Number	V2
Policy Owner	Tracey Marrow
Release Date	September 2023
Policy valid for	1 year

Documents included:

Completed Checklist (below)	
Policy text	
Filled in EIA	

Where should this policy be shared? All policies will be shared on the HUB.

The HUB	X
Net Consent	X
Website	X

### Policy Checklist

Have you completed the following tasks:

Used the Microsoft Accessibility Checker	X
Used formatted headings	
Used Arial 12pt font	X
Included numbered paragraphs	X
Included page numbers	X
Included alternative text for all images which accurately describe what's in the picture	/
Checked for gender neutral language e.g. remove dinner ladies, workmen, he/she and replaced with servers, contractors, they.	X
Used the full phrase instead of the acronym at least the first time	X
Used the spelling and grammar check	X
Gained feedback from colleagues to ensure the policy is clear and accurate	X
Included any legal, social or organisational changes since the last policy review	X
Reviewed the connected policies to ensure they are still active	X
Filled in the change log	X
Listened to the policy using the accessible reader	/
Reviewed the policy flowchart	X
Informed the EDI Manager of upcoming policy deadlines	X

### Sign Off: To be filled in by the named person only

	Name	Date
SLT	Caroline Street	
Corporation (if required)		
Trade Union		
EIA		

## Change log

Changes from 22/23	Rationale/ Initiator	Date completed
Amended names and contact details	New staff	Sept 2023
1.3 (pg6&7) Legislation and guidance all updated to current versions	Updated legislation	Sept 2023
4.3.14 Online training to include new Filtering and Monitoring and additional updates	KCSIE 2023	Sept 2023
4.3.1 Updated with Children absent from education	KCSIE 2023	Sept 2023
4.49 New paragraph added in relation to Governors responsibilities to Children absent from education	KCSIE 2023	Sept 2023
4.6 DSL additional responsibility re Online filtering and monitoring	KCSIE 2023	Sept 2023
10.2 New section added on Online Filtering and monitoring	KCSIE 2023	Sept 2023
3.46 Private Fostering updated with regulations and guidance	KCSIE 2023	Sept 2023
3.49 New section added on Serious youth Violence	Emerging theme	Sept 2023
Appendix 2 New section on College response to children missing from education	KCSIE 2023	Sept 2023

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EHASH	Multi agency complex early help and safeguarding hub	0300 303 0440
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Hopwood Hall College has a moral and statutory duty to safeguard and promote the mental and physical welfare of all its learners and fully recognises the contribution it can make to protect and support them. The College will endeavour to create and maintain a safe and welcoming learning environment where they are respected and valued. The college will identify where there are safeguarding concerns regarding its learners and take action to address them in partnership with other organisations where appropriate.

This policy is based on the Department for Education's statutory guidance, [Keeping Children Safe in Education 2023](#) ([publishing.service.gov.uk](#)), [Working Together to Safeguard Children \(2018\)](#), and the [Governance Handbook](#).

We comply with this guidance and the arrangements agreed and published by our 3 local safeguarding partners via Rochdale Borough Safeguarding Children Partnership (RBSCP).

Local safeguarding partners, are identified in Keeping Children Safe in Education (and defined in the Children Act 2004, as amended by chapter 2 of the Children and Social Work Act 2017). They are responsible for child protection policy, procedure and guidance at a local level.

The local safeguarding arrangements are led by three statutory safeguarding partners:

- the local authority
- the integrated care board (ICB, previously clinical commissioning group or 'CCG')
- the police.

In line with RBSCP requirements, we adhere to Greater Manchester multi-agency safeguarding procedures [Welcome \(proceduresonline.com\)](#) and the Rochdale Children's Needs and Responses Framework [Rochdale Safeguarding Partnership Board - Children's Needs & Response Framework](#)

This policy is also based on the following legislation:

- [The Children Act 1989](#) (and [2004 amendment](#)), which provides a framework for the care and protection of children
- Section 5B(11) of the Female Genital Mutilation Act 2003, as inserted by section 74 of the [Serious Crime Act 2015](#), which places a statutory duty on teachers to report to the police where they discover that female genital mutilation (FGM) appears to have been carried out on a girl under 18
- [Statutory guidance on FGM](#), which sets out responsibilities with regards to safeguarding and supporting girls affected by FGM
- [The Rehabilitation of Offenders Act 1974](#), which outlines when people with criminal convictions can work with children

- Schedule 4 of the [Safeguarding Vulnerable Groups Act 2006](#), which defines what ‘regulated activity’ is in relation to children
- [Statutory guidance on the Prevent duty](#), which explains schools’ duties under the Counter-Terrorism and Security Act 2015 with respect to protecting people from the risk of radicalisation and extremism
- [The Human Rights Act 1998](#), which explains that being subjected to harassment, violence and/or abuse, including that of a sexual nature, may breach any or all of the rights which apply to individuals under the [European Convention on Human Rights](#) (ECHR)
- [The Equality Act 2010](#), which makes it unlawful to discriminate against people regarding particular protected characteristics (including disability, sex, sexual orientation, gender reassignment and race). This means our governors and headteacher should carefully consider how they are supporting their students with regard to these characteristics. The Act allows our school to take positive action to deal with particular disadvantages affecting students (where we can show it’s proportionate). This includes making reasonable adjustments for disabled students. For example, it could include taking positive action to support girls where there’s evidence that they’re being disproportionately subjected to sexual violence or harassment
- [The Public Sector Equality Duty \(PSED\)](#), which explains that we must have due regard to eliminating unlawful discrimination, harassment and victimisation. The PSED helps us to focus on key issues of concern and how to improve pupil outcomes. Some students may be more at risk of harm from issues such as sexual violence; homophobic, biphobic or transphobic bullying; or racial discrimination

- 1.2. The Principal and the Board of Governors recognise their responsibility in ensuring that arrangements are in place to safeguard and promote the welfare of our students, as defined and required by the relevant statutory instruments.
- 1.3. This policy must be read in conjunction with other college policies which detail specific responsibilities for other aspects of safeguarding.
- 1.4. The policy applies to all adults: staff including temporary<sup>1</sup>, governors and volunteers at the college. Safeguarding is the responsibility of **all** adults and especially those working with children, young people and vulnerable adults. We recognise that all adults have a full and active part to play in protecting our students from harm, and that the child or young person’s welfare is our paramount concern.

## 2. AIM

Hopwood Hall College recognises that safeguarding and promoting the welfare of children is everybody’s responsibility and that the best interest of the child are paramount. Everyone who comes into contact with children and their families has a vital role to play. Accordingly, whatever the form of concerns, abuse or harm, all staff should *act in the best interests* of the child / young person or vulnerable adult first when determining what action to take.

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<sup>1</sup> Wherever the word “staff” is used, it covers ALL staff on site, including ancillary supply and self-employed staff, contractors, volunteers working with children etc, and governors

To ensure all staff are informed and aware of the College's Safeguarding and Child Protection policy and procedures to enable them to feel confident to meet their safeguarding responsibilities and report possible cases of abuse;

To provide an environment in which children and young people feel safe, secure, valued and respected, and feel confident, and know how to approach adults if they are in difficulties, believing they will be effectively listened to.

There are **two key principles** that underpin safeguarding practices, these are:

**Safeguarding is everyone's responsibility:** for services to be effective each professional and organisation should play their full part;

**A child or vulnerable adults centred approach:** for services to be effective they should be based on a clear understanding of the needs and views of children, learners and vulnerable adults within the setting. Staff should at all times consider what is in the best interest of the child / young person.

As defined in ***Working Together to Safeguard Children (2018) guidance:***

Safeguarding and promoting the welfare of children means:

**Protecting** children from maltreatment

**Preventing** impairment of children's' mental and physical health or **development**

**Ensuring** that children grow up in circumstance consistent with the provision of safe and effective care

**Taking action** to enable all children to have the best outcomes

### 3. ROLES AND RESPONSIBILITIES

To ensure all members of our college community fully understand their safeguarding responsibilities, it is our expectation that staff read and ensure they understand part 1 and annex B of the Department for Education's statutory safeguarding guidance, [Keeping Children Safe in Education](#), and review this guidance at least annually.

- 3.1. There may however, be limited circumstances where senior leadership determine that an individual staff member or group of staff would obtain a better understanding of their safeguarding responsibilities by instead reading the condensed version of part 1, which is held at Annex A of [Keeping Children Safe in Education](#).
- 3.2. All staff will sign a declaration at the beginning of each academic year to say that they have reviewed Keeping Children Safe in Education Part One.
- 3.3. **All staff will be aware of:**
  - Our systems which support safeguarding, including this Safeguarding and Child Protection Policy.



- The staff code of conduct, Staff behaviour Policy and guidance for safe working practice (Professional Guidelines) including allegations against staff, low-level concerns and Speaking Out (whistleblowing).
- The safeguarding response to children who are absent from education, particularly on repeat or prolonged occasions and/or prolonged periods, (see also the Attendance policy).
- The role and identity of the designated safeguarding lead (DSL) and deputies,
- The early help assessment process and their role in it, including identifying emerging needs, liaising with the DSL, and sharing information with other professionals to enable the right support to be offered to learners' families at the earliest opportunity.
- The process for making referrals to local authority Local Authority Children's Social care and for statutory assessments that may follow a referral, including the role they might be expected to play
- What to do if they identify a safeguarding issue or a child tells them they are being abused or neglected, including specific issues such as FGM, and how to maintain an appropriate level of confidentiality while liaising with relevant professionals
- The signs of different types of abuse and neglect, as well as specific safeguarding issues, such as child-on-child abuse, child sexual exploitation (CSE), child criminal exploitation (CCE), indicators of being at risk from or involved with serious violent crime, FGM and radicalisation
- The importance of reassuring 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 not reporting any form of abuse and/or neglect. Not should a victim ever be made to feel ashamed for making a report.
- how best to build trusted relationships with children and young people which facilitate communication.
- The fact that children can be at risk of harm inside and outside of their home, at school and online and that disclosure is rarely a straightforward process.
- The fact that children who are (or who are perceived to be) lesbian, gay, bisexual or transgender (LGBT) or those with other protected characteristics, can be targeted by other children
- What to look for, including non-verbal disclosures, to identify children who need help or protection
- the College operates safe recruitment procedures by ensuring that there is at least one person on every recruitment panel that has completed Safer Recruitment training and that a safeguarding question is asked to all applicants;
- there are procedures for reporting and dealing with allegations of abuse against members of staff and volunteers and to make a referral to the DBS if a person in regulated activity has been dismissed or removed due to safeguarding concerns, or would have had they not resigned;
- all staff receive appropriate safeguarding and child protection training (including online safety which includes roles and responsibilities in relation to filtering and monitoring) at induction. This training to be updated as appropriate at least



every 2 years. In addition, **all** staff should receive regular safeguarding updates to continue to provide them with relevant knowledge to safeguarding effectively.

3.4. **The Governing body** understands and is committed to ensuring that the College fulfils its responsibility on safeguarding and child protection and understands the requirements placed on them by the Human Rights act 1998, the Equality Act 2010 and what these mean in practice. They will:

- Receive appropriate safeguarding and child protection (including online) training at induction. This training should equip them with the knowledge to provide strategic challenge to test and assure themselves that the safeguarding policies and procedures in place in college are effective and support the delivery of a robust whole college approach to safeguarding ensuring that safeguarding and child protection are at the forefront and underpin all relevant aspects of process and policy development. Their training should be updated every two years.
- Evaluate and approve this policy at each review, ensuring it complies with the law, and hold the Principal to account for its implementation
- Be aware of its obligations under the Human Rights Act 1998, the Equality Act 2010 (including the Public Sector Equality Duty), and our school's local multi-agency safeguarding arrangements.
- Provide appropriate oversight and challenge to ensure college have the appropriate level of security protection procedures in place in order to safeguard their systems, staff and learners and ensure a annual review of these procedures takes place to keep up with evolving cyber-crime technologies.
- Appoint a link Governor to monitor the effectiveness of this policy in conjunction with the full governing board.

They will ensure that:

- The DSL has the appropriate status and authority to carry out their job, including time, funding, training, resources and support
- Online safety is a running and interrelated theme within the whole-college approach to safeguarding and related policies
- The leadership team and relevant staff are aware of and understand the IT filters and monitoring systems in place, manage them effectively and know how to escalate concerns
- The college has procedures to manage any safeguarding concerns (no matter how small) or allegations that do not meet the harm threshold (low-level concerns) about staff members (including supply staff, volunteers and contractors).
- there is a staff behaviour and conduct policy in place (Professional Guidelines for Staff);
- the College operates safer recruitment procedures by ensuring that there is at least one person on every recruitment panel that has completed Safer Recruitment training and that a safeguarding question is asked to all applicants;

- there are procedures for reporting and dealing with allegations of abuse against members of staff and volunteers and to make a referral to the DBS if a person in regulated activity has been dismissed or removed due to safeguarding concerns, or would have had they not resigned;
- Ensures **that appropriate safeguarding arrangements** in place to respond to children who are absent from education, particularly on repeat occasions and/or for prolonged periods.
- a member of the Governing Body is nominated to liaise with the LA on Child Protection issues and in the event of an allegation of abuse made against the Principal.
- enhanced DBS checks are in place for Governors;
- the **Designated Governor** from the Corporation is Steve Taylor;
- the **College Principal** has overall responsibility for Safeguarding and Child Protection and will ensure that reports to Governors are made at least annually.
- All governors will read Keeping Children Safe in Education in its entirety.

3.5. The **Designated Governor** is responsible for liaising with the Principal and Senior Staff Member with Lead Responsibility over matters regarding safeguarding, including:

- ensuring that the College has procedures and policies which are consistent with the Local Safeguarding Board's procedures;
- ensuring that the governing body considers the College policy on safeguarding each year;
- ensuring that each year the Governing Body is informed of how the College and its staff have complied with the policy, including but not limited to, a report on the training that staff have undertaken and safeguarding incidents;
- overseeing the liaison with external agencies in connection with allegations made against the Principal or Staff Member with Lead Responsibility. This will not involve undertaking any form of investigation, but will ensure clear and transparent communication between the parties and provide information to assist enquiries;
- to assist in these duties, the Designated Governor shall receive appropriate training

### 3.6. **Designated Safeguarding Lead and SLT Safeguarding Lead**

The College has named senior member of staff and a member of the Senior Leadership Team with lead responsibility for Safeguarding and Child Protection including online safety and understanding the filtering and monitoring systems and processes in place). Together they will:

- Have a duty to take lead responsibility for raising awareness within the staff of issues relating to the welfare of young people and vulnerable adults, and the promotion of a safe environment for both learning and those being cared for within the College;
- Ensure that Safeguarding and Child Protection concerns or allegations against adults working in the college are referred to the Local Authority Designated Officer (LADO) for advice, and that any member of the staff

found not to be suitable to work with children will be notified to the DBS for consideration for barring;

- Act as the specific person of contact for Prevent and Channel referrals. To take a lead role for concerns raised regarding extremism, radicalisation;
- Provide and take a lead on single agency training to staff and governors;
- Ensure policies and procedures are reviewed and updated;
- Receive training in safeguarding and inter-agency working, as required by the Rochdale Borough Safeguarding Children Board (RBCSB);
- Provide reports to Governors at least annually with details of changes to policy and procedure, training undertaken by DSOs, and by all staff and governors, number and type of incidents / cases, and number of children on the child protection register;
- Receive refresher training at least every 2 years;
- Lead on whole college training;
- Keep up to date with developments in safeguarding issues.

