



## SAFEGUARDING - CHILD PROTECTION POLICY

St Helen and St Katharine places safeguarding at the heart of all that we do; we recognise the wide-ranging aspects of the term.

There are three policies that comprise the Safeguarding Group - Child Protection, Prevent and Online Safety. This policy focuses on safeguarding in terms of Child Protection.

The Safeguarding Policy Group has alongside it a range of other important policies that work together to safeguard the individuals at this school. These policies are:

Whistleblowing, Anti-bullying, ICT Acceptable use policy, Equal Opportunities, Safer Recruitment, Sex and relationships, Health and Safety, Pastoral Care, Behaviour, Work Experience and the Staff Code of Conduct.

In writing the safeguarding policies we have referred to:

Keeping Children Safe in Education (September 2016) (KCSIE); Disqualification under the Childcare Act 2006 (February 2015) What to do if you're worried a child is being abused (March 2015) Working Together to Safeguard Children (March 2015); Prevent Duty Guidance: for England and Wales (March 2015) (Prevent). The Prevent duty: Departmental advice for schools and childminders (June 2015); The use of social media for on-line radicalisation (July 2015). (These documents refer to the Children's Act 1989)

As a school we have an important role to play in child protection. In particular we believe that:

- All children have the right to be protected from harm.
- Schools can contribute to the prevention of abuse.
- Children need support which matches their individual needs. This includes both those who may be experiencing abuse and any child engaged in peer on peer abuse.

Safeguarding and promoting the welfare of children is defined in *Working Together to Safeguard Children (2015)* as:

- Protecting children from maltreatment
- Preventing impairment of children's health or development
- Ensuring children grow up in circumstances consistent with the provision of safe and effective care.
- Taking action to enable all children to have the best outcomes.
- 'Children' in this context includes everyone under the age of 18.

Harm is defined in *The Children Act (1989)* as ill-treatment (including sexual abuse and physical abuse), impairment of health (physical or mental) or development (physical, intellectual, emotional, social or behavioural) as compared to a similar child. Harm includes the impairment of a child's health or development as a result of witnessing the ill-treatment of another person.

### **Aims and Objectives**

The school's policy applies to all staff, governors and volunteers working in school and is available to parents on request. It focuses on the three key areas of prevention, protection and support. At St Helen's we aim to:

Contribute to the prevention of abuse by:

- Clarifying standards of behaviour for staff and pupils
- Introducing appropriate work within the curriculum to equip pupils with the skills needed to keep themselves safe from abuse
- Ensuring staff awareness of the causes of abuse
- Creating an environment where staff feel able to raise concerns and feel supported in their safeguarding role
- Addressing concerns at the earliest possible stage
- Establishing a safe and nurturing environment where children can learn and develop.
- Having a strong pastoral system where children have an opportunity to talk about any issues that are worrying them.

Contribute to the protection of our pupils in the following ways:

- Including appropriate work within the curriculum, including the Personal Development and General Studies curriculum
- Implementing child protection policies and procedures which are reviewed annually by the governing body, and ensuring that the School has assurance from Abingdon School and other educational partners that they have adequate policies and procedures for the protection of children and safe recruitment of staff
- Working in partnership with pupils, parents and outside agencies
- Providing a process by which allegations of abuse against members of staff, including the Headmistress or volunteers, will be handled
- Ensuring that any deficiencies in the procedures are remedied without delay
- Following safe practices of staff recruitment and selection (Safer Recruitment Policy on website)
- Appointing designated persons within school, who are trained every two years
- Training all staff, both teaching and support, every three years and carrying out interim updates at least annually as advice changes.
- Ensuring staff adhere to other related policies including Safer Recruitment Policy, Staff Code of Conduct, Whistleblowing, Pastoral Care Policy, Drug and Substance Misuse Policy, Anti-Bullying Policy, Eating Disorders and Self Harm policies.
- Ensure that we have written assurances from overseas partners where children are involved in exchanges.
- Ensure that we insist on Joint Bus Service providers being fully checked through DBS and trained in safeguarding.

We recognise that because of the day to day contact with children, school staff are ideally placed to observe the outward signs of abuse and staff in school will therefore:

- Recognise when a child needs support, preventing problems escalating and working with external agencies to this end if that is appropriate.
- Establish and maintain an environment where children feel secure, encouraged to talk and are listened to.
- Ensure that children know that there are adults in the school who they can approach if worried. (See student homework diaries)

As a guiding principle we understand that:

Safeguarding and promoting the welfare of children is everyone's responsibility. In order to fulfil this responsibility effectively, all professionals should make sure their approach is child-centred. This means that they should consider, at all times, what is in the best interests of the child.

No single professional can have a full picture of a child's needs and circumstances. If children and families are to receive the right help at the right time, everyone who comes into contact with them has a role to play in identifying concerns, sharing information and taking prompt action.

As professionals we understand that whilst we must respect different cultural, SEN and age group needs they must not act as a barrier to accurate assessment of the safeguarding of a child. We recognise the vulnerability of children with SEN/D.