### **3.7. The Designated Safeguarding Officers (DSOs):**

- Receive training in safeguarding and inter-agency working, as required by RBSCB, and will receive refresher training at least every year and Advanced Safeguarding training every 2 years;
- Know how to receive and make an appropriate referral;
- Ensure college records are maintained and up to date;
- Are available to provide advice and support to other staff on issues relating to safeguarding
- Will deal with individual cases, including attending case conferences and review meetings as appropriate;
- Ensure names and contact details of DSOs and a statement explaining the college's role in referring and monitoring cases of suspected abuse is clearly advertised in the college and are a part of student induction;
- Support the Senior DSO with college wide staff training;
- Support the Designated Person for Looked After Children (LAC) and Care Leavers and have responsibility for liaising with the Local Authority Personal Advisor for any issue of concern affected LACs or Care Leavers
- Support the DSL with referrals to Channel.
- Responsible for High Risk students
- Ensure Pastoral Welfare Team carry out their safeguarding roles according to policy and guidelines

### **3.8. The Principal must:**

- ensure that the child protection policy and code of conduct are implemented and followed by all staff.
- Allocate sufficient time, training, support and resources, including cover arrangements when necessary, to enable the DSL and deputy to carry out their roles effectively, including the assessment of students and attendance at strategy discussions and other necessary meetings.
- Ensure that students are provided with opportunities throughout the curriculum to learn about safeguarding, including keeping themselves safe online.
- Liaise with the Designated Officer where an allegation is made against a member of staff.

- ensure that anyone who has harmed or may pose a risk to a child is referred to the Disclosure and Barring Service.
- undertake training at least every three years in safeguarding and child protection.
- ensure that the college/school has a clear line of accountability in their individual college/school for the management and supervision of safeguarding and child protection; to ensure staff are competent to carry out their responsibilities for safeguarding and promoting the welfare of students in order that staff members feel able to raise concerns about a student
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3.9. **The DSL and DSO's** are also responsible for:

- Overseeing the referral of cases of serious harm;
- Providing advice and support to other staff on issues relating to safeguarding;
- Maintaining a proper record of any safeguarding referral, complaint or concern (even where that concern does not lead to a referral);
- Ensuring that parents of young people and vulnerable adults within the College are aware of the College's Safeguarding and Child Protection Policy;
- Liaising with agencies as appropriate;
- To ensure that appropriate arrangements / protocols are followed to safeguard them whilst undertaking college programmes;
- Ensuring that they or identified staff attend case conferences, core groups, or other multi-agency planning meetings, contribute to assessments, and provide a report which has been shared with parents;
- Ensure accurate, effective and timely record keeping;
- Ensuring that any young people on child protection plans who are unexpectedly absent from college for 2 or more consecutive days is referred to their key worker in the social care team;
- Ensuring that staff receive basic training in safeguarding issues and are aware of the College safeguarding procedures at induction and on a renewal basis;
- Ensuring safer recruitment procedures are in place (HR);
- Overseeing allegations made against members of staff;
- Provide support to staff working with children and young people who have or are suffering from harm, or who find themselves in stressful and upsetting situations from a safeguarding concern;
- Reporting annually to the governing body of the College on how the College has discharged its duties; and
- Reporting deficiencies in procedure to the governing body at the earliest opportunity.

3.10. **The Pastoral Welfare Officers (PWOs)** will also act as **Safeguarding Officer(s) (SOs)** for the College in the absence of a member of the main Safeguarding Team. PWOs are appropriately trained and carry out those functions necessary to ensure the on-going safety and protection of students. In the event of the long-term absence of the designated person, the PWOs will assume all of the functions above. The PWOs will be based out of the HUB and will provide early help and support to learners for a range of pastoral, welfare and mental health concerns.

#### 4. DISCLOSURE OF ABUSE AND REPORTING CONCERNS: If a child is suffering or likely to suffer harm, or in immediate danger

- 4.1. A member of staff may have suspicions that a student is being abused or is at risk of significant harm. Staff should recognise that: there may be difficulty for young people and vulnerable adults in sharing that there is abuse happening to them or that they may not recognise what they have shared may be identified as harmful. This should not stop staff from remaining professionally curious and referring their concerns on to the DSL/DSO's for further investigation.

A student may also disclose to a member of staff that s/he is being abused. In these circumstances, the procedure outlined below should be followed:

**Reporting to Designated Staff – DSL/DSOs** - Staff should report any concerns, suspicions or disclosures immediately to one of the Designated Safeguarding Officers via the dedicated telephone numbers 07850 323 664, 07903680819, 07496387321 and email address [safeguarding@hopwood.ac.uk](mailto:safeguarding@hopwood.ac.uk). All staff will also have access to Promonitor.

- 4.2. If a young person or vulnerable adult discloses abuse, or if abuse is suspected, staff should:

- Listen carefully and stay calm;
- Question normally using open questions, and without pressure, in order to be sure that what the young person or vulnerable adult is saying is fully understood.
- Write up your conversation as soon as possible, using the students' own words. Record facts, be clear if you are stating your professional opinion. Include information about impact on the child – e.g. if they are tearful, appear anxious, appear unaffected. Ensure details are precise – date, time, location and give context including what happened prior to the disclosure, was there an identified trigger etc.
- Reassure them that by telling a member of staff, they have done the right thing. Do not promise to keep it a secret.
- Explain what will happen next - inform them that the information must be passed on, but that only those who need to know about it will be told. Inform the young person or vulnerable adult to whom the matter will be reported; and
- Contact a Designated Safeguarding Officer via the dedicated safeguarding telephone numbers as soon as possible and always within 24 hours.

Bear in mind that disclosure is rarely straightforward and some children may:

- Not feel ready, or be able to tell someone that they are being abused, exploited or neglected
- Not recognise their experiences as harmful
- Feel embarrassed, humiliated or threatened. This could be due to their vulnerability, disability, sexual orientation and/or language barriers

- None of this should stop you from having 'professional curiosity' and speaking to the DSL if you have concerns about a child.

**Staff should not:**

Ask leading questions

Try to investigate concerns or allegations

Take photographs of any injuries

Discuss disclosure information with other members of staff

Never promise confidentiality or keep secrets.

**6. THE DSL WILL CONSIDER:**

6.1. Are we dealing with 'risk' or 'need'? (By definition, a child at risk is also a child in need. However, what is the *priority / level and immediacy* of risk / need [considering](#) the Children's Needs and Response Framework?)

6.2. Can the level of need identified be met:

- In or by the college or by accessing universal services/without referral to the Children Social Care or other targeted services?
- By working with the child, parents and colleagues?
- By completion of an **Early Help Assessment** with parents/carers/child & other professionals?

Is a Children Social Care referral or other referral needed (e.g. channel)?

If I am not going to refer, then what action am I going to take? (e.g. time limited monitoring plan, discussion with parents or other professionals, recording, etc)

**7. THRESHOLDS FOR REFERRAL TO THE COMPLEX EARLY HELP AND SAFEGUARDING HUB (EHASH)**

Where a Designated Safeguarding Officer considers that a referral to the EHASH may be required, there are two thresholds for (and their criteria) and types of referral that need to be carefully considered:

**Is this a Child in Need?**

Under section 17 (s.17(10)) of the Children Act 1989.

DSO should look with other services as part of the Early Help Strategy to complete an **Early Help Assessment** and copy this to: [early.help@rochdale.gov.uk](mailto:early.help@rochdale.gov.uk)

**Is this a Child Protection Matter?** Under section 47(1) of the Children Act 1989, a local authority has a duty to make enquiries where they are informed that a child who lives or is found in their area:

- is the subject of an Emergency Protection Order;
- is in Police Protection; or where they have



- **there is reasonable cause to suspect that a child is suffering or is likely to suffer significant harm.**

7.1. Therefore, it is the ‘**significant harm**’ threshold that justifies statutory intervention into family life. A professional making a Child Protection referral under s.47 must therefore provide information which clearly outlines that a child is suffering or is likely to suffer significant harm.

**The Designated Safeguarding Officer will make judgment around ‘significant harm’, levels of need and when to refer. (Children’s Needs and Response Framework)**

7.2. **Child Protection** Where it is considered that a child may be at risk of or suffering significant harm use the multi-agency referral form for referrals (MARF) to the Early Help and Safeguarding Hub. If an Early Help Assessment is in place then this information must form part of the CP referral and the DSO completes the front sheet of the multi-agency referral form.

You **do not require the consent** of a parent or child/young person to make a Child Protection referral.

A parent should, **under most circumstances, be informed** by the referrer that a Child Protection referral is to be made. The criteria for not informing parents are:

- Because this would increase the risk of significant harm to a child(ren), to another member in the family home or to a professional; or
- Because, in the referrer’s professional opinion, to do so might impede an investigation that may need to be undertaken;
- Because there would be an undue delay caused by seeking consent which would not serve the child’s best interests.

**See the Rochdale Borough Multi-Agency Safeguarding Children procedures on the RBSCB website for the occasions when parents/carers should not be informed.**

The EHASH has 24 hours within which to make a decision about a course of action in response to a referral. If you do not receive any (same day) verbal feedback following an urgent Child Protection referral, and where this places the college / a child(ren) in a vulnerable position, you should ask to speak to the relevant Team Manager at EHASH (**0300 303 0440**) or the Out of Hours Service (**0300 303 8875**).

7.3. **Reporting to the Principal / SLT Lead** - The Designated Safeguarding Officer must notify the Principal or SLT Lead as soon as practicable of any serious high-risk disclosure or suspicion being raised, and always within 24 hours.

## **8. If you have a concern about a vulnerable adult**

If the concern is regarding a vulnerable adult who maybe suffering harm, neglect or abuse, you must alert the DSO in the same way as you would for a child. The DSO will contact Rochdale’s Adult Social Care team (0300 303 8886) and discuss the concerns. If appropriate, a referral forms will be completed and sent to the Adult Social Care Team. See full protocols on the RBSAB Website:

[www.rbsab.org/professionals/multi-agency-policy-and-procedures](http://www.rbsab.org/professionals/multi-agency-policy-and-procedures)

## 9. If you have a concern about Female Genital Mutilation (FGM)

Keeping Children Safe in Education explains that FGM comprises “all procedures involving partial or total removal of the external female genitalia, or other injury to the female genital organs”.

FGM is illegal in the UK and a form of child abuse with long-lasting, harmful consequences. It is also known as ‘female genital cutting’, ‘circumcision’ or ‘initiation’. 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.

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, or Observes physical signs which appear to show that an act of FGM has been carried out on a girl under 18 they must immediately report this to the police, personally. This is a mandatory statutory duty, and teachers will face disciplinary sanctions for failing to meet it. Teachers are able to obtain support from the DSL, who will also contact the EHASH, or support the teacher to do so.

Any other member of staff who discovers that an act of FGM appears to have been carried out on a pupil under 18 must immediately speak to the DSL, who will contact Police and EHASH.

Staff must never examine students

The duty for teachers mentioned above does not apply in cases where a pupil is *at risk* of FGM or FGM is suspected but is not known to have been carried out.

**Any member of staff** who suspects a pupil is *at risk* of FGM or suspects that FGM has been carried out must speak to the DSL and follow our local safeguarding procedures held at [RBSCP multi agency FGM procedure](#)

<https://www.gov.uk/government/publications/multi-agency-statutory-guidance-on-female-genital-mutilation>

<http://nationalfgmcentre.org.uk/wp-content/uploads/2019/06/FGM-Schools-Guidance-National-FGM-Centre.pdf>

10. **If you have a concern about extremism:** If the student is not suffering or likely to suffer from harm or in imminent danger, where possible speak to the DSL first to agree the course of action. In exceptional circumstances if DSL is not available speak to senior Safeguarding lead or a DSO and/or seek advice from local authority Local Authority Children’s Social care. Inform the DSL or deputy as soon as practically possible after the referral.

Where there is a concern, the DSL will consider the level of risk and decide which agency to make a referral to. This could include [Channel](#), the government’s programme for identifying and supporting individuals at risk of being drawn into terrorism, or the local authority Local Authority Children’s Social care team. Schools

can seek advice and guidance from the Local Authority Equality and Community Cohesion Officer, **Muhammad Abdulaleem on 01706 926437.**

The Department for Education also has a dedicated telephone helpline, 020 7340 7264, which school staff and governors can call to raise concerns about extremism with respect to a pupil. You can also email [counter.extremism@education.gov.uk](mailto:counter.extremism@education.gov.uk). Note that this is not for use in emergency situations.

In an emergency, call 999 or the confidential anti-terrorist hotline on 0800 789 321 if you:

- Think someone is in immediate danger
- Think someone may be planning to travel to join an extremist group
- See or hear something that may be terrorist-related

**11. If you have a mental health concern:** 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 will be alert to behavioural signs that suggest a child may be experiencing a mental health problem or be at risk of developing one.

If you have a mental health concern about a child that is also a safeguarding concern, take immediate action and contact the DSL/DSO.

If you have a mental health concern that is **not** also a safeguarding concern, speak to the DSL/DSO or member of the Safeguarding and Wellbeing Team

to agree a course of action, which may include referral to local support services or additional pastoral support within school.

## 12. EARLY HELP

All staff should be prepared to identify students who may benefit from early help. Early help means providing support as soon as a problem emerges at any point in the student's time with us at college.

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.
- 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 so called 'honour'-based abuse such as female genital mutilation (FGM) or forced marriage.
- Is a privately fostered child.
- Is persistently absent from education, including persistent absences for part of the school day.

Staff may be required to support other agencies and professionals in an early help assessment. Any such cases will be managed by the DSL/DSO and will be kept under constant review and consideration given to a referral to Local Authority Children's Social care for assessment for statutory services if the student does not appear to be improving or is getting worse

The College has in place various mechanisms for Early Help which can be accessed on-site. These include:

- A named Progress Tutor for each student who carries out weekly tutorials with students;
- A dedicated Pastoral Welfare Officer based in the HUB;
- Behaviour Support Officers and Behaviour Support Assistants, Student Safety Officers to support learners feel safe in and around college;
- A free counselling provision with a drop-in service;
- A Social Prescriber
- A dedicated Learning Support Team;
- Dedicated 'base rooms' that can be used as safe spaces;
- A team of DSOs;
- Mental Health First Aiders across the college;
- Social spaces and enrichment activities for students;
- College drop-in services such as Anxiety, Wellbeing, Grief, Trauma, Depression, sexual health, Drugs and Alcohol service and victim Support.

#### **14. OUT OF HOURS CONCERNS**

Should staff members have concerns around a student outside of normal college hours they are to contact a DSL/DSO as soon as possible and log this on ProMonitor.

If these concerns are serious such as a threat to life, please either contact the DSL/DSO or contact your line manager by phone as a matter of urgency who will then ensure this information is directed to the DSL by either emailing the Safeguarding email address or contacting a member of the Safeguarding team by phone.

Social services/EHASH for all local authorities have direct contact numbers for the DSL should they need to contact the DSL outside of normal college hours or during the holidays.

- 14.1 We do not expect staff to respond to any emails/calls outside of normal working hours. Those staff members who have a work mobile phones should only be able to answer calls during normal college/school hours and in term time.

## 16. SAFER RECRUITMENT

- 17.1. The college endeavours to ensure that we do our utmost to employ 'safe' staff by following the guidance in **Keeping Children Safe in Education** (September 2023). Full guidance on safer recruitment can be found in the [College Safer Recruitment Policy](#).
- 17.2. Safer recruitment means that all applicants will:
- 17.2.1. be asked questions relating to safeguarding through the application and/or interview process;
  - 17.2.2. provide two referees, including at least one who can comment on the applicant's suitability to work with children;
  - 17.2.3. provide evidence of their identity;
  - 17.2.4. verify any professional qualifications;
  - 17.2.5. be checked through the Disclosure and Barring Service (DBS) as appropriate to their role;
  - 17.2.6. be interviewed should any concerns arise from the DBS.
  - 17.2.7. Be informed that online searches may be carried out

## 18. STAFF TRAINING

- 19.1. The Principal, Governors and all staff working with young people and vulnerable adults will receive Safeguarding and Child Protection training adequate to familiarise them with safeguarding and child protection issues and responsibilities and the College policy and procedures, with refresher training at least every two years. In addition staff will receive regular updates on emerging safeguarding themes including local and national issues, along with specific themed training e.g Domestic abuse, Trauma and managing behaviour that challenges us.
- 19.2. All new members of staff will undergo an induction that includes Safeguarding and Child Protection training and familiarisation with the college's Safeguarding and Child Protection Policy and procedure.
- 19.3. All staff sign via NETConsent to confirm they have read the College's Safeguarding and Child Protection Policy and Procedures, Professional Guidelines and Keeping Children Safe guidance (part 1) annually. A copy of the policy is also available on the college website and the HUB.
- 19.4. Managers will receive training on safer recruitment practices.

## 20. ONLINE and E-SAFETY

- 20.1. Whilst considering our responsibility to safeguard and promote the welfare of our students and provide them with a safe environment our approach to online safety is to do all we can to mitigate any risks from the colleges IT system. Full guidance on online safety procedures can be found in [IT Remote Support and Monitoring Policy 2022/2023](#) addressing the following categories of risk:
- **Content** – being exposed to illegal, inappropriate or harmful content, such as pornography, fake news, racism, misogyny/misandry, homophobia, biphobia, self-harm, suicide, anti-Semitism, radicalisation and extremism

- **Contact** – being subjected to harmful online interaction with other users, such as child-to-child pressure, commercial advertising and adults posing as children or young adults with the intention to groom or exploit them for sexual, criminal, financial or other purposes
- **Conduct** – personal online behaviour that increases the likelihood of, or causes, harm, such as making, sending and receiving explicit images (e.g. consensual and non-consensual sharing of nudes and semi-nudes and/or pornography), sharing other explicit images and online bullying; and
- **Commerce** – risks such as online gambling, inappropriate advertising, phishing and/or financial scams

20.2. **Filtering and monitoring** part of our online safety process the college has appropriate filtering and monitoring systems in place. Staff need to know and understand the provision in place and how to escalate any concerns effectively.

The DSL has **lead responsibility** for safeguarding and child protection including online safety and understanding the filtering and monitoring systems in place.

The college reviews annually the filtering and monitoring process  
The college blocks harmful contact and has appropriate monitoring strategies in place

The college meets the Department for Education's filtering and monitoring standards.

20.3. Mobile phones and computers are a source of fun, entertainment, communication and education. However, some will use these technologies to harm others. This is more important than ever and college is increasing work online and young people should be protected from potentially harmful and inappropriate online material. The use of technology could increase risks of radicalization, sexual predation, CSE and CCE – it provides a platform that facilitates harm. The harm might range from sending hurtful or abusive texts and emails, to enticing young people or vulnerable adults to engage in sexually harmful conversations online, webcam filming, photography or face-to-face meetings. Cyber-bullying by students, via texts and emails, will be treated as seriously as any other type of bullying and will be managed through our anti-bullying policy and/ or disciplinary procedures.

20.4. All students will be educated in online safety, receiving tutorials on how to identify potential risks through online interaction with others so that they may be better equipped to recognise any potential risk to themselves or others, reminded regularly via our online platforms, alongside this being embedded through all staff who also must recognise the risks posed through online activity and who are required to give due diligence to this through curriculum planning.

## **21. RECORD KEEPING, CONFIDENTIALITY AND SHARING INFORMATION**

21.1. Well-kept records are essential to good Child Protection practice. The college is clear about the need to record any concerns held about a student within the college, the status of such records and when these records, or parts thereof, should be shared with other agencies. There is also a need to share important education and



any Child Protection information at the point of a child's transition to another education establishment.

- 21.2. Hopwood Hall College recognises that all matters relating to Safeguarding and Child Protection are confidential and all information will be stored and handled in line with Data Protection Act 1998 and the GDPR principles. Information is:
- processed for limited purposes;
  - adequate, relevant and not excessive;
  - accurate;
  - kept no longer than necessary;
  - processed in accordance with the data subject's rights; and
  - secure.
- 21.3. Safeguarding referral information and safeguarding concerns and any other related sensitive information will be stored electronically on the students ILP **ProMonitor** and on **CPOMs** – the colleges system for recording and reporting on safeguarding and child protection concerns. Level of access to ProMonitor and CPOMs will be set according to the staff members role and remit. Information about a young person to others will be shared on a need to know basis only. All staff will have access to recording their concerns on Promonitor and CPOMs, however the PWOs and DSOs will be responsible for adding safeguarding concerns and monitoring actions and interventions. The DSOs will also manage safeguarding data and monitor interventions which are reported to SLT. This information on CPOMs is managed on a cloud based secure server accessed by key codes and two factor authentications. Promonitor operates on levels 1-3 which can only be accessed by allocated staff.
- 21.4. Safeguarding records are normally exempt from the disclosure provisions of the Data Protection Act and GDPR, which means that students and parents / legal guardians do not have an automatic right to see them. If any member of staff receives a request from a student or parent/ legal guardian to see safeguarding records, they will refer the request to the Data Protection Officer.
- 21.5. The **Data Protection Act and GDPR does not prevent the sharing of safeguarding information with relevant agencies, where that information may help to protect or keep a young person safe.** Full guidance can be found in the Colleges Data Protection and Information Sharing Policy. All staff must be aware that they have a professional responsibility to share information with other agencies in order to safeguard children.

## 22.COMPLAINTS PROCEDURE

The Colleges Compliments and Complaints Policy procedure will be followed where a student or parent / legal guardian raises a concern about poor practice towards a student that initially does not reach the threshold for Safeguarding action. Compliments and complaints are managed by the Student and College Services Team. Full guidance on the complaint's procedure can be found in the colleges Compliments and Complaint Procedure.

## MONITORING AND EVALUATION

The College Senior Lead for Safeguarding will ensure that safeguarding reports and records are maintained securely and confidentially, that the College Senior Management Team, E&D Group and Governors are updated regularly on safeguarding incidents / reports made within college and that the Safeguarding and Child Protection Policy is reviewed annually and report to Governors and staff on relevant changes and updates.

## DOCUMENTS ASSOCIATED WITH THIS POLICY

### DOCUMENT REVIEW INFORMATION

Policy Date: 1<sup>st</sup> September 2023

Policy Author: Tracey Marrow

Date of SLT Sign Off: September 2023

Equality Impact Assessment Completed? Yes

Equality Impact Assessment Date:

Next Policy Review Date: 1<sup>st</sup> September 2024 or as new relevant guidance is issued, whichever is earlier.

Version Control: Version 2

## APPENDIX 1: SPECIFIC SAFEGUARDING ISSUES

### 1. CHILD ON CHILD ON CHILD ABUSE

- 1.1. All staff should be aware that children are capable of abusing their peers, including online ([child on child](#) abuse) and that this can happen both inside and outside of college and can occur simultaneously between the two.

All Staff should be aware of and able to recognise the signs, know how to identify and how to respond.

All staff should be clear on the procedure and policy with regard to per on peer abuse.

It is essential that staff understand the importance of challenging inappropriate behaviours between peers, some of which are listed below. Downplaying certain behaviours as “just banter” “having a laugh” can lead to a culture of unacceptable behaviours and in worst cases can normalise abuse. Staff should be clear that the college will not tolerate this behaviour and must challenge and report such behaviours.

[Child on child](#) abuse is most likely to include but limited to:

- Bullying (including cyber-bullying, prejudice-based and discriminatory bullying)
- Abuse in intimate personal relationships

- Physical abuse such as hitting, kicking, shaking, biting, hair-pulling, or otherwise causing physical harm (this may include online elements such as threats)
- Sexual violence, such as rape by penetration and sexual assault (may include online element which facilitates, threatens or encourages sexual violence)
- Sexual harassment such as sexual comments, remarks, jokes and online sexual harassment
- Causing someone to engage in sexual activity without consent, such as forcing someone to strip, touch themselves or engage in sexual activity with a third party
- Consensual and non-consensual sharing of nudes and semi-nude images and or videos
- Upskirting, which typically involves taking a picture under a person's clothing without their permission, with the intention of obtaining sexual gratification or humiliating, distress or alarm
- Initiation/hazing type violence and rituals (could include activities involving harassment, abuse or humiliation used as a way of initiating a person into a group – may also include an online element.
- Where children abuse other children online, this can take the form of, for example, abusive, harassing, and misogynistic/ misandrist messages; the non-consensual sharing of indecent images (nudes, semi-nudes), especially around chat groups; and the sharing of abusive images and pornography, to those who don't want to receive such content.

#### **Staff should:**

- act on any concerns they have, children don't always directly disclose. Concerns may arise with behaviour or overhearing a conversation that's suggests they may be at risk.
- be vigilant to interactions between peers and to 'corridor culture'.
- not minimize or tolerate inappropriate behaviours or language.
- Report immediately.

All staff should be able to reassure victims that they are being taken seriously and they will be supported and kept safe. A victim should never be made to feel they are a problem or feel ashamed for making a report.

In the case of an allegation of child on child abuse including sexual violence in an educational setting, due diligence will need to be given in order to support both the alleged victim and perpetrator. The victim, where possible, should be included in the safety planning. Both children's welfare needs to be considered in line with legal and statutory compliance, along with college policy in order to support both students in an educational setting. This is best managed on a case by case basis and all decisions should be clearly recorded (KCSIE 2023) **Appendix 4 gives further guidance on response to Sexual Harassment and Sexual Violence**

- 1.2. **Bullying including cyberbullying:** behaviour by an individual or group, repeated over time, that intentionally hurts another individual or group either physically or emotionally. Bullying can take many forms (for instance, cyber-bullying via text messages or the internet), and is often motivated by prejudice against particular

groups, for example on grounds of race, religion, gender, sexual orientation, or because a child is adopted or has caring responsibilities. It might be motivated by actual differences between children, or perceived differences.

- 1.3. **Child Sexual Exploitation (CSE):** CSE is a form of abuse and both occur where an individual or group takes advantage of an imbalance in power to coerce, manipulate or deceive a child into sexual activities including physical contact and/or non-contact sexual activities. CSE is a form of child abuse – it is not a child making an informed choice. This power imbalance can also be due to: age, gender, sexual identity, cognitive ability, physical strength, status, and access to economic or other resources. In some cases, the abuse will be in exchange for something the victim needs or wants and/or will be to the financial benefit or other advantage (such as increased status) of the perpetrator or facilitator. The abuse can be perpetrated by individuals or groups, males or females, and children or adults. The abuse can be a one-off occurrence or a series of incidents over time, and range from opportunistic to complex organised abuse. It can involve force and/or enticement-based methods of compliance and may, or may not, be accompanied by violence or threats of violence. Victims can be exploited even when activity appears consensual and it may happen without the child's immediate knowledge e.g. online, others sharing images or videos on social media. Those who have experienced CSE may not recognise this and may believe they are in a genuine relationship with a perpetrator and that they are loved. This should not preclude professional curiosity if there are concerns of CSE for a child. If a member of staff suspects CSE, they will discuss this with the DSL.

The DSL will trigger the local safeguarding procedures, including a referral to the local authority's Local Authority Children's Social care team and the police, if appropriate. The DSL will seek advice from the multi-agency Complex Safeguarding Team if they are concerned that a child is at risk of sexual exploitation.

- 1.4. **Child criminal exploitation (CCE)** is a form of abuse where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child into criminal activity, in exchange for something the victim needs or wants, and/or for the financial or other advantage of the perpetrator or facilitator, and/or through violence or the threat of violence.

The abuse can be perpetrated by males or females, and children or adults. It can be a one-off occurrence or a series of incidents over time, and range from opportunistic to complex organised abuse.

The victim can be exploited even when the activity appears to be consensual. It does not always involve physical contact and can happen online. For example, young people may be forced to work in cannabis factories, coerced into moving drugs or money across the country (county lines), forced to shoplift or pickpocket, or to threaten other young people.

Children may become trapped, as they or their families are threatened with violence. They may be entrapped into debt or carrying weapons. They may carry a knife as a form of protection. Those at risk of CCE may be at higher risk of sexual exploitation.

Children involved in criminal exploitation should be treated as victims, even though it may seem they may commit crimes themselves. Girls can also be the victims of CCE too though may present differently to boys who are being exploited.

Indicators of CCE can include a child:

- Appearing with unexplained gifts or new possessions
- Associating with other young people involved in exploitation
- Suffering from changes in emotional wellbeing
- Misusing drugs and alcohol
- Going missing for periods of time or regularly coming home late
- Regularly missing school or education
- Not taking part in education

If a member of staff suspects CCE, they will discuss this with the DSL. The DSL will trigger the local safeguarding procedures, including a referral to the local authority's Local Authority Children's Social care team and the police, if appropriate. The DSL will seek advice from the multi-agency Complex Safeguarding Team if they are concerned that a child is at risk of criminal exploitation.

- 1.5. **Discriminatory Abuse / Hate Crime:** Including racist, homophobic, transphobic and sexist abuse or harassment, abuse or harassment based on disability, faith abuse or other forms of harassment, slurs or similar treatment.
- 1.6. **Domestic Abuse:** 'In line with the Domestic Abuse Act 2021, children that witness domestic abuse and/or violence that occurs between family members are themselves identified as being victims, due to the serious, long-lasting emotional and psychological impact this can have. In some cases, a child may blame themselves for the abuse or may have had to leave the family home as a result.

The behavior of a person (A) towards another person (B) is 'domestic abuse' if A and B are aged 16 or over, are personally connected to each other and the behavior is abusive

Behavior is abusive if it consists of any of the following:

- Physical or sexual abuse,
- violent or threatening behavior,
- controlling or coercive behavior,
- economic abuse, psychological, emotional or other abuse.

It does not matter whether the behavior consists of a single incident or a repeated pattern of incidents a course of conduct. 'Personally connected' can be people that are intimate partners, ex-partners, family members. They do not need to live in the same household.

Types of domestic abuse include intimate partner violence, abuse by family members, teenage relationship abuse and child/adolescent to parent violence and abuse. It can be physical, sexual, financial, psychological or emotional. It can also include ill treatment that isn't physical, as well as witnessing the ill treatment of others – for example, the impact of all forms of domestic abuse on children. Anyone can be a victim of domestic abuse, regardless of gender, age, ethnicity, socioeconomic status, sexuality or background.

Older children may also experience domestic abuse and/or violence in their own personal relationships. This can include sexual harassment.

Exposure to domestic abuse and/or violence can have a serious, long-lasting emotional and psychological impact on children and affect their health, wellbeing, development and ability to learn.