As a school we operate safeguarding procedures in line with locally agreed inter-agency procedures as identified by the Oxfordshire Safeguarding of Children Board. (OSCB)

A distinction may be made between a 'Child in Need'<sup>1</sup> and a 'Child at risk'<sup>2</sup>. It is recognized that a 'Child in Need' may be vulnerable and staff need to be always alert, however the focus of this policy concerns where a child is thought to either be potentially, or actually, at risk.

## **The Role of staff with respect to Safeguarding**

### **The role of all Staff**

- All school staff have a responsibility to provide a safe environment in which children can learn.
- All teachers (Teachers' Standards 2012) should safeguard children's wellbeing and maintain public trust in the teaching profession.

All staff:

- Should be familiar with the school's three Safeguarding policies and in particular their duties if they have concern about a child's welfare and the process of referral.
- Are expected to be alert to signs which might indicate some form of abuse: physical, neglect, sexual, emotional, bullying, drug/alcohol abusing parents, child on child abuse, child sexual exploitation, forced marriage, radicalisation, gangs, domestic abuse and female genital mutilation and 'honour' based violence. These may include physical injury, withdrawal, lack of concentration, self-harm, depression, social isolation, lack of self-esteem, needy behaviour and aggression. (See Appendix 4 and 5 for definitions and more detailed signs.)
- Should be aware that peer on peer abuse may take varying forms and should not be dismissed as 'banter'. See ICT Acceptable Use Policy-Students. Staff should be alert to the potential for peer on peer abuse linked to gender issues or between schools. Peer abuse may also include sexual violence, sexual harassment and hazing or initiation rites.
- Should be aware of their role in the early help process.
- Should be aware of the guidance surrounding confidentiality
- Should read updated information and take part in further training as requested by the DSL.
- Should be aware of safe working practices when working with children – see Staff Code of Conduct in the Employment Handbook. They should be particularly aware of adopting best professional working practices where children are engaged in close one-to-one teaching e.g.in specialist performing arts or sports and VMTs. If staff are at all unsure what this involves they should talk to the DSL.

---

<sup>1</sup> As defined under Section 17(10) of the Children Act 1989.

<sup>2</sup> As defined under section 47 of the Children Act 1989 (reasonable cause to suspect children suffering or likely to suffer significant harm)

- Must be aware that it is an offence for a person over the age of 18 and in a position of trust to have a sexual relationship with a child under 18, even if the relationship is consensual. It is not appropriate for a member of St Helen's staff to have an intimate relationship with any pupil in the school, even if over 18.
- When necessary should make a written record (signed and dated) of their concerns which should be handed to a designated staff member.
- Should be involved in ongoing monitoring and recording to support the implementation of individual education programmes and interagency child protection and child support plans, where these have been put in place.
- Will be subject to vetting by the Disclosure and Barring Service (DBS) whether new staff, supply staff, work placement students, volunteers etc. EEA checks may also be appropriate-see Safer Recruitment policy
- If a member of staff feels that a safeguarding issue has not been dealt with they should contact the MASH directly.
- If a member of staff feels there are child protection failures internally that they do not feel that they could raise, they should contact the NSPCC whistleblowing helpline 0800 0280285 or email [help@nspcc.org.uk](mailto:help@nspcc.org.uk)
- It should be noted that parental consent is not required for referral to statutory agencies.

### **Staff training**

The school will aim to ensure all staff (including the Headmistress, academic and non-academic staff) receive training appropriate to their roles. At present this is every three years for all staff with additional training for those with specific roles.

If a member of staff arrives after the termly training sessions, they will attend a briefing with the DSL and then must attend the next available session.

- All staff, including temporary staff and volunteers, must be provided with induction training that includes:
  - The school's three Safeguarding policies-Child Protection, Prevent, On-line safety
  - The identity of the DSL (in this policy)
  - A copy of Part 1 of KCSIE which they need to read carefully and see the DSL if they do not understand any part of it.
  - Those working directly with children should also read Annex A
  - Those staff involved 1:1 with children who do not already hold the generalist level training must attend an in school generalist training session.
  - Heads of Section and Head of Junior Department may be asked to attend additional training in line with their role.
  - Staff who are regularly involved in recruitment, in addition to the Headmistress, will receive appropriate training in safer recruitment practices.
  - Training completed will be recorded by the school
  - All staff will need to read KCSIE part one if there are changes to the document and take part in annual department/ team meetings where safeguarding and the referral process is discussed.
  - There will be updates throughout the year on safeguarding given by the DSL.

### **Staff support**

- We recognise the stressful and traumatic nature of child protection work. Support is available for any member of staff; they should seek help from the Directors of Staff or Students in the first instance.