- 1.7. **Operation Encompass.** Within Rochdale, our Police force uses Operation Encompass. This means that if police are called to an incident of domestic abuse and any children in the household have experienced the incident, the police will inform the key adult in school (usually the designated safeguarding lead) before the child or children arrive at school the following day. This enables the DSL to consider any support that may be required according to the child's needs and to update school safeguarding records. The DSL may wish to contact the Operation Encompass helpline (telephone number 0204 523 9990) to seek advice about what support may be useful for the child and/or speak to their Early Help Locality Team, or check the local authority domestic abuse webpage for up to date information about local support service; [About who can help with domestic abuse | Who can help with domestic abuse | Rochdale Borough Council](#)

DSL and DSO's are trained in Operation Encompass procedures and will provide support according to the child's needs and update their records regarding the circumstances.

- 1.8. **Fabricated Illness** Fabricated or induced illness (FII) is a rare form of child abuse. It occurs when a parent or carer or person in loco parentis, exaggerates or deliberately causes symptoms of illness in the child. It can include Munchausen's Syndrome by Proxy which is a recognised mental illness in the parent.

<https://www.gov.uk/government/publications/safeguarding-children-in-whom-illness-is-fabricated-or-induced>

<https://www.nhs.uk/conditions/fabricated-or-induced-illness/>

- 1.9. **Female Genital Mutilation (FGM):** involves procedures that include the partial or total removal of the external female genital organs for cultural or other non-therapeutic reasons. Can also include breast ironing. The practice is medically unnecessary, extremely painful and has serious health consequences, both at the time when the mutilation is carried out and in later life. Section 5B of the Female Genital Mutilation Act 2003 (as inserted by section 74 of the Serious Crime Act 2015) places a statutory duty personally upon staff members, along with social workers and healthcare professionals, 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.
- 1.10. **Honour Based Abuse (HBA):** 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. So-called 'honour-based abuse' is a fundamental abuse of Human Rights. There is no honour in the commission of murder, kidnap and the many other acts, behaviour and conduct which make up abuse in the name of honour.

1.11. **Forced Marriage (FM):** 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. It is an abuse of human rights and can involve other categories of abuse e.g. sexual, trafficking, slavery and exploitation and it can involve violence and HBV. Forced Marriage is not the same as an arranged marriage and it cannot be justified on religious or cultural grounds.

1.12. **Serious Youth Violence:** Violence involving young people where they can be the victim, the perpetrator, or both. Indicators which may signal a young person is at risk from, or involved with, serious violent crime may include:

- Increased absence from college
- Change in friendship or relationships with older individuals or groups
- Significant decline in performance
- Signs of self-harm or a significant change in wellbeing
- Signs of assault or unexplained injuries
- Unexplained gifts or new possessions (could indicate involvement with criminal networks/county lines and be at risk of criminal exploitation)

Risk factors which increase likelihood of involvement in serious youth violence are:

- Being male
- Having been frequently absent, suspended or excluded from school and college
- Having experienced Adverse Childhood Experience (ACE's)/Trauma
- Having been involved in offending, such as theft or robbery

Young people may carry weapons, including knives, either because they have been manipulated or forced to do so, or because they feel it will help them to protect themselves. If it is suspected that student is carrying a knife or weapon, the DSL must be informed.

Staff will be aware of these indicators and risk factors. If a member of staff has a concern about a student being involved in, or at risk of, serious violence they must report this to the DSL or DSO.

- 1.13. **County Lines:** a term used to describe gangs and organised criminal networks involved in exporting illegal drugs into one or more importing areas within the UK, using dedicated mobile phone lines or other form of 'deal line'. They are likely to exploit children and vulnerable adults to move and store the drugs and money, and they will often use coercion, intimidation, violence (including sexual violence) and weapons.

If a member of staff suspects CCE they must report to the DSL/DSO. The DSL/DSO will seek advice from the multi-agency Complex Safeguarding Team.

- 1.14. **Homelessness** Being homeless or being at risk of becoming homeless presents a real risk to a child's welfare. The DSL will be aware of contact details and referral routes in to the local housing authority so they can raise/progress concerns at the earliest opportunity (where appropriate and in accordance with local procedures).
- 1.15. **LGBTQ+:** Students who identify (or perceived by others to) as part of the Lesbian, Gay, Transgender and Queer community may face more challenges in terms of bullying and are at higher risk of child on child abuse. All staff should endeavour to reduce barriers faced by students in line with the college's inclusivity policy. Risk factors may be lowered if students have access to trusted adults and safe spaces where they can freely express their identity.
- 1.16. **Missing:** a child or young person missing from education is defined as someone of compulsory school age (18 or under) who is not on a school roll, not being educated otherwise (e.g. at home, in independent schools or in alternative provision) or who has been out of any educational provision for four weeks or more. Our college follows Rochdale Council CME guidance which outlines Rochdale Borough Council's systems for identifying and maintaining contact with children missing from education and the steps taken to identify those at risk.
- 1.17. **Modern Slavery:** encompasses slavery, human trafficking and slavery, forced labour and domestic servitude. Exploitation can take many forms including: sexual exploitation, forced labour, slavery, servitude, forced criminality and the removal of organs.
- 1.18. **Online Safety:** The use of technology has become a significant component of many safeguarding issues. Child sexual exploitation; radicalisation; sexual predation: technology often provides the platform that facilitates harm. An effective approach to online safety empowers a college to protect and educate the whole school or college community in their use of technology and establishes mechanisms to identify, intervene in, and escalate any incident where appropriate. The breadth of issues classified within online safety is considerable, but can be categorised into three areas of risk:
- **Content:** being exposed to illegal, inappropriate or harmful material; for example, pornography, fake news, racist or radical and extremist views, online challenges and hoaxes;
  - **Contact:** being subjected to harmful online interaction with other users; for example, commercial advertising as well as adults posing as children or young adults; and

- **Conduct:** personal online behaviour that increases the likelihood of, or causes, harm; for example, making, sending and receiving explicit images, or online bullying.
  - **Commerce:** The risk of online gambling, inappropriate advertising, phishing and online scams
- 1.19. **Cybercrime.** Cybercrime is criminal activity committed using computers and/or the internet. Cyber-dependant crimes include: unauthorised access to computers (illegal hacking, denial of service (Dos/DDos) attacks, making, supplying or obtaining malware (malicious software) such as viruses, ransomware, botnets and remote Access Trojans with the intent to commit further offences. Students with particular skills and interest in computers and technology may inadvertently stray into cyber-dependant crime. Further advice can be found at National Cyber centre – NCSC.GO.Uk
- 1.20. **Extremism:** is the vocal or active opposition to our fundamental values, including democracy, the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs. This also includes calling for the death of members of the armed forces.
- 1.21. **Radicalisation:** refers to the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups.
- 1.22. **Terrorism:** 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.
- 1.23. **The Prevent duty:** colleges are subject to a duty under section 26 of the Counter Terrorism and Security Act 2015, in the exercise of their functions, to have “due regard to the need to prevent people from being drawn into terrorism”.
- 1.24. **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. An individual’s engagement with the Programme is entirely voluntary at all stages

The government website [Educate Against Hate - Prevent Radicalisation & Extremism](#) and [NSPCC](#) say that signs that a pupil is being radicalised can include:

- Refusal to engage with, or becoming abusive to, peers who are different from themselves
- Becoming susceptible to conspiracy theories and feelings of persecution
- Changes in friendship groups and appearance
- Rejecting activities, they used to enjoy
- Converting to a new religion
- Isolating themselves from family and friends
- Talking as if from a scripted speech

- An unwillingness or inability to discuss their views
- A sudden disrespectful attitude towards others
- Increased levels of anger
- Increased secretiveness, especially around internet use
- Expressions of sympathy for extremist ideologies and groups, or justification of their actions
- Accessing extremist material online, including on Facebook or Twitter
- Possessing extremist literature
- Being in contact with extremist recruiters and joining, or seeking to join, extremist organisations

Children who are at risk of radicalisation may have low self-esteem, or be victims of bullying or discrimination. It is important to note that these signs can also be part of normal teenage behaviour – staff should have confidence in their instincts and seek advice if something feels wrong.

- 1.25. **Private Fostering** A private fostering arrangement is one that is made privately (without the involvement of a local authority) for the care of a child under the age of 16 years (under 18, if disabled) by someone other than a parent or close relative, in their own home, with the intention that it should last for 28 days or more. The legislation governing private fostering is the ‘Children (Private Arrangements for Fostering) Regulations 2005’.

More frequently, young people are in private foster care for the following reasons:

- Children from other countries sent to live in the UK with extended family
- Host families for language schools
- Parental ill-health
- Where parents who have moved away, but the child stays behind, including where families may have had unsuccessful applications to remain in the UK following Brexit.
- Teenagers estranged from their families
- Children brought from outside of UK with a view to adoption
- Trafficked children

Given the hidden nature of much of private fostering, local authorities have a duty to raise awareness of this. Current arrangements for regulation of private fostering originate from the death of Victoria Climbié in 2000. Victoria was privately fostered by her great aunt. Duties of the local authority and a national minimum standard was published.

If a member of staff has a concern about a student being privately fostered they should report this to the Safeguarding Team.

- 1.26. **Sharing of nudes and semi-nudes (‘sexting’)**: If staff are made aware of an incident involving the consensual or non-consensual sharing of nude or semi-nude

images/videos (also known as 'sexting' or 'youth produced sexual imagery'), they must report it to the DSL immediately.

Staff must **not**:

- View, copy, print, share, store or save the imagery yourself, or ask a pupil to share or download it. If staff have already viewed the imagery by accident, they must report this to the DSL.
- Delete the imagery or ask the pupil to delete it
- Ask the students (s) who are involved in the incident to disclose information regarding the imagery (this is the DSL's responsibility)
- Share information about the incident with other members of staff, the pupil(s) it involves or their, or other, parents and/or carers
- Say or do anything to blame or shame any young people involved
  
- Staff should explain that they need to report the incident, and reassure the pupil(s) that they will receive support and help from the DSL.

**Initial review meeting:** Following a report of an incident, the DSO will hold an initial review meeting with appropriate school staff – this may include the staff member who reported the incident and the safeguarding or leadership team that deals with safeguarding concerns. This meeting will consider the initial evidence and aim to determine:

- Whether there is an immediate risk to pupil(s)
- If a referral needs to be made to the police and/or Local Authority Children's Social care/EHASH
- If it is necessary to view the image(s) in order to safeguard the young person (in most cases, images or videos should not be viewed)
- What further information is required to decide on the best response
- Whether the image(s) has been shared widely and via what services and/or platforms (this may be unknown)
- Whether immediate action should be taken to delete or remove images or videos from devices or online services
- Any relevant facts about the students involved which would influence risk assessment
- If there is a need to contact another school, college, setting or individual
- Whether to contact parents or carers of the students involved (in most cases parents/carers should be involved)
  
- or make a referral to the weekly HSB triage.

1.27. **Trafficking:** the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, abduction, fraud, deception, abuse of power or a position of vulnerability, giving or receiving of payments or benefits, control over another for the purposes of exploitation.

1.28. **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

- 1.29. **Contextual safeguarding:** Safeguarding incidents and/or behaviours can be associated with factors outside the college and/or can occur between children outside the college. All staff, but especially the designated safeguarding leads 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. Local Authority Children's Social care assessments should consider such factors, so it is important that colleges provide as much information as possible as part of the referral process. This will allow any assessment to consider all the available evidence and the full context of any abuse.

## 23. CHILDREN POTENTIALLY AT GREATER RISK OF HARM

**Some students within the college have an increased risk of abuse. Many factors can contribute to an increase in risk, including prejudice and discrimination, isolation, social exclusion, communication issues and reluctance on the part of some people to accept that abuse can occur.**

**Children who need a social worker** (Child in Need and Child Protection Plans): Children may need a social worker due to safeguarding or welfare needs. Children may need this help due to abuse, neglect and complex family circumstances. A child's experiences of adversity and trauma can leave them vulnerable to further harm, as well as educationally disadvantaged in facing barriers to attendance, learning, behaviour and mental health. Where children need a social worker, this should inform decisions about safeguarding (for example, responding to unauthorised absence or missing education where there are known safeguarding risks) and about promoting welfare (for example, considering the provision of pastoral and/or academic support, alongside action by statutory services).

**Children requiring mental health support:** schools and colleges have an important role to play in supporting the mental health and wellbeing of their learners. 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. Governing bodies and proprietors should ensure they have clear systems and processes in place for identifying possible mental health problems, including routes to escalate and clear referral and accountability systems.

**Children with special educational needs, disabilities or health issues:** We recognise that students with special educational needs (SEN) or disabilities or certain health conditions can face additional safeguarding challenges and are statistically more likely to be abused than their peers. Additional barriers can exist when recognising abuse and neglect in this group, including:



Assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's condition without further exploration

Students being more prone to peer group isolation or bullying (including prejudice-based bullying) than other students

The potential for students with SEN, disabilities or certain health conditions being disproportionately impacted by behaviours such as bullying, without outwardly showing any signs

Communication barriers and difficulties in managing or reporting these challenges

### **Looked-after and previously looked-after children and care leavers.**

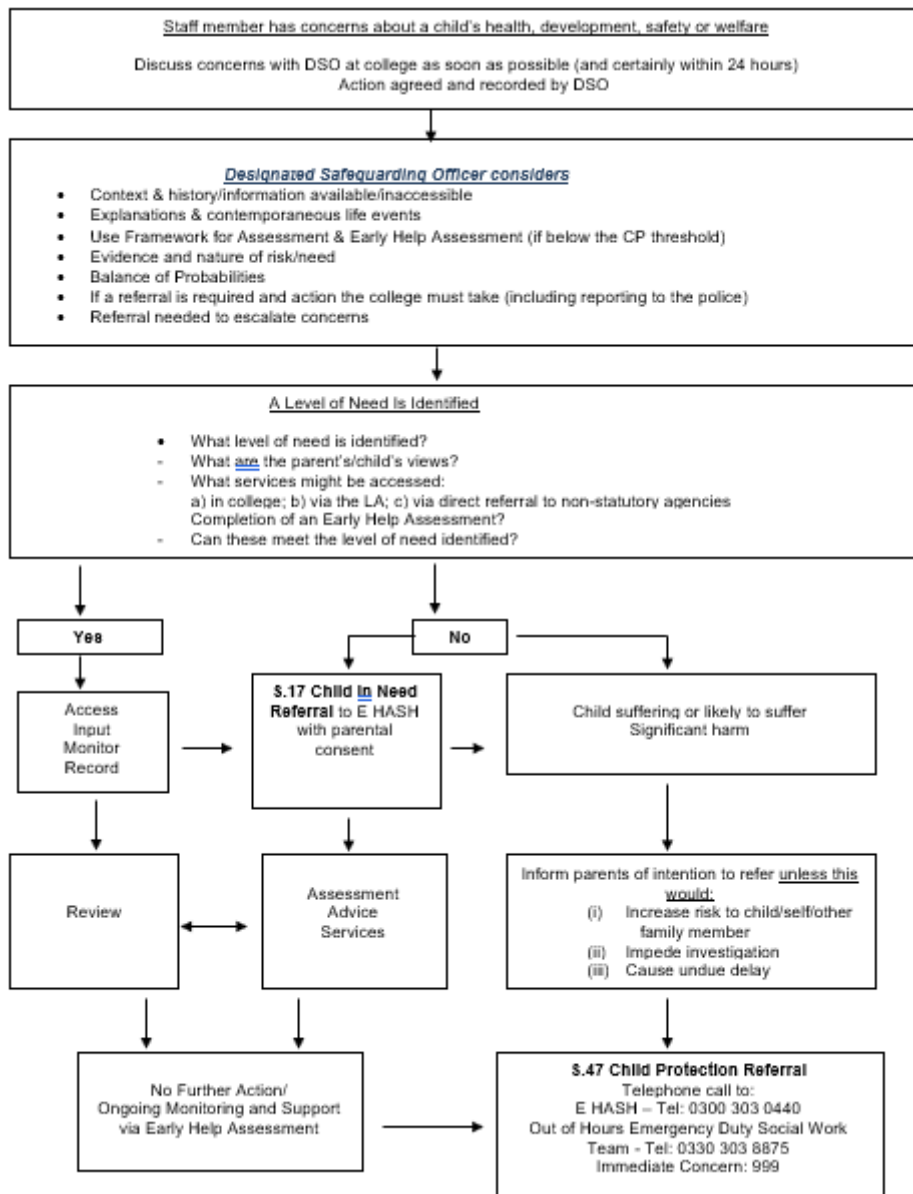
**We will ensure that staff have the skills, knowledge and understanding to keep looked-after children and previously looked-after children safe. We will ensure that:**

We have appointed a Designated person for Looked After and care experienced students who is responsible for promoting the educational achievement of looked-after children and previously looked-after children in line with [statutory guidance](#) and our [Looked After Children and Care Leavers Policy](#)

As part of their role, the Designated Person will:

- Ensure that any safeguarding concerns regarding looked-after and previously looked-after children are quickly and effectively responded to, with empathy and trauma-informed approaches
- Work closely with Program managers to ensure that the Looked After Policy is effective and implemented and in the best interest of the care experienced students ensuring they have the opportunity to fulfil their potential and achieve successfully.
- Works closely with the virtual school heads, to promote the educational achievement of looked-after and previously looked-after children, including discussing how Post 16 Funding can be best used to support looked-after children and meet the needs identified in their personal education plans

## TAKING ACTION ON CHILD/YOUNG PERSON WELFARE/PROTECTION CONCERNS IN COLLEGE



1. Being absent from education for prolonged periods and/or on repeat occasions can act as a vital warning sign to a range of safeguarding issues including neglect, child sexual and child criminal exploitation – particularly county lines. The college's response to persistent absence and students missing education supports the identification of such issues when the problems are emerging.

The college has an Attendance Policy; the Retention Improvement Officers (RIO) are responsible for monitoring attendance and implementing the process. However, safeguarding along with securing good attendance is everyone's responsibility and cannot be seen in isolation. All staff have a part to play and effective practice for identification of absences and for improvement of attendance must be a concerted effort across all teaching and support staff.

For children under the care of, or known to the Local Authority Children's Social Care, these students need additional support as the barriers they face are often complex. These students are the responsibility of the Safeguarding and Wellbeing Team who will work closely with agencies and services in a multi-agency approach. The student will have a named staff member, either a Deputy Safeguarding Officer (DSO) or a Pastoral Welfare Officer (PWO) who is responsible for monitoring and actioning any absences with the student, parent/carers and relevant agencies.

2. **Transition period.** Children and young people are especially vulnerable during the transition period from school into college and throughout the long summer break, many miss the safety net of schools, teachers and those who have been supporting them. Financial pressures impact on families and increase the vulnerability to children being criminally and sexually exploited over this period. To ensure that all students who have enrolled and do not attend during the first weeks of Term One the Retention Improvement Officers (RIO's) will identify students who are not attending college by a range of methods:
  - Registers and absence reports.
  - Identifying those missing from classes by classroom visits.

For those missing RIO will contact students and/or parent to ascertain the young person's whereabouts or new destination. Should any safeguarding/wellbeing or mental health concerns be identified at this point they must be referred to Safeguarding and Wellbeing Team.

Where contact cannot be made a home visit will be carried out within 5 days of absence

3. **On program/At Risk.** Weekly At Risk meetings will take place with all relevant staff PM, DSO, PWO, PT and RIO to ensure process is being followed, to identify missing students and any safeguarding concerns.
4. **Management oversight**

Student Experience Manager and DSL will meet fortnightly to check process is being followed and to address any concerns arising.

DSO's will attend At Risk Meetings throughout the year to ensure safeguarding concerns are being identified and actions put in place.

## **5. Students withdrawn from college**

Parent/Guardian/carers will be informed of the withdrawal for all 16-18-year-old students by either the Program Manager or the Retention and Improvement Officer (RIO) and a confirmation letter will be sent.

Local Authority careers service (Positive Steps) will receive a weekly withdrawal/NEET report.

## **6. Children already known to Local Authority children's social care (CSC)**

For those children already known to local authority children's social care (CSC) and have a social worker (such as a child in need or who has a child protection plan or who is a looked after child) including those who have had CSC involvement in the past 3 years being absent from education may increase the known safeguarding risks within the family or the community. These students are supported by the Safeguarding and Wellbeing Team.

Students will have a designated Deputy Safeguarding Officer or a Pastoral Welfare Officer who is responsible for them throughout their time at college. They will monitor their attendance and confirm any absences with the appropriate services and parent/carers within 24 hours.

If contact cannot be made a home visit will be carried out within 48 hours of first notice.

If in the event that their college place is no longer viable then the DSO/PWO will contact all relevant services including social worker. They will make the referral to local authority careers services e.g. Positive Steps, Career Connect.

## **7. SLT Oversight**

The Deputy Principal, Executive Director Business and Student Support, Assistant Principal Quality and Senior DSL will meet as required to discuss the attendance and concerns of LAC and safeguarded learners and what interventions are in place and what further support may be required for this vulnerable cohort.

## **8. Governance**

Governors have a responsibility to ensure that the College has appropriate safeguarding arrangements in place to respond to children who are absent from education. DSL will report on this termly.

## APPENDIX 3: RESPONDING TO ALLEGATIONS OF SEXUAL ABUSE AND SEXUAL VIOLENCE AND ABUSE

1. We recognise that children are capable of abusing their peers. Abuse will never be tolerated or passed off as “banter”, “just having a laugh” or “part of growing up”, as this can lead to a culture of unacceptable behaviours and an unsafe environment for students. Sexual abuse can happen anywhere, and all staff working with students are advised to maintain an attitude of ‘it could happen here’. Staff should be aware of, and respond appropriately to, all reports and concerns about sexual violence and/or sexual harassment both online and offline, including those that have happened outside of the school/college. The DSL/DSO are likely to have a complete safeguarding picture and be the most appropriate person to advise on the school’s or college’s initial response.
2. All staff should be aware that children may not feel ready or know how to tell someone that they are being abused, exploited, or neglected, and/or they may not recognise their experiences as harmful. For example, children may feel embarrassed, humiliated, or being threatened. This could be due to their vulnerability, disability and/or sexual orientation or language barriers. This should not prevent staff from having a professional curiosity and speaking to the DSL if they have concerns about a child. It is also important that staff determine how best to build trusted relationships with children and young people which facilitate communication.
3. Important considerations will include:
  - 3.1. The wishes of the victim in terms of how they want to proceed. This is especially important in the context of sexual violence and sexual harassment. Victims should be given as much control as is reasonably possible over decisions regarding how any investigation will be progressed and any support that they will be offered. This will however need to be balanced with the school’s or college’s duty and responsibilities to protect other students.
  - 3.2. As always when concerned about the welfare of a student, all staff should act in the best interests of the student. In all cases, schools and colleges should follow general safeguarding principles as set out throughout this guidance. Immediate consideration should be given as to how best to support and protect the victim and the alleged perpetrator(s) (and any other students involved/impacted)
4. The starting point regarding any report should always be that there is a zero-tolerance approach to sexual violence and sexual harassment and it is never acceptable and it will not be tolerated.
5. We also recognise the gendered nature of child-on-child abuse. However, all child-on-child abuse is unacceptable and will be taken seriously.

6. Most cases of students hurting others will be dealt with under our Positive Behaviour Policy, but this child protection and safeguarding policy will apply to any allegations that raise safeguarding concerns. This might include where the alleged behaviour:

- Is serious, and potentially a criminal offence
- Could put students in the school at risk
- Is violent
- Involves students being forced to use drugs or alcohol
- Involves sexual exploitation, sexual abuse or sexual harassment, such as indecent exposure, sexual assault, Upskirting or sexually inappropriate pictures or videos (including the sharing of nudes and semi-nudes)

## **7. If a learner makes an allegation of abuse against another learner:**

- 7.1. It is important to note that students may not find it easy to tell staff about their abuse verbally. Students can show signs or act in ways that they hope adults will notice and react to. In some cases, the victim may not make a direct report. For example, a friend may make a report or a member of school or college staff may overhear a conversation that suggests a student has been harmed or a student's own behaviour might indicate that something is wrong., if staff have any concerns about a student's welfare, they should act on them immediately rather than wait to be told.
- 7.2. When dealing with cases of sexual harassment it is important that two staff members deal with the case one of them being the DSL or deputy. A key consideration is for staff not to view or forward illegal images of a child. It may be more appropriate to confiscate any devices to preserve any evidence and hand them to the police for inspection.
- 7.3. Not promising confidentiality at this initial stage as it is very likely a concern will have to be shared further (for example, with the designated safeguarding lead or Local Authority Children's Social care) to discuss next steps. Staff should only share the report with those people who are necessary in order to progress it. It is important that the victim understands what the next steps will be and who the report will be passed to.
- 7.4. Recognising that a student is likely to disclose to someone they trust: this could be anyone on the school or college staff. It is important that the person to whom the student discloses recognises that the student has placed them in a position of trust. They should be supportive and respectful of the student.
- 7.5. Recognising that an initial disclosure to a trusted adult may only be the first incident reported, rather than representative of a singular incident and that trauma can impact memory and so students may not be able to recall all details or timeline of abuse.
- 7.6. Keeping in mind that certain students may face additional barriers to telling someone because of their vulnerability, disability, sex, ethnicity and/or sexual orientation.
- 7.7. Listening carefully to the young person, reflecting back, using the student's language, being non-judgmental, being clear about boundaries and how the report



will be progressed, not asking leading questions and only prompting the young person where necessary with open questions – where, when, what, etc. It is important to note that whilst leading questions should be avoided, staff can ask students if they have been harmed and what the nature of that harm was.

- 7.8. Considering the best way to make a record of the report. Best practice is to wait until the end of the report and immediately write up a thorough summary. This allows the staff member to devote their full attention to the students and to listen to what they are saying. It may be appropriate to make notes during the report (especially if a second member of staff is present). However, if making notes, staff should be conscious of the need to remain engaged with the student and not appear distracted by the note taking. Either way, it is essential a written record is made.
- 7.9. Only recording the facts as the student presents them. The notes should not reflect the personal opinion of the note taker. Schools and colleges should be aware that notes of such reports could become part of a statutory assessment by Local Authority Children's Social care and/or part of a criminal investigation.
- 7.10. Inform the DSL/DSO, as soon as practically possible if they are not involved in the initial report. Staff must not investigate it.
- 7.11. It is essential that all victims are reassured that they are being taken seriously, regardless of how long it has taken them to come forward and that they will be supported and kept safe. Abuse that occurs online or outside of the school or college should not be downplayed and should be treated equally seriously. 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 or their experience minimised. The below offers guidance around dealing with and responding to reports of sexual violence and harassment:

## **8. The DSL/DSO will:**

- 8.1. The DSL/DSO will discuss the incident with relevant staff within college to gain a picture of what happened using the relevant guidance and tools, (e.g. NSCPCC Hackett continuum [Understanding sexualised behaviour in children | NSPCC Learning](#)) to assess the level of severity in the behaviour and must record their decision and rationale for any outcome.
- 8.2. Whilst the DSL/DSO establishes the facts of the case and starts the process of liaising with Local Authority Children's Social care and the police, the alleged perpetrator(s) should be removed from any classes they share with the victim. The college will carefully consider how best to keep the victim and alleged perpetrator(s) a reasonable distance apart on college premises and on transport to and from the school or college, where appropriate. These actions are in the best interests of all children involved and should not be perceived to be a judgment on the guilt or innocence of the alleged perpetrator(s).
- 8.3. College will avoid any action that would have the effect of isolating the victim, in particular from peer groups, there may be times when the victim finds it difficult to maintain a full-time timetable and may express a wish to withdraw from lessons and activities. This should be because the victims want to not because it makes it

easier to manage the situation. Due regard will be given to the above whilst ensuring this does not have detrimental impact on the students learning.

- 8.4. The DSL/DSO may consult with Youth Justice Team and partner agencies about any concerns related to developmentally inappropriate sexual behaviour at weekly virtual triage meetings.
- 8.5. The DSL will contact relevant support services, e.g. children and adolescent mental health services (CAMHS), HCRG Care (previously Virgin care) as appropriate. School may seek advice from the Early Help Locality Team about which services may be relevant to support the needs of the children impacted.
- 8.6. The DSL/DSO will engage with Local Authority Children's Social care and specialist services as required. Where there has been a report of sexual violence, it is likely that professional risk assessments by social workers and or sexual violence specialists will be required.

## **9. Risk Assessment**

- 9.1. The need for a risk assessment should be considered on a case-by-case basis. The risk and needs assessment will consider:
  - The victim, especially their protection and support.
  - Whether there may have been other victims.
  - The alleged perpetrator(s).
  - All the other students, (and, if appropriate, adult students and staff) at the school or college, especially any actions that are appropriate to protect them from the alleged perpetrator(s), or from future harms.
- 9.2. The risk assessment should be recorded using ProMonitor/CPOMS.
- 9.3. The above school or college risk assessment is not intended to replace the detailed assessments of expert professionals. Any such professional assessments should be used to inform the school's or college's approach to supporting and protecting their students and students and updating their own risk assessment.

## **10. Options to Manage the Report**

- 10.1. It is important that schools and colleges consider every report on a case-by-case basis. When to inform the alleged perpetrator(s) will be a decision that should be carefully considered. Where a report is going to be made to Local Authority Children's Social care and/or the police, then, as a general rule, the school or college should speak to the relevant agency and discuss next steps and how the alleged perpetrator(s) will be informed of the allegations. However, as per general safeguarding principles, this does not and should not stop the school or college taking immediate action to safeguard their children, where required.
- 10.2. There are four likely scenarios for schools and colleges to consider when managing any reports of sexual violence and/or sexual harassment. It will be important in all scenarios that decisions and actions are regularly reviewed and that relevant policies are updated to reflect lessons learned. It is particularly important to look out for potential patterns of concerning, problematic or inappropriate behaviour. Where a pattern is identified, the school or college should decide on a

course of action. Consideration should be given to whether there are wider cultural issues within the school or college that enabled the inappropriate behaviour to occur and where appropriate extra teaching time and/or staff training could be delivered to minimise the risk of it happening again. The four scenarios are:

### **Manage Internally**

In some cases of sexual harassment, for example, one-off incidents, the school or college may take the view that the children concerned are not in need of early help or that referrals need to be made to statutory services and that it would be appropriate to handle the incident internally, perhaps through utilising their behaviour policy and by providing pastoral support.