### **The role of the Designated Safeguarding Lead**

- The Designated Safeguarding Lead (DSL) is the Director of Students (Elizabeth Bedford). In this role she has lead responsibility for safeguarding and child protection. The Director of Students is a member of the Leadership team.
- The Deputy Designated Safeguarding Leads are the Head of Junior Department (Nina Talbot), the Head of Middle School (Helen Nash) Head of Lower School (Kay Taylor) and the Head of Sixth form (Heather Doherty)
- If there is an issue the DSL/DDSL will liaise with the Headmistress (Rebecca Dougall).
- In the absence of the DSL (Director of Students), concerns should be taken to Deputy DSL and the Headmistress, however lead responsibility remains with the DSL.
- The DSL is responsible for ensuring the school's co-ordinated approach to safeguarding. The principles involved include:
  - Ensuring children receive the right help at the right time to address risks and prevent issues escalating
  - Acting on and referring the early signs of abuse
  - Keeping clear records
  - Listening to the views of the child
  - Reassessing concerns when situations do not improve
  - Sharing information quickly
  - Challenging inaction

#### **Managing referrals**

- The DSL is expected to
  - Refer cases of suspected abuse to the local authority's social care as required.
  - Support staff who make referrals.
  - Refer cases to the Channel programme where there is a radicalisation concern.
  - Support staff who make referrals to the Channel programme.
  - Refer cases where a person has been dismissed or left due to risk/harm to a child to the DBS.
  - Refer cases where a crime may have been committed to the police as required.

#### **Work with others**

- Liaise with Headmistress to inform her of any on-going investigations
- Liaise with outside agencies as required
- Liaise with staff, act as a source of support, advice and expertise.

#### **DSL training**

- The DSL and other staff acting in that capacity e.g the DDSL must attend DSL level training every two years or as frequently as the Oxfordshire Safeguarding Children Board (OSCB) requests.

#### **Procedure**

- Where the school has concerns about a child, the DSL will decide on the immediate next steps. This will usually be in consultation with appropriate staff and outside agencies. The threshold for referral should be low. In some cases the DSL may initially choose to make a 'no names consultation' with the Locality and Community Support Service and then follow that advice.

- It should be noted that parental consent is not required for referral to statutory agencies.
- Where a child has suffered or is at risk of suffering significant harm the DSL will refer straight into the MASH.
- If the child is in immediate and actual danger then the police may be called first.
- Where children are in need of support from one or more agencies, the school will initiate an inter-agency assessment using the MASH process. This may lead to a Common Assessed Framework referral and Team Around the Child approach as guided by MASH.
- In the case of allegations against a professional or member of staff the LADO will be called immediately. This will usually be by the Headmistress.
- Child Protection information needs to be dealt with in a confidential manner. Staff will be informed of relevant details when the DSL feels their having knowledge of a situation will improve their ability to support an individual child and/or family.
- Child Protection records are stored securely in the Director of Students office under lock and key. Access to these by other staff, apart from the DSL, is restricted (DDSLs know the location of the key to the locked box in the DoS office)
- So long as parents or carers are not implicated in any potential abuse or it is felt that communicating with parents or carers would not place a pupil at further risk, or there are direct instructions from the police or social care not to, the parents or carers of a child making a disclosure should be informed at the earliest opportunity. This communication should take place irrespective of whether the child or young person is an alleged perpetrator or victim.
- In communicating with parents the DSL does not need to provide all the detail of the allegation but parents and carers should be given sufficient information to enable them to make decisions in respect of consent to interview as well as an outline of the likely process.
- By providing this level of information to parents/carers the DSL will enable them to decide how best to support their child through any investigative process.
- If a pupil moves from our school, child protection records will be forwarded onto the new school, with due regard to their confidential nature.
- The DSL provides a termly report to all Governors, meets termly with the Nominated Safeguarding Governor and reports to the whole board annually at a full board meeting.
- The DSL contributes to the Risk and Compliance committee
- The DSL will carry out a safeguarding review with the OSCB on an annual basis.
- The DSL will ensure that there are mechanisms in place to assist staff to understand and discharge their role and responsibilities as set out in part 1 of KCSIE. This will be by providing documentation, having whole staff compliance meetings, an annual update and providing material for discussion within teams.

### **The role of the Governing Body**

The Governing Body should ensure the school:

- has a Safeguarding and Child Protection policy and procedures in accordance with LA/OSCB guidelines
- operates safe recruitment procedures, ensures appropriate checks are carried out on all new staff and volunteers and that they are made aware of the school's arrangements for Safeguarding and Child Protection and their responsibilities
- supports staff in having the skills, knowledge and understanding necessary to keep safe children who are looked after by the LA
- has procedures for dealing with allegations of abuse against staff/volunteers/Head

- responds to requests from the DBS for information they hold already
- has at least one senior member of the school's Leadership team designated to lead on safeguarding and child protection issues, including a designated teacher to promote the educational achievement of children who are looked after, if necessary
- ensures that the designated person undertakes training to OSCB standards, and attends refresher training at least every two years
- ensures that all staff who work with children undertake training at three-yearly intervals; remedies any deficiencies or weaknesses brought to its attention without delay
- has a nominated governor who undertakes an annual review of child protection policy and procedures and the efficiency with which they are implemented and reports to the governing body
- has a member of the governing body (usually the Chair) who is nominated to be responsible for liaising with the LA/partner agencies in the event of allegations of abuse being made against the Headmistress

### **The role of individual Governors**

All Governors should:

- Be familiar with the school's three Safeguarding policies and be aware of the guidance surrounding confidentiality.
- Should read updated information and take part in further training as requested by the DSL
- Will be subject to vetting by the Disclosure and Barring Service (DBS)