Whatever the response, it should be underpinned by the principle that there is a zero-tolerance approach to sexual violence and sexual harassment and it is never acceptable and will not be tolerated.

All concerns, discussions, decisions and reasons for decisions should be recorded (written or electronic).

### **Early Help**

In line with 1 above, the school or college may decide that the children involved do not require referral to statutory services but may benefit from early help. Early help means providing support as soon as a problem emerges, at any point in a child's life. Providing early help is more effective in promoting the welfare of children than reacting later. Early help can be particularly useful to address non-violent HSB and may prevent escalation of sexual violence. It is particularly important that the designated safeguarding lead (and their deputies) know what the Early Help process is and how and where to access support.

Multi-agency early help will work best when placed alongside strong school or college policies, preventative education and engagement with parents and carers.

Early help and the option to manage a report internally do not need to be mutually exclusive: a school could manage internally and seek early help for both the victim and perpetrator(s).

Whatever the response, it should be under-pinned by the principle that there is zero tolerance approach to sexual violence and sexual harassment and it is never acceptable and will not be tolerated.

All concerns, discussions, decisions and reasons for decisions should be recorded (written or electronic).

### **Referral to Local Authority Children's Social care**

- Where a child has been harmed, is at risk of harm, or is in immediate danger, schools and colleges should make a referral to local Local Authority Children's Social care.

- At the point of referral to Local Authority Children's Social care, schools and colleges will generally inform parents or carers, unless there are compelling reasons not to (if informing a parent or carer is going to put the child at additional risk). Any such decision should be made with the support of Local Authority Children's Social care.
- If a referral is made, Local Authority Children's Social care will then make enquiries to determine whether any of the children involved need protection or other services.
- Where statutory assessments are appropriate, the school or college (especially the designated safeguarding lead or a deputy) should be working alongside, and cooperating with, the relevant lead social worker. Collaborative working will help ensure the best possible package of coordinated support is implemented for the victim and, where appropriate, the alleged perpetrator(s) and any other children that require support.
- Schools and colleges should not wait for the outcome (or even the start) of a Local Authority Children's Social care investigation before protecting the victim and other children in the school or college. It will be important for the designated safeguarding lead (or a deputy) to work closely with Local Authority Children's Social care (and other agencies as required) to ensure any actions the school or college takes do not jeopardise a statutory investigation. The risk assessment will help inform any decision. Consideration of safeguarding the victim, alleged perpetrator(s), any other children directly involved in the safeguarding report and all children at the school or college should be immediate.
- In some cases, Local Authority Children's Social care will review the evidence and decide a statutory intervention is not appropriate. The school or college (generally led by the designated safeguarding lead or a deputy) should be prepared to refer again if they believe the child remains in immediate danger or at risk of harm. If a statutory assessment is not appropriate, the designated safeguarding lead (or a deputy) should consider other support mechanisms such as early help, specialist support and pastoral support.
- Whatever the response, it should be under-pinned by the principle that there is a zero-tolerance approach to sexual violence and sexual harassment and it is never acceptable and will not be tolerated.
- All concerns, discussions, decisions and reasons for decisions should be recorded on Cedar/CPOMS.

## **Reporting to the Police**

Any report to the police will generally be in parallel with a referral to Local Authority Children's Social care (as above). It is important that the designated safeguarding lead (and their deputies) are clear about the local process for referrals and follow that process.

Where a report of rape, assault by penetration or sexual assault is made, the starting point is that this should be passed on to the police. Whilst the age of criminal responsibility is ten, if the alleged perpetrator(s) is under ten, the starting principle of reporting to the police remains. The police will take a welfare, rather than a criminal justice, approach.

When to call the police.

- Where a report has been made to the police, the school or college should consult the police and agree what information can be disclosed to staff and others, in particular, the alleged perpetrator(s) and their parents or carers. They should also discuss the best way to protect the victim and their anonymity.
  - At this stage, schools and colleges will generally inform parents or carers unless there are compelling reasons not to, for example, if informing a parent or carer is likely to put a young person at additional risk. In circumstances where parents or carers have not been informed, it will be especially important that the school or college is supporting the child in any decision they take. This should be with the support of Local Authority Children's Social care and any appropriate specialist agencies.
  - All police forces in England have specialist units that investigate child abuse. The names and structures of these units are matters for local forces. It will be important that the designated safeguarding lead (and their deputies) are aware of their local arrangements.
  - In some cases, it may become clear very quickly that the police (for whatever reason) will not take further action. In such circumstances, it is important that the school or college continue to engage with specialist support for the victim and alleged perpetrator(s) as required.
  - Whilst protecting young people and/or taking any disciplinary measures against the alleged perpetrator(s), it will be important for the designated safeguarding lead (or a deputy) to work closely with the police (and other agencies as required), to ensure any actions the school or college take do not jeopardise the police investigation.
  - If schools or colleges have questions about the investigation, they should ask the police. The police will help and support the school or college as much as they can (within the constraints of any legal restrictions).
  - Whatever the response, it should be under-pinned by the principle that there is a zero-tolerance approach to sexual violence and sexual harassment and it is never acceptable and will not be tolerated.
  - All concerns, discussions, decisions and reasons for decisions should be recorded on Cedar/CPOMS
- 10.3. Considering Bail Conditions: The police will consider what action to take to manage the assessed risk of harm. This could involve the use of police bail with conditions, prior to a suspect appearing in court, or court bail with or without conditions after the first appearance.
- 10.4. Alternatively, the person suspected of an offence could be 'released under investigation' (RUI). People released under RUI can have no conditions attached to their release from custody and it is possible for a person on bail also to have no conditions.
- 10.5. Whatever arrangements are in place, the school or college will need to consider what additional measures may be necessary to manage any assessed risk of harm that may arise within their institution.
- 10.6. Particular regard should be given to: the additional stress and trauma that might be caused to a victim within the institution; the potential for the suspected person to intimidate the victim or a witness; the need to ensure that any risk management

measures strike a balance between management of risk and the rights of an unconvicted person (e.g. rights to privacy, family life, etc).

- 10.7. Careful liaison with the police investigators should help to develop a balanced set of arrangements.
- 10.8. Managing Any Delays Within the Criminal Process: There may be delays in any case that is being progressed through the criminal justice system. Schools and colleges should not wait for the outcome (or even the start) of a police investigation before protecting the victim, alleged perpetrator(s) and other children in the school or college.
- 10.9. The End of the Criminal Process: If a student is convicted or receives a caution for a sexual offence, the school or college should update its risk assessment, ensure relevant protections are in place for all the children at the school or college and, if it has not already, consider any suitable action in line with their behaviour policy. This process should include a review of the necessary actions to keep all parties safe and meet their needs. If the perpetrator(s) remains in the same school or college as the victim, the school or college should be very clear as to their expectations regarding the perpetrator(s) now they have been convicted or cautioned. This could include expectations regarding their behaviour and any restrictions the school or college thinks are reasonable and proportionate with regard to the perpetrator(s)' timetable.
- 10.10. Any conviction (even with legal anonymity reporting restrictions) is potentially going to generate interest among other students in the school or college. It will be important that the school or college ensure both the victim and perpetrator(s) remain protected, especially from any bullying or harassment (including online).
- 10.11. Where cases are classified as "no further action" (NFA'd) by the police or Crown Prosecution Service, or where there is a not guilty verdict, the school or college should continue to offer support to the victim and the alleged perpetrator(s) for as long as is necessary. A not guilty verdict or a decision not to progress with their case will likely be traumatic for the victim. The fact that an allegation cannot be substantiated or was withdrawn does not necessarily mean that it was unfounded. Schools and colleges should discuss any decisions with the victim in this light and continue to offer support. The alleged perpetrator(s) is also likely to require ongoing support for what will have likely been a difficult experience.
- 10.12. Unsubstantiated, unfounded, false or malicious reports: All concerns, discussions and decisions made, and the reasons for those decisions, should be recorded in writing. Records should be reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified, and addressed. All information should be recorded on Cedar/CPOMs
- 10.13. If a report is determined to be unsubstantiated, unfounded, false or malicious, the designated safeguarding lead should consider whether the student and/or the person who has made the allegation is in need of help or may have been abused by someone else and this is a cry for help. In such circumstances, a referral to Local Authority Children's Social care may be appropriate.

## **11. Ongoing response – Safeguarding and Supporting the Victim**



11.1. The following principles are based on effective safeguarding practice and should help shape any decisions regarding safeguarding and supporting the victim:

- The needs and wishes of the victim should be paramount (along with protecting the child) in any response. It is important they feel in as much control of the process as is reasonably possible. Wherever possible, the victim, if they wish, should be able to continue in their normal routine. Overall, the priority should be to make the victim's daily experience as normal as possible, so that the school or college is a safe space for them.
- Consider the age and the developmental stage of the victim, the nature of the allegations and the potential risk of further abuse. Schools and colleges should be aware that, by the very nature of sexual violence and sexual harassment, a power imbalance is likely to have been created between the victim and alleged perpetrator(s).
- The victim should never be made to feel they are the problem for making a report or made to feel ashamed for making a report.
- Consider the proportionality of the response. Support should be tailored on a case-by-case basis. The support required regarding a one-off incident of sexualised name-calling is likely to be vastly different from that for a report of rape.
- Schools should be aware that sexual assault can result in a range of health needs, including physical, mental, and sexual health problems and unwanted pregnancy. Children and young people that have a health need arising from sexual assault or abuse can access specialist NHS support from a Sexual Assault Referral Centre (SARC). SARCs offer confidential and non-judgemental support to victims and survivors of sexual assault and abuse. They provide medical, practical, and emotional care and advice to all children and adults, regardless of when the incident occurred.

11.2. Support can include:

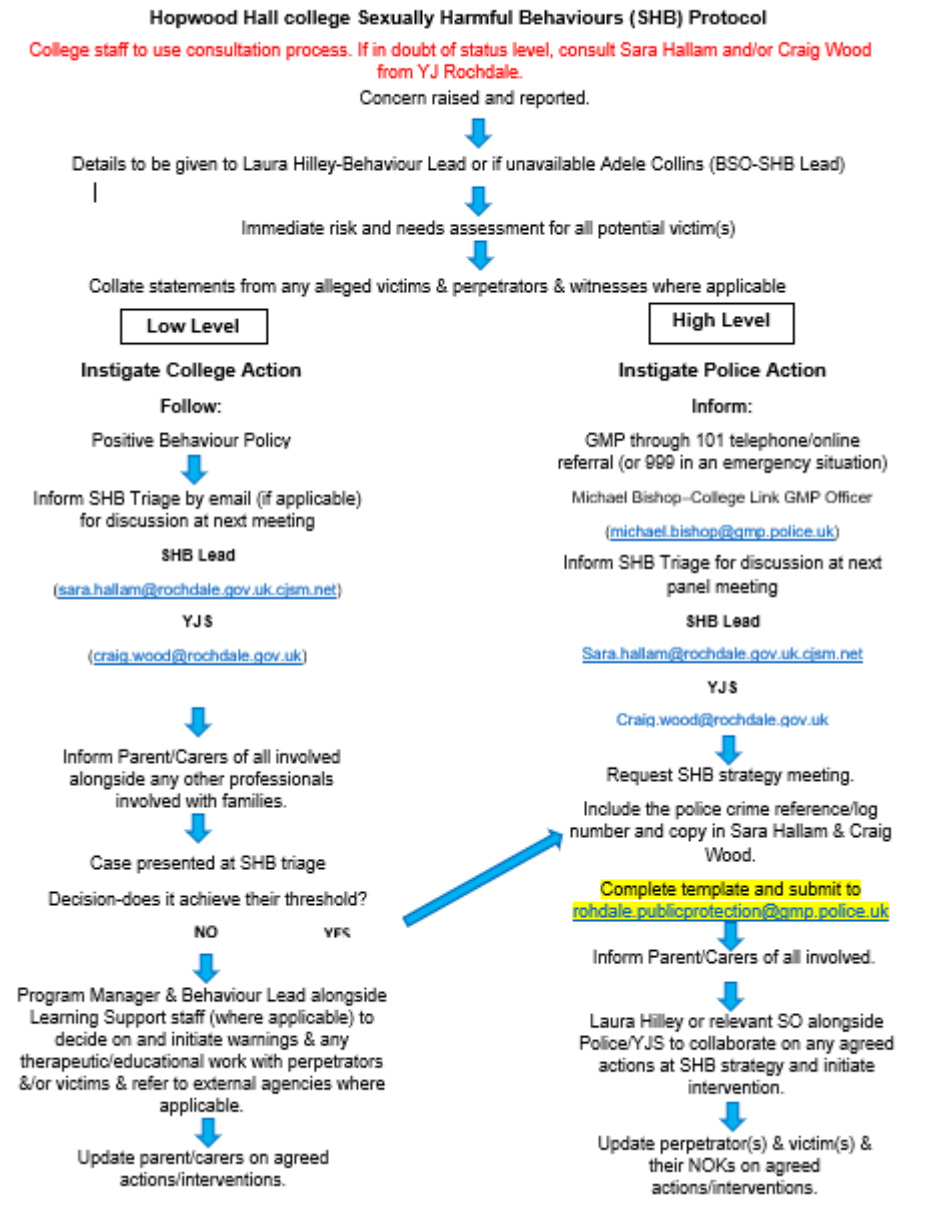
- Early help and Local Authority Children's Social care
- Children and Young People's Independent Sexual Violence Advisors (ChISVAs) provide emotional and practical support for victims of sexual violence. Agencies can signpost to ChISVA services or referrals can be made directly by the young person or school or college.
- Child and adolescent mental health services (CAMHS) is used as a term for all services that work with children who have difficulties with their emotional or behavioural wellbeing.
- The specialist sexual violence sector can provide therapeutic support for children who have experienced sexual violence. Contact Rape Crisis (England & Wales) or The Survivors Trust for details of local specialist organisations. The Male Survivors Partnership can provide details of services which specialise in supporting men and boys.
- NHS - Help after rape and sexual assault - NHS ([www.nhs.uk](http://www.nhs.uk)) provides a range of advice, help and support including advice about the risk of pregnancy, sexually transmitted infections (STI), reporting to the police and forensics.
- Rape and sexual assault referral centres services can be found at: Find Rape and sexual assault referral centres. Sexual assault referral centres (SARCs) offer medical, practical and emotional support. They have specially trained doctors,

- nurses and support workers. If children, young people, or their families are unsure which service to access, they should contact their GP or call the NHS on 111.
- Childline provides free and confidential advice for children and young people.
  - Internet Watch Foundation works internationally to remove child sexual abuse online images and videos and offers a place for the public to report them anonymously.
  - Childline / IWF: is a free tool that allows children to report nude or sexual images and videos of themselves that they think might have been shared online, to see if they can be removed from the internet.
- 11.3. Victims may not talk about the whole picture immediately. They may be more comfortable providing information on a piecemeal basis. It is essential that dialogue is kept open and encouraged. When it is clear that ongoing support will be required, schools and colleges should ask the victim if they would find it helpful to have a designated trusted adult (for example, their progress tutor or designated safeguarding lead) to talk to about their needs. The choice of any such adult should be the victim's (as far as reasonably possible). Schools and colleges should respect and support this choice.
- 11.4. A victim of sexual violence is likely to be traumatised and, in some cases, may struggle in a normal classroom environment. While schools and colleges should avoid any action that would have the effect of isolating the victim, in particular from supportive peer groups, there may be times when the victim finds it difficult to maintain a full-time timetable and may express a wish to withdraw from lessons and activities. This should be because the victim wants to, not because it makes it easier to manage the situation. If required, schools and colleges should provide a physical space for victims to withdraw.
- 11.5. It may be necessary for schools and colleges to maintain arrangements to protect and support the victim for a long time. Schools and colleges should be prepared for this and should work with Local Authority Children's Social care and other agencies as required.
- 11.6. It is important that the school or college do everything they reasonably can to protect the victim from bullying and harassment as a result of any report they have made.
- 11.7. Whilst they should be given all the necessary support to remain in their school or college, if the trauma results in the victim being unable to do this, alternative provision or a move to another school or college should be considered to enable them to continue to receive suitable education. This should only be at the request of the victim (and following discussion with their parents or carers).
- 11.8. It is important that if the victim does move to another educational institution (for any reason), that the new educational institution is made aware of any ongoing support needs. The designated safeguarding lead should take responsibility to ensure this happens (and should discuss with the victim and, where appropriate their parents or carers as to the most suitable way of doing this) as well as transferring the child protection file.
- 12. Ongoing Response - Safeguarding and Supporting the Alleged Perpetrator and Children and Young People who have Displayed Harmful Sexual Behaviour**

Advice about safeguarding and supporting the alleged perpetrators is set out in departmental advice found here:

<https://www.gov.uk/government/publications/sexual-violence-and-sexual-harassment-between-children-in-schools-and-colleges>

## SHB PROTOCOL



## **2. APPENDIX 4: SAFEGUARDING CONCERNS OR ALLEGATIONS MADE ABOUT STAFF, INCLUDING SUPPLY TEACHERS, VOLUNTEERS AND CONTRACTORS**

### **1. SCOPE**

- 1.1. All staff working with children, young people and vulnerable adults are in a position of trust and authority. The College's Professional Guidelines sets down expected standards of behaviour that should be adhered to at all times.
- 1.2. This procedure sets out how the College will deal with safeguarding concerns or allegations against those working in or on behalf of the College in a paid or unpaid capacity, i.e. members of staff, including supply teachers, volunteers and contractors. Staff who are concerned about the conduct of a colleague towards a student have a responsibility to speak up remembering that the welfare of the student is paramount. Staff should be reassured that all concerns and allegations will be dealt with confidentially and sensitively.
- 1.3. Concerns or allegations should be reported to the SLT Safeguarding lead (Caroline Street), who will liaise with the College's Safeguarding Manager, LADO (where required) and HR who will conduct an investigation.
- 1.4. The guidelines below are in line with Keeping Children Safe in Education 22, where the allegation relates to a vulnerable adult, the Adult LADO should be consulted.

### **2. LEVELS OF CONCERN AND ALLEGATIONS**

#### **2.1. There are 2 Levels of concerns and allegations:**

- Concerns / allegations that may meet the harm threshold.
- Concerns / allegations that do not meet the harm threshold – referred to for the purposes of this guidance as 'low-level concerns'.

### **3. CONCERNS OR ALLEGATIONS THAT MAY MEET THE HARM THRESHOLD**

#### **3.1. This relates to managing cases of concerns/allegations that might indicate a person would pose a risk of harm (the harm test is explained in the Disclosure and Barring service Guidance: Making barring referrals to the DBS and Section 31(9) of the Children Act 1989 as amended by the Adoption and Children Act 2002) if they continue to work in their present position, or in any capacity with children in a school or college. This would apply if an employee, agency worker, volunteer or contractors has:**

- behaved in a way that has harmed a child, or may have harmed a child and/or
- possibly committed a criminal offence against or related to a child, and/or
- behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children, and/or
- behaved or may have behaved in a way that indicates they may not be suitable to work with children. This includes behaviour that may have happened outside of school or college, that might make an individual unsuitable to work with children, this is known as transferable risk. Where appropriate, an assessment of transferable risk to children with whom the

person works should be undertaken. If in doubt seek advice from the local authority designated officer (LADO).

#### 4. INITIAL RESPONSE TO AN ALLEGATION

- 4.1. Where it has been identified a child has been harmed, that there may be an immediate risk of harm to a child or if the situation is an emergency, they should contact local authority children's social care and as appropriate the police immediately.
- 4.2. There are two aspects to consider when an allegation is made:
  - 4.2.1. Looking after the welfare of the child - the designated safeguarding lead (or a deputy) is responsible for ensuring that the child is not at risk and referring cases of suspected abuse to the local authority children's social care as described in Part one of this guidance.
  - 4.2.2. Investigating and supporting the person subject to the allegation - the case manager should discuss with the LADO, the nature, content and context of the allegation, and agree a course of action.
- 4.3. When dealing with allegations, the college will:
  - apply common sense and judgement
  - deal with allegations quickly, fairly and consistently, and
  - provide effective protection for the child and support the person subject to the allegation.
- 4.4. Before contacting the LADO, the college will conduct basic enquiries in line with local procedures to establish the facts and to help them determine whether there is any foundation to the allegation, being careful not to jeopardise any future police investigation, e.g:
  - Was the individual in college at the time of the allegations
  - did the individual, or could the individual have come into contact with the child
  - are there any witnesses
  - was there any CCTV footage
- 4.5. When the individual will be informed of the allegation will be considered carefully on a case-by-case basis, with guidance as required from the LADO, and if appropriate local authority children's social care and the police.
- 4.6. If there is cause to suspect a child is suffering, or is likely to suffer significant harm, a strategy discussion involving the police and/or local authority children's social care will be convened in accordance with the statutory guidance Working Together to Safeguard Children. If the allegation is about physical contact, for example restraint, the strategy discussion or initial evaluation with the LADO should take into account that college staff are entitled to use reasonable force to control or restrain children in certain circumstances, including dealing with disruptive behaviour (further information about the use of reasonable force can be found at paragraphs 163-165 in Part Two of Keeping Children Safe in Education.

- 4.7. Where the case manager is concerned about the welfare of other children in the community or the member of staff's family, they should discuss these concerns with the designated safeguarding lead (or a deputy) and make a risk assessment of the situation. It may be necessary for the designated safeguarding lead to make a referral to local authority children's social care.
- 4.8. Where it is clear that an investigation by the police or local authority children's social care is unnecessary, or the strategy discussion or initial assessment decides that is the case, the LADO should discuss the next steps with the case manager.

## 5. NO FURTHER ACTION

- 5.1. Where the initial discussion leads to no further action, the case manager and the LADO should:
  - record the decision and justification for it, and
  - agree on what information should be put in writing to the individual concerned and by whom.

## 6. FURTHER ENQUIRIES

- 6.1. Where further enquiries are required to enable a decision about how to proceed, the LADO and case manager should discuss how and by whom the investigation will be undertaken and the College will follow the LADO's advice.
- 6.2. The case manager will monitor the progress of cases to ensure that they are dealt with as quickly as possible in a thorough and fair process. Wherever possible, the first review should take place no later than four weeks after the initial assessment. Dates for subsequent reviews, ideally at fortnightly (and no longer than monthly) intervals, should be set at the review meeting if the investigation continues.

## 7. SUPPLY TEACHERS AND ALL CONTRACTED STAFF

- 7.1. In some circumstances the College will have to consider an allegation against an individual not directly employed by them, where its disciplinary procedures do not fully apply because agencies will have their own policies and procedures; for example, supply teachers or contracted staff provided by an employment agency or business.
- 7.2. The College will ensure allegations are dealt with properly and will not cease to use a supply teacher due to safeguarding concerns, without finding out the facts and liaising with the LADO to determine a suitable outcome. The College will determine whether it is appropriate to suspend the supply teacher or redeploy them to another part of the college, whilst they carry out their investigation.
- 7.3. The College expects Agencies to be fully involved and co-operate with any enquiries from the LADO, police and/or local authority children's social care. The College may take the lead in collecting facts when an allegation is made. Agency staff whilst not employed by the school or college, are under the supervision, direction and control of the governing body or proprietor when working in the school or college. They should be advised to contact their trade union representative if they have one, or a colleague for support. The allegations



management meeting, which is often arranged by the LADO, should address issues such as information sharing, to ensure that any previous concerns or allegations known to the agency or agencies are considered by the College during the investigation.

- 7.4. Agencies will be made aware of the College's process for managing allegations and will take account of the agency's policies and the duty placed on agencies to refer to the DBS as personnel suppliers.

## 8. SUSPENSION

- 8.1. Suspension is not an automatic response when an allegation is reported. All options to avoid suspension will be considered prior to taking that step. The case manager will consider carefully whether the circumstances warrant suspension from contact with children at the College, until the allegation is resolved. It should be considered only in cases where there is cause to suspect a child or other children at the College is/are at risk of harm, or the case is so serious that there might be grounds for dismissal. If in doubt, the case manager should seek views from HR and the LADO, as well as the police and local authority children's social care where they have been involved.
- 8.2. If the College is made aware that the Secretary of State has made an interim prohibition order, they should take immediate action to ensure the individual does not carry out work in contravention of the order. This means that pending the findings of the TRA investigation, the individual must not carry out teaching work. HR will advise on pay arrangements whilst the person is suspended or where there is an interim prohibition order in place.
- 8.3. In many cases, an inquiry can be resolved quickly and without the need for suspension. The employer will decide on whether the individual should continue to work at the College, based on consultation with the LADO who will provide relevant information received from the police or local authority children's social care on whether they have any objections to the member of staff continuing to work during the investigation of the case.
- 8.4. Based on advice from HR and/or a risk analysis drawn up with the LADO, the following alternatives should be considered by the case manager before suspending a member of staff:
  - redeployment within the College so that the individual does not have direct contact with the child or children concerned
  - providing an assistant to be present when the individual has contact with children
  - redeploying to alternative work in the College so the individual does not have unsupervised access to children
  - moving the child or children to classes where they will not come into contact with the member of staff, but this decision should only be made if it is in the best interests of the child or children concerned and takes account of their views. It should be made clear that this is not a punishment and parents have been consulted, or
  - temporarily redeploying the member of staff to another role in a different location

- 8.5. These alternatives allow time for an informed decision regarding the suspension, this will, however, depend upon the nature of the allegation. The case manager should consider the potential permanent professional reputational damage to employees that can result from suspension where an allegation is later found to be unfounded, unsubstantiated, malicious, or false.
- 8.6. If immediate suspension is considered necessary, the case manager should record the rationale and justification for such a course of action. This should also include what alternatives to suspension have been considered and why they were rejected.
- 8.7. Where it has been deemed appropriate to suspend the person, written confirmation will be given within one working day, giving as much detail as appropriate for the reasons for the suspension. It is not acceptable for an employer to leave a person who has been suspended without any support. The person should be informed at the point of their suspension who their named contact is within the organisation and provided with their contact details.
- 8.8. The College decides whether to suspend, however, where a strategy discussion, or initial assessment, concludes that there should be enquiries by local authority children's social care, and/or an investigation by the police, the LADO should canvass police and local authority children's social care for views about whether the accused member of staff should be suspended from contact with children. Police involvement does not make it mandatory to suspend a member of staff; this decision should be taken on a case-by-case basis having undertaken a risk assessment about whether the person poses a risk of harm to children.

## 9. SUPPORTING THOSE INVOLVED

- 9.1. The welfare of a child is paramount (how children should be protected and supported is set out in Keeping Children Safe in Education) and this will be the prime concern in terms of investigating an allegation against a person in a position of trust. However, when an allegation or safeguarding concern is being investigated it is likely to be a very stressful experience for the adult subject to the investigation, and potentially for their family members and the College will offer appropriate welfare support at such a time and recognises the sensitivity of the situation. Information is confidential and should not ordinarily be shared with other staff or with children or parents who are not directly involved in the investigation. This should:
  - manage and minimise the stress caused by the allegation
  - inform the individual as soon as possible, explaining the likely course of action, guided by the LADO, and the police where necessary
  - advise the individual to contact their trade union representative, or a colleague for support
  - appoint a named representative to keep the person informed about the progress of the case
  - provide access to counselling where appropriate.
  - not prevent social contact with work colleagues and friends, when staff are suspended, unless there is evidence to suggest this may prejudice the gathering of evidence.

9.2. Parents or carers of the child or children involved should be:

- formally told about the allegation as soon as possible. The case manager should consult the LADO and where involved local authority children's social care and/or the police on what information can be disclosed
- kept informed about the progress of the case, only in relation to their child - no information can be shared regarding the staff member, and,
- made aware of the requirement to maintain confidentiality and unwanted publicity about any allegations made against teachers in schools whilst investigations are in progress as set out in section 141F of the Education Act 2002.

## 10. CONFIDENTIALITY AND INFORMATION SHARING

10.1. In an allegations management meeting or during the initial assessment of the case, the agencies involved will share all relevant information they have about the person who is the subject of the allegation, and about the alleged victim, see paragraphs 115-123 in Keeping Children Safe in Education.

10.2. The College will ask the police to obtain consent from the individuals involved to share their statements and evidence for use in the employer's disciplinary process. This should be done as their investigation proceeds and will enable the police to share relevant information without delaying the conclusion of their investigation or any court case.

10.3. Local authority children's social care should adopt a similar procedure when making enquiries to determine whether the child or children named in the allegation are in need of protection or services, so that any information obtained in the course of those enquiries which is relevant to a disciplinary case can be passed to the employer without delay.

10.4. The College will make every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered. (See Keeping children safe in Education re: legal restrictions on publication of information on such cases).

## 11. ALLEGATION OUTCOMES

11.1. The definitions that will be used when the College determines the outcome of an allegation:

- Substantiated: there is sufficient evidence to prove the allegation
- Malicious: there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive or cause harm to the person subject of the allegation
- False: there is sufficient evidence to disprove the allegation
- Unsubstantiated: there is insufficient evidence to either prove or disprove the allegation. The term, therefore, does not imply guilt or innocence, or
- Unfounded: to reflect cases where there is no evidence or proper basis which supports the allegation being made.

11.2. Ultimately the options open to the school or college depend on the nature and circumstances of the allegations and the evidence and information available. This will range from taking no further action, to dismissal or a decision not to use the person's services in future.

## 12. FOLLOWING A SUBSTANTIATED ALLEGATION

12.1. If the allegation is substantiated and:

- the person is dismissed; resigns, or otherwise ceases to provide his or her services, or
- the employer ceases to use the person's services.

12.2. In the case of a member of teaching staff, the case manager must consider whether to refer the matter to the TRA to consider whether the individual should be prohibited from teaching (See Keeping Children safe in Education for further information).

12.3. There is a legal requirement for employers to make a referral to the DBS where they consider an individual has engaged in conduct that harmed (or is likely to harm) a child; or if a person otherwise poses a risk of harm to a child (see Keeping Children safe in Education for further information).

## 13. Following a criminal investigation or a prosecution

13.1. The police should inform the LADO and the employer immediately when:

- a criminal investigation and any subsequent trial is complete
- it is decided to close an investigation without charge, or
- it is decided not to continue to prosecute after the person has been charged.

13.2. In those circumstances, during the joint assessment meeting the LADO should discuss with the case manager whether any further action, including disciplinary action, is appropriate and, if so, how to proceed. The information provided by the police and/or local authority children's social care should also inform that decision. The options will depend on the circumstances of the case and the consideration should take into account the result of the police investigation or the trial, as well as the different standard of proof required in disciplinary and criminal proceedings.