### **The role of the Nominated Governor**

- The nominated governor is **Hazel Knott**.
- She is responsible for liaising with the Headmistress/DSL/DDSL over all matters regarding child protection. The role is strategic rather than operational – she is not involved in concerns about individual pupils.
- The nominated Governor meets termly with the DSL to discuss the safeguarding section of the termly Governors' Report and keep up to date with issues in the school.
- The safeguarding section of the termly report will include changes to child protection policy/procedures, training undertaken by the designated staff and other staff and an overview of incidents/pupils (without details or names).
- The nominated Governor will also carry out regular spot checks to ensure that staff in all capacities are aware of the safeguarding and child protection procedure.
- The nominated Governor/ Clerk to the Governors will liaise with the DSL to ensure that Governors have training and awareness of safeguarding issues.
- The Nominated Governor chairs the Governors' Risk and Compliance committee which has overview of regulatory compliance including safeguarding. The compliance committee meets termly.
- The Chair of Governors and the Nominated Governor (see above) conduct a termly check of the SCR

### **Nominated Governor training**

- The Nominated Governor will aim to have attended specific training on their role; this may include safer recruitment training, or they will ensure that at least one member of the Governing body has this training.

### **Working with other institutions**

The DSL will obtain assurances that appropriate child protection checks and procedures apply to any staff employed by another institution and working with the school's pupils on another site e.g. lessons at Abingdon School, Community Service placements.

The Work Experience policy includes information on safeguarding and child protection given to employers offering work experience placements to pupils which have been arranged by the school.

In arranging home stays for pupils taking part in foreign exchanges, St Helen's gives parents of our pupils the opportunity to raise concerns about the pairing of exchange partners. The school also asks the Headteacher of each exchange school to give a written undertaking that they are not aware of any concerns about the families of the exchange partners participating in the exchange.

When children join the school we will request child protection records from pupil's previous school.

Other schools: Missing in education. Where a child changes schools, St Helen's will check that they have started in their new school. If a child is thought to be missing, or is absent without authorisation for 10 school days continuously or 20 non-continuously the DSL will report it to the Local Authority in line with Oxfordshire procedures published Sep 2016.

### **Outside Speakers**

There are two elements to safeguarding with regards to speakers. One is the issue of the person being safe to be in the presence of children and allied to that is the risk of radicalisation.

Staff are encouraged to look at the advice from the [www.educateagainsthate.com](http://www.educateagainsthate.com) website.

Staff inviting speakers on site have to complete due diligence. This is then recorded on a form in the staffroom a copy of which is kept by HR with the Single Central Register.

As a minimum, staff are expected to check the organisation that the speaker represents and be aware of the topic under discussion and have agreed that with the speaker. They need to accompany the speaker at all times and ensure that they challenge and contextualise any extreme views expressed. See also Prevent policy

### **Procedures when concerns are raised**

Staff at St Helen's will follow the Oxfordshire Safeguarding Children Board (OSCB) procedures in all cases of abuse or suspected abuse. This policy has regard to the Department for Education guidance *Keeping Children Safe in Education (KCSIE)* (2016) and *Working Together to Safeguard Children (WTSC)* (2015).