## 14. UNSUBSTANTIATED, UNFOUNDED, FALSE OR MALICIOUS ALLEGATIONS

14.1. If an allegation is determined to be unsubstantiated, unfounded, false or malicious, the LADO and the case manager should consider whether the child and/or the person who has made the allegation is in need of help or may have been abused by someone else and this is a cry for help. In such circumstances, a referral to local authority children's social care may be appropriate.

14.2. If an allegation is shown to be deliberately invented or malicious, the school or college, should consider whether any disciplinary action is appropriate against the individual who made it as per their own behaviour policy.

## 15. RETURNING TO WORK

15.1. Where it is decided on the conclusion of a case that a person who has been suspended can return to work, the case manager will consider how best to facilitate that. Guidance and advice are usually provided via HR or the LADO. Most people will benefit from some help and support to return to work after a stressful experience. Depending on the individual's circumstances, a phased return and/or the provision of a mentor to provide assistance and support in the short term may be appropriate. The case manager should also consider how the person's contact with the child or children who made the allegation can best be managed if they are still attending the school or college.

## 16. RESIGNATIONS AND 'SETTLEMENT AGREEMENTS'

16.1. 'Settlement agreements' (sometimes referred to as compromise agreements), by which a person agrees to resign if the employer agrees not to pursue disciplinary action and both parties agree a form of words to be used in any future reference, should not be used, where there are allegations that indicate the person is a risk or poses a risk of harm to children or deemed not suitable to work with children. Such an agreement will not prevent a thorough police and/or school or college investigation where that is appropriate.

16.2. The College will not cease their investigations if the person leaves, resigns or ceases to provide their services. It is important that every effort is made to reach a conclusion in all cases of allegations bearing on the safety or welfare of children, including any in which the person concerned refuses to cooperate.

16.3. Wherever possible, the accused should be given full opportunity to answer the allegation and make representations about it. The process of recording the allegation and any supporting evidence and reaching a judgement about whether it can be substantiated or otherwise on the basis of all the information available, should continue even if the accused does not cooperate. It may be difficult to reach a conclusion in those circumstances, and it may not be possible to apply any disciplinary sanctions if a person's period of notice expires before the process is complete, but it is important to reach and record an outcome wherever possible. The person concerned should be notified of the conclusion of the allegations and sanctions that might be posed.

16.4. Other than where allegations are false, malicious, unsubstantiated, or unfounded, the outcome should be made clear when providing references to prospective employers. This is particularly important where the person moves into another position involving working with children.

16.5. It is not appropriate to reach a settlement/compromise agreement if the person subject to the allegation resigns or their services cease to be used. However, in limited circumstances schools and colleges sometimes use settlement agreements to end the employment relationship on agreed terms, but not where there is an allegation that the individual poses a risk to children.

16.6. Where a settlement/compromise agreement is used, this does not prevent the College from:

- fulfilling their legal duty to refer cases to the DBS where the referral criteria are met. Non-compliance of this duty is a criminal offence, or

- providing a reference to potential employers when requested, or
- considering whether to make a referral to the TRA where the criteria are met.

## 17. RECORD KEEPING

17.1. Details of allegations following an investigation that are found to have been malicious or false will be removed from HR records unless the individual gives their consent for retention of the information. However, for all other allegations, i.e. substantiated, unfounded and unsubstantiated the following information is kept on the file of the person accused:

- a clear and comprehensive summary of the allegation
- details of how the allegation was followed up and resolved
- a note of any action taken, decisions reached and the outcome i.e. substantiated, unfounded or unsubstantiated
- a copy provided to the person concerned, where agreed by local authority children's social care or the police, and
- a declaration on whether the information will be referred to in any future reference.

17.2. The purpose of the record is to enable accurate information to be given in response to any future request for a reference. It will provide clarification in cases where future DBS checks reveal information from the police about an allegation that did not result in a criminal conviction and it will help to prevent unnecessary re-investigation if, as sometimes happens, an allegation re-surfaces after a period of time.

17.3. The College has an obligation to preserve records which contain information about allegations of sexual abuse for the Independent Inquiry into Child Sexual Abuse (IICSA), for the term of the inquiry (further information can be found on the IICSA website). All other records should be retained at least until the accused has reached normal pension age or for a period of 10 years from the date of the allegation if that is longer. See Information Commissioner guidance on employment records in its Employment Practices Code and supplementary guidance.

## 18. REFERENCES

18.1. Cases in which an allegation was found to be false, unfounded, unsubstantiated or malicious will not be included in employer references. Any repeated concerns or allegations which have all been found to be false, unfounded, unsubstantiated or malicious will also not be included in any reference. See Keeping children safe in education for further information on references. Substantiated safeguarding allegations that meet the harm threshold should be included in references, provided that the information is factual and does not include opinions.

## 19. LEARNING LESSONS

19.1. Throughout the process in handling allegations and at conclusion of a case in which an allegation is substantiated, the LADO should review the circumstances of the case with the case manager to determine whether there are any improvements to be made to the College's procedures to help prevent similar events in the future.



This should include issues arising from any 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. The LADO and case manager should consider how future investigations of a similar nature could be carried out without suspending the individual.

19.2. For all other cases, where the allegation concluded to be either, unfounded, false, malicious or unsubstantiated the case manager (and if they have been involved the LADO) should consider the facts and determine whether any lessons can be learned and if improvements can be made.

## 20. NON-RECENT ALLEGATIONS

20.1. Where an adult makes an allegation to a school or college that they were abused as a child, the individual should be advised to report the allegation to the police. Non recent allegations made by a child, should be reported to the LADO in line with the local authority's procedures for dealing with non-recent allegations. The LADO will coordinate with local authority children social care and the police. Abuse can be reported no matter how long ago it happened.

## 21. CONCERNS OR ALLEGATIONS THAT DO NOT MEET THE HARM THRESHOLD

### LOW-LEVEL CONCERNS

21.1. The College promotes an open and transparent culture in which all concerns about all adults working in or on behalf of the school or college (including supply teachers, volunteers and contractors) are dealt with promptly and appropriately. This should:

- enable the College to identify inappropriate, problematic or concerning behaviour early
- minimise the risk of abuse, and
- ensure that adults working in or on behalf of the school or college are clear about professional boundaries and act within these boundaries, and in accordance with the ethos and values of the institution.

## 22. WHAT IS A LOW-LEVEL CONCERN?

22.1. The term 'low-level' concern does not mean that it is insignificant. A low-level concern is any concern – no matter how small, and even if no more than causing a sense of unease or a 'nagging doubt' - that an adult working in or on behalf of the school or college may have acted in a way that:

- is inconsistent with the College Professional Guidelines, including inappropriate conduct outside of work and
- does not meet the harm threshold or is otherwise not serious enough to consider a referral to the LADO.

22.2. Examples of such behaviour could include, but are not limited to:

- being over friendly with children
- having favourites

- taking photographs of children on their mobile phone, contrary to College policy
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door, or
- humiliating children.

22.3. Such behaviour can exist on a wide spectrum, from the inadvertent or thoughtless, or behaviour that may look to be inappropriate, but might not be in specific circumstances, through to that which is ultimately intended to enable abuse.

22.4. Low-level concerns may arise in several ways and from a number of sources. For example: suspicion; complaint; or disclosure made by a child, parent or other adult within or outside of the organisation; or as a result of vetting checks undertaken.

22.5. It is crucial that all low-level concerns are shared responsibly with the right person and recorded and dealt with appropriately. Ensuring they are dealt with effectively should also protect those working in or on behalf of the College from becoming the subject of potential false low-level concerns or misunderstandings.

## 23. PROFESSIONAL GUIDELINES AND SAFEGUARDING POLICY

23.1. The College's Professional Guidelines and Safeguarding policy sets set out expectations on dealing with low-level concerns to:

- ensure staff are clear about what appropriate behaviour is, and are confident in distinguishing expected and appropriate behaviour from inappropriate, problematic or concerning behaviour, in themselves and others
- empower staff to share any low-level safeguarding concerns (see below)
- address unprofessional behaviour and supporting the individual to correct it at an early stage
- Handle and respond to such concerns sensitively and proportionately when they are raised, and
- help identify any weakness in the College's safeguarding system.

## 24. SHARING LOW-LEVEL CONCERNS

24.1. Staff should follow the Professional Guidelines when reporting low-level concerns

24.2. Low-level concerns which are shared about supply staff and contractors should be notified to their employers, so that any potential patterns of inappropriate behaviour can be identified.

24.3. If the College is in any doubt as to whether the information which has been shared about a member of staff as a low-level concern in fact meets the harm threshold, they will consult with the LADO.

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

## 25. RECORDING LOW-LEVEL CONCERNS

- 25.1. All low-level concerns will be recorded, including the details of the concern, the context in which the concern arose, and action taken. The name of the individual sharing their concerns should also be noted, if the individual wishes to remain anonymous then that should be respected as far as reasonably possible. The data will be kept securely and confidentially.
- 25.2. Records will be reviewed so that potential patterns of inappropriate, problematic or concerning behaviour can be identified. Where a pattern of such behaviour is identified, the College will decide on a course of action, either through its disciplinary procedures or where a pattern of behaviour moves from a low level concern to meeting the harm threshold, in which case it should be referred to the LADO (as above). Consideration should also be given to whether there are wider cultural issues within the College that enabled the behaviour to occur and where appropriate policies could be revised, or extra training delivered to minimise the risk of it happening again.
- 25.3. The information will be retained at least until the individual leaves their employment.

## 26. REFERENCES

- 26.1. In line with Keeping Children Safe in Education, the College will only provide substantiated safeguarding concerns/allegations (including a group of low-level concerns about the same individual) that meet the harm threshold in references. Low-level concerns will not be included in references unless they relate to issues which would normally be included in a reference, for example, misconduct or poor performance. It follows that a low-level concern which relates exclusively to safeguarding (and not to misconduct or poor performance) should not be referred to in a reference.

## 27. RESPONDING TO LOW-LEVEL CONCERNS

- 27.1. If the concern has been raised via a third party, the College will collect as much evidence as possible by speaking:
- directly to the person who raised the concern, unless it has been raised anonymously, and
  - to the individual involved and any witnesses.
- 27.2. The information collected will be used to categorise the type of behaviour and determine what further action may need to be taken. This information needs to be recorded in writing along with the rationale for their decisions and action taken.

## 1. TERMINOLOGY:

- 1.1. **Child(ren):** Anyone who has not yet reached their 18th birthday. The fact that a child has reached 16 years of age, is living independently or is in further education, is a member of the armed forces, is in hospital or in custody in the secure estate, does not change their status or entitlements to services or protection.
- 1.2. **Vulnerable adult** refers to someone who is, or may need, care services by reason of mental or other disability, who is or maybe unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation;
- 1.3. **Child protection:** part of safeguarding and promoting welfare and refers to the activity that is undertaken to protect specific children who are suffering, or are likely to suffer, significant harm.
- 1.4. **The difference between Safeguarding and Child Protection:** Safeguarding is what we do for all children; and Child Protection is what we do for children or young people who have been harmed or are at significant risk of being harmed. This Policy includes the Child Protection Procedures, as well as links to other policies.
- 1.5. **Staff:** refers to all those working for or on behalf of the College, full time or part time, in either a paid or voluntary capacity. Staff includes ancillary supply and self-employed staff, contractors, volunteers working with children, and governors.
- 1.6. **Looked After Child:** sometimes referred to as 'LAC' is a child who is accommodated by the local authority; a child who is the subject of an Interim Care Order, Full Care Order or Emergency Protection Order; or a child who is remanded by a court into local authority accommodation or Youth Detention Accommodation. In addition, where a child is placed for Adoption or the local authority is authorised to place a child for adoption, the child is a Looked After Child. Looked After Children may be placed with parents, foster carers (including relatives and friends), in Children's Homes, in Secure Accommodation or with prospective adopters.
- 1.7. **Care Leaver:** a care leaver (CL) is someone who has previously been in care and is over 16 years old. Local Authorities have duties and powers to support LAC and Care Leavers as they move into independence.
- 1.8. **Young Carer:** A young carer is a person under 18 who provides or intends to provide care for another person (of any age, except generally where that care is provided for payment pursuant to a contract or as voluntary work).
- 1.9. **Parent Carer:** A person aged 18 or over who provides care for a disabled child for whom the person has parental responsibility.
- 1.10. **Education, Health and Care Plan (EHCP):** A single plan, which covers the education, health and social care needs of a child or young person with Special Educational Needs and Disability Care of Practice 2014.
- 1.11. **Local Authority Designated Officer (LADO):** the role where concerns where allegations against people who work with children are reported to. Any action

necessary to address corresponding welfare concerns in relation to the child or children involved should be taken without delay and in a coordinated manner.

- 1.12. **The Rochdale Borough Safeguarding Children Partnership (RBSCP):** replaced the Rochdale Borough Safeguarding Children Board on 11th July 2019 when new partnership arrangements are implemented.
- 1.13. **Contextual Safeguarding:** this is known as Complex safeguarding in some local authorities, it means that assessment of children/young people should consider whether wider environmental factors are present in a child's life that are a threat to their safety and or welfare. Extra-familial harms take a variety of different forms and children can be vulnerable to multiple harms including (but not limited to) sexual exploitation, criminal exploitation, and serious youth violence.

## 2. DEFINITIONS<sup>4</sup>

- 2.1. **Abuse:** a form of maltreatment of a child or vulnerable adult. 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 (e.g. via the internet). They may be abused by an adult or another child or children. There are 4 main categories of abuse: **Physical, Neglect, Sexual and Emotional:**
- 2.2. **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.
- 2.3. **Neglect:** the persistent failure to meet basic physical and/or psychological needs, likely to result in the serious impairment of the health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to:
  - provide adequate food, clothing and shelter (including exclusion from home or abandonment);
  - protect a child from physical and emotional harm or danger;
  - ensure adequate supervision (including the use of inadequate care-givers);
  - ensure access to appropriate medical care or treatment;
  - It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.
- 2.4. **Self-neglect:** this covers a wide range of behaviour neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding.
- 2.5. **Neglect and acts of omission** - Neglect is the failure of any person who has responsibility for the charge, care or custody of an Adult to provide the amount and type of care that a reasonable person would be expected to provide.
- 2.6. **Sexual Abuse:** involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the

child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children. [All staff need to be aware of this issue and how to respond to it appropriately.](#)

2.7. **Emotional Abuse:** the persistent emotional mal-treatment of a child such as to cause severe and persistent 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;
- Not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate;
- Age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction;
- Seeing or hearing the ill-treatment of another;
- Serious bullying (including cyber bullying), 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, though it may occur alone.

2.8. **Financial Abuse:** Including theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.

2.9. **Mental Health:** refers to the emotional wellbeing of a person. All staff should be aware that a young person's or vulnerable adult's mental health may be an indicator that significant harm is/has happened or that they may be at risk of exploitation. Day to day observation of students' wellbeing is invaluable and any concerns identified must be shared with the DSL/DO's or the appropriate safeguarding staff to follow up on.

2.10. **Adverse Childhood Experience (ACEs):** ACEs are traumatic events that can have negative, lasting effects on health and wellbeing. These can include (but not limited to) abuse, neglect and household challenges such as domestic abuse, bereavement and substance misuse.