### **Procedures for dealing with a disclosure by a pupil**

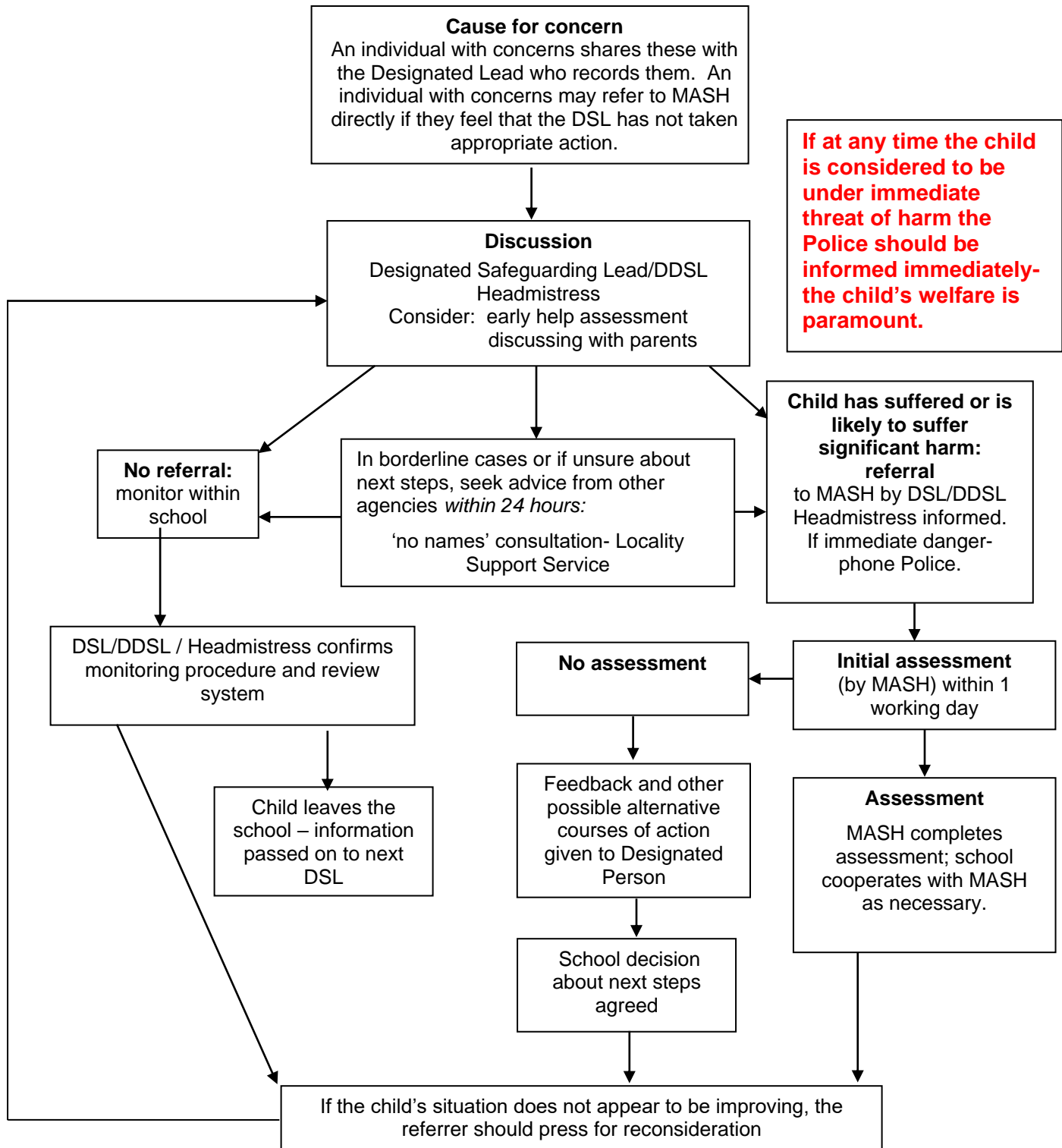
- If a pupil discloses to a member of staff, they should be listened to carefully. See Appendix 1 for recommendations of how to listen to and record a disclosure.
- If the abuse reported is peer to peer or a group of pupils against another pupil/pupils then all pupils involved, whether perpetrator or victim need to be considered to be 'at risk'. If the allegation is such that there is 'reasonable cause to suspect that a child is suffering, or likely to suffer, significant harm' then a MASH referral must be made.
- Given the age range of the pupils (9-18) care must be taken to support them in an age-appropriate way. Consideration also needs to be given where a student has SEND needs.
- These must be passed to a designated staff member immediately, followed by a written account. The School procedure for dealing with disclosure is given in Appendix 2.



- The child's wishes or feelings should be taken into account when determining what action to take and what services to provide to protect individual children through ensuring there are systems in place for children to express their views and give feedback. However, children cannot be promised confidentiality and staff should always act in the interest of the child. Where the nature of the abuse is by a student/students against another student, the school's anti-bullying procedures will be followed, unless there is reasonable cause to suspect that a child is suffering, or likely to suffer significant harm. In this case, the abuse would be referred to the local authority using the usual school procedures.
- If the child's situation does not appear to be improving, the member of staff with concerns should press for reconsideration. All staff have the right to make a referral to external agencies if they feel that the school's safeguarding procedures have not been followed. Concerns should always lead to help for the child at some point. See also the Whistleblowing Policy in the Employment Handbook.
- Referral to the MASH may be hand in hand with the use of a Common Assessed Framework and Team Around the Child approach if the situation requires inter-agency support. In these situations the DSL/DDSL (DDSL- Deputy DSL) will confer with the MASH or Locality and Community Support Service about how to proceed.
- The whole picture for a referral is as outlined by KCSIE September 2016 p 8(See Appendix 2) within the school this can be summarized by the process on the following page.

Where there are emerging concerns for a child that do not require an immediate safeguarding response then the Locality Community Support Service may be contacted for a 'no names' consultation, or to report to them to engage further support.

**Summary of in-school procedures to follow where there are concerns about a child**



**If at any time the child is considered to be under immediate threat of harm the Police should be informed immediately- the child's welfare is paramount.**

- Key contact numbers:**
1. DSL Liz Bedford: 07885 458174    DDSL Nina Talbot: 07921 479724
  2. Headmistress Rebecca Dougall: 07768 789905
  3. MASH 0345 050 7666 /0333 014 3325 out of hours 0800 833408
  4. LADO 01865 815956, Alison Beasley OSCB: 01865 323457, 07833426649
  5. L and C Support Service. 0345 2412608

## **Procedures in the event of an allegation against a member of staff or volunteer**

Although it is an uncomfortable thought, it needs to be acknowledged that there is the potential for staff or volunteers in school to abuse children. This policy applies to all cases in which it is alleged that a teacher or member of staff (including volunteers) has:

- behaved in a way that has harmed a child, or may have harmed a child;
- possibly committed a criminal offence against or related to a child; or
- behaved towards a child or children in a way that indicates they may pose a risk of harm to children.

The quick resolution of any allegation should be a clear priority to the benefit of all concerned. At any stage of consideration or investigation, all unnecessary delays should be eradicated. At St Helen's we anticipate that most cases should be resolved within one month. For those cases where it is clear immediately that the allegation is unsubstantiated or malicious, they should be resolved in one week. Procedures need to be applied with common sense and judgment.

### Staff should:

Report immediately any allegation against a member of staff/volunteer to the Headmistress. In the absence of the Headmistress, or in the case of an allegation against the Headmistress, the report should be made to the Chair of Governors. The Chair of Governors is Kevan Leggett, his email is kleggett@shsk.org.uk

If the allegation is against the DSL, or a volunteer or any other adult working in or for the school, the Headmistress should be informed.

### The Headmistress should:

Follow the procedures as laid out in Appendix 3. This policy is reviewed annually, in the Lent term. However, there may be revisions termly if needed. All changes are reviewed by the Headmistress, Nominated Governor and SMT and the Governing Body are notified.

Policy last reviewed.....Lent 2018  
Next review due .....Lent 2019  
Person responsible for review ..... Director of Students, annually by Governing Body  
Audience ..... Staff/Parents/Governors

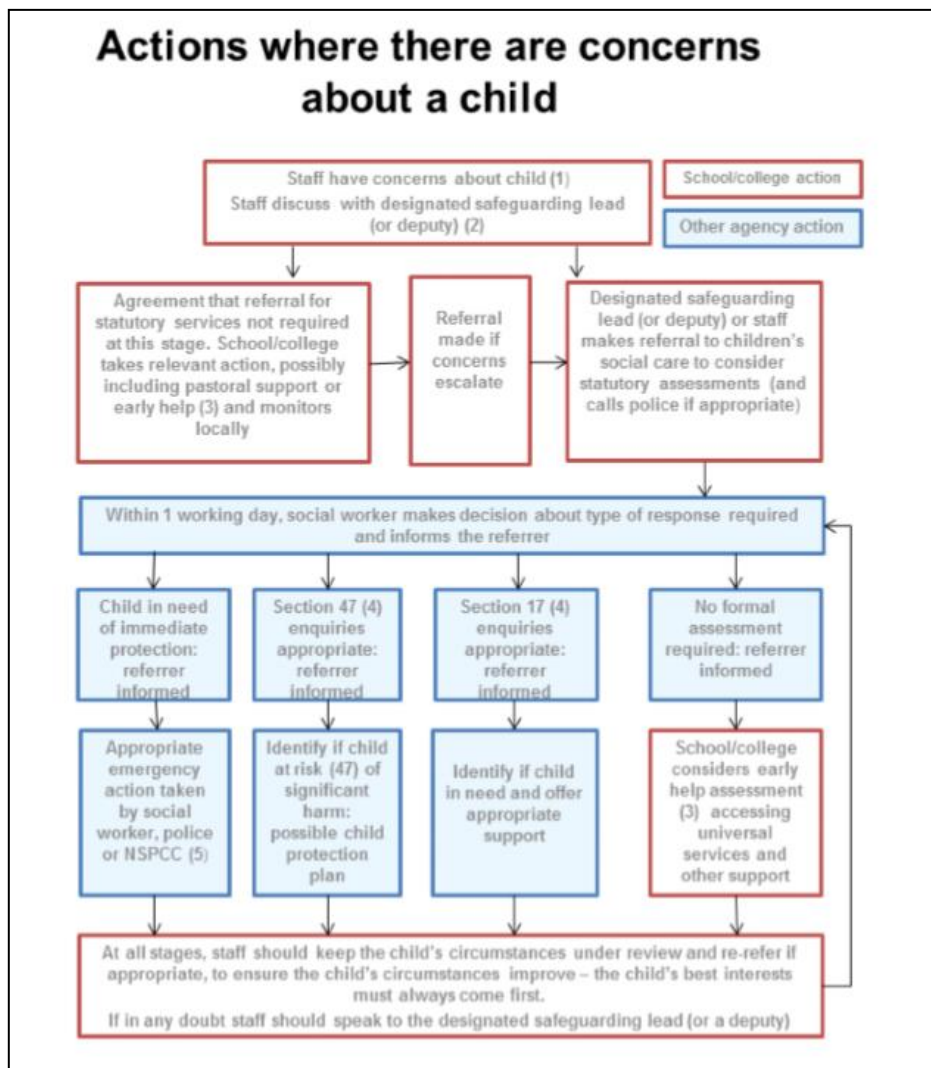
## Appendix 1

### Procedure for dealing with disclosures (the 6 R's):

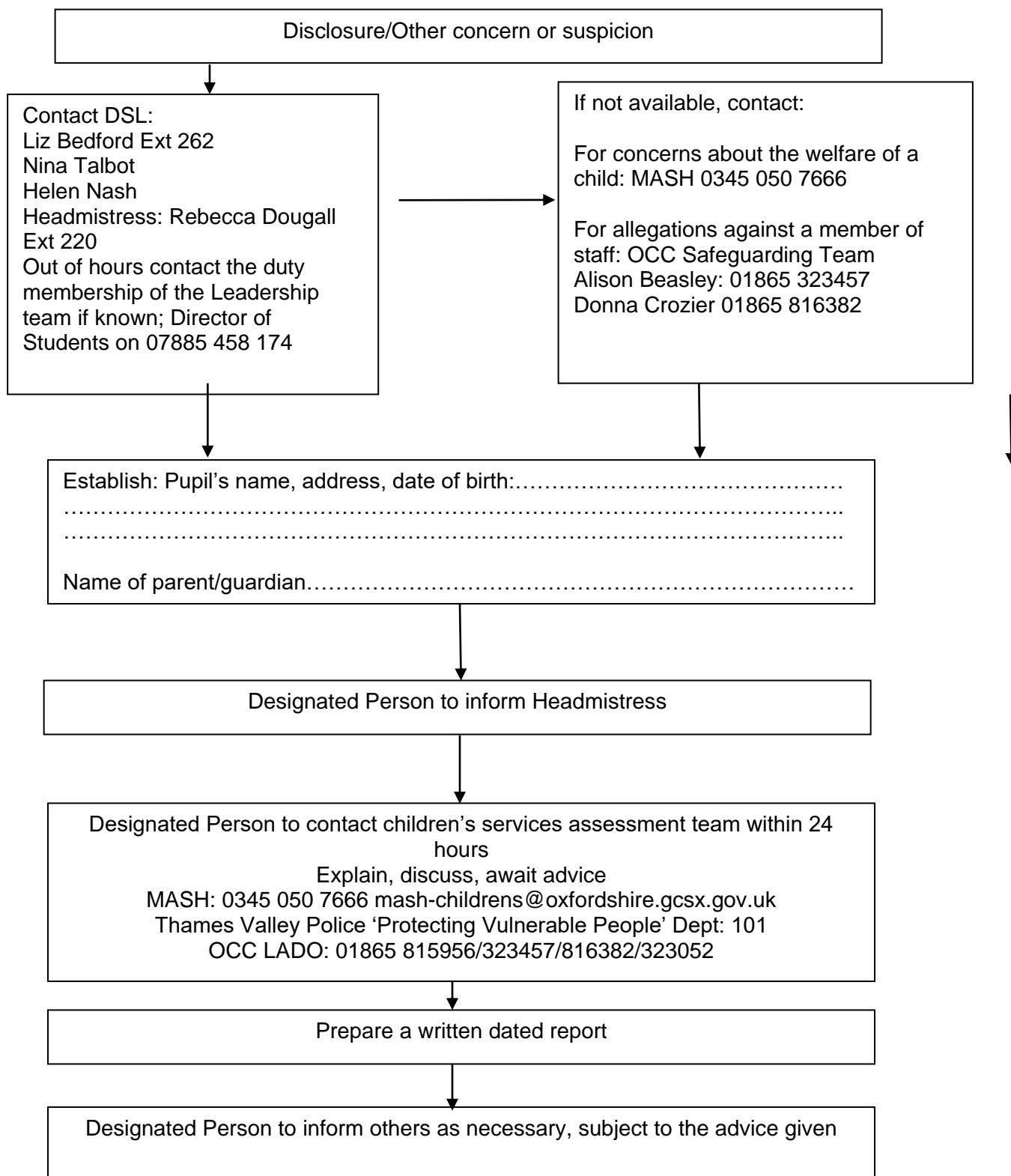
1. Receive
  - Listen to what is being said without displaying shock or disbelief
  - Take what is said seriously
  - Note down what has been said
2. Reassure
  - Reassure the pupil that they have done the right thing in talking to you
  - Be honest and do not make promises you cannot keep e.g. "It will be all right now"
  - **Do not promise confidentiality;** you have a duty to refer and can share information without consent if, in your judgement, that lack of consent should be overridden in the public interest. You will need to base your judgement on the fact of the case.
  - Reassure and alleviate guilt, if the pupil refers to it e.g. "you're not to blame"
  - Reassure the child that information will only be shared with those who need to know
3. React
  - React to the pupil only as far as is necessary for you to establish whether or not you need to refer the matter, but do not interrogate for full details
  - Do not ask leading questions; "Did he/she....?" Such questions can invalidate evidence.
  - Do ask open questions; think TED ("tell me...", "explain what you mean by...", "describe what happened....")
  - Do not criticise the perpetrator; the pupil may have affection for him/her
  - Do not ask the pupil to repeat it all for another member of staff
  - Explain what you have to do next and who you have to talk to
4. Record
  - Make some brief notes at the time on any paper which comes to hand and write them up as soon as possible
  - Do not destroy your original notes
  - Record the date, time, place, any non-verbal behaviour and the words used by the child. Ensure that as far as possible you have recorded the actual words used by the child, as well as the questions you asked them, even if they are using colloquial language for parts of the body. For Y5 and 6 they may need you to draw an outline of the body and you may need to let them point. Pass on this drawing annotated with where they point to. If you have a student with SEN needs then you need to ensure they have equal access to relaying information and those needs are taken into account.
  - Record statements and observable things rather than your interpretations or assumptions
  - Sign this record and print your name
  - Pass on any notes/drawings to the DSL.
5. Remember
  - Contact the designated member of staff: remember that the Data Protection Act is not a barrier to sharing information
  - The designated teacher may be required to a referral to the LADO, OSCB or other agencies

- Seek advice from the DSL (this can be done as a 'no names' consultation initially, if necessary) if you are in any doubt.
  -
6. Relax
- Get some support for yourself

Appendix 2-from KCSIE 2016



### Appendix 3 School Procedures for dealing with disclosure



### **Appendix 3**

## **Procedures for dealing with an allegation against a member of staff or volunteer in school**

### **Initial considerations**

1. Where the allegation concerns harm or potential harm to a pupil; or a possible criminal offence involving a pupil or behaviour indicating unsuitability to work with children, the Headmistress will report the allegation to the LADO within one working day. If the person is deemed to be an immediate risk to children or there is evidence of a possible criminal offence, the Headmistress may report the allegation directly to the police.  
MASH: 0345 050 7666 mash-childrens@oxfordshire.gcsx.gov.uk  
Thames Valley Police 'Protecting Vulnerable People' Dept: 101  
OSCB LADO: 01865 815956/323457/816382/323052
2. The allegation should not be investigated by the Headmistress without prior consultation with the LADO or, in the most serious cases, the police, so as not to jeopardise statutory investigations. In borderline cases, this discussion can be held informally and without naming the school or individual.
3. In most cases, contact should be made with the LADO to discuss the allegation, consider the nature, content and context of the allegation and agree a course of action including any involvement of the police. Discussions should be recorded in writing and communication with both the individual and the parents of the child/children agreed.
4. The initial conversation may lead to a decision to take no further action. The decision and the reasons for it should be recorded by both the Headmistress and the LADO, and agreement reached about what information should be put in writing to the individual concerned and by whom. The Headmistress should consider with the LADO what action should follow both in respect of the individual and those who made the initial allegation, ranging from no further action to dismissal or a decision not to use the person's services again in future.
5. The Headmistress should inform the accused person about the allegation as soon as possible after consulting the LADO, once a strategy discussion in accordance with WTSC has been held and/or other agencies consulted, as necessary. They should be provided with as much information as possible at that time.
6. In response to an allegation, staff suspension should not be the default option. See 'Suspension' below. Where an investigation is needed, the Headmistress and LADO should agree how and by whom the further enquiries will be undertaken. In straightforward cases, this should normally be undertaken by a member of the Leadership team. In other circumstances, an independent investigator may be required.
7. If the allegation is against the Headmistress, the Chair of Governors should liaise directly with the LADO.

### **Supporting those involved**

1. Individuals should be informed of concerns or allegations as soon as possible and given an explanation of the likely course of action, unless there is an objection by the LADO or the police. The Headmistress should appoint a named representative to keep the person who is the subject of the allegation informed of the progress of the case and consider what support is appropriate for the individual.
2. The named contact should keep the person against whom the allegation is made informed of progress. They should be advised to consult their professional association, where they have

one, or a colleague for support. They should also be given access to welfare counselling or medical advice where this is provided by the school.

3. Where an accused individual has been suspended, they should be kept informed of the progress of their case and current work-related issues. Social contact with colleagues and friends should not be prevented unless there is evidence to suggest that such contact is likely to be prejudicial to the gathering and presentation of evidence.
4. Parents and carers of a child or children involved should be told about the allegation as soon as possible, when all relevant agencies have been consulted and agreed what information can be disclosed, if they do not already know of it. They should also be kept informed about the progress of the case, and told the outcome where there is not a criminal prosecution, including the outcome of any disciplinary process.
5. Parents and carers should also be made aware of the requirement to maintain confidentiality: see below.
6. The school will also contribute to any support mechanisms put in place for the pupil by children's social care services.

### Confidentiality

7. Make every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered. Reporting restrictions prevent the publication of any material that may lead to the identification of a teacher who has been accused by, or on behalf of, a pupil from the same school. This applies until the accused person is charged with an offence, or the Secretary of State publishes details of an investigation, or the accused person waives their right to anonymity by going public themselves or giving written consent for someone else to do so, or if a judge lifts restrictions in response to a request to do so.
8. The accused person and parents of alleged victims should also be made aware of these reporting restrictions surrounding allegations, including posting details of allegations on social networking sites.
9. The Headmistress should take advice from the LADO, police and children's social care services to agree the following:
  - who needs to know and, importantly, exactly what information can be shared;
  - how to manage speculation, leaks and gossip;
  - what, if any, information can be reasonably given to the wider community to reduce speculation; and
  - how to manage press interest if and when it should arise.

### **Managing the situation and exit arrangements**

10. It is important every effort is made to reach a conclusion in all cases of allegations bearing on the safety or welfare of children. Wherever possible the accused should be given a full opportunity to answer the allegation and make representations about it. The process should continue even where that cannot be done, or if the accused does not co-operate. It may be difficult to reach a conclusion in those circumstances, but it is important to reach and record a conclusion wherever possible.
11. The following definitions should be used when determining the outcome of allegation investigations:
  - 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;
  - False: there is sufficient evidence to disprove the allegation;
  - Unsubstantiated: there is insufficient evidence either to prove or disprove the allegation. The term, therefore, does not imply guilt or innocence.



### Resignations and settlement agreements

12. If the accused person resigns, or ceases to provide their services, this should not prevent an allegation from being followed up, using these procedures. A referral to the DBS must be made, if the criteria are met and the NCTL
13. Settlement or 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, cannot apply in this connection, or where the individual refuses to cooperate with an investigation.

### Record keeping

14. Allegations that are found to have been malicious should be removed from personnel records and should not be referred to in employer references. In all other cases, make a clear and comprehensive written record of any allegations made, how it was followed up, how it was resolved, a note of any action taken and decisions reached. This should be kept on the employee's file and a copy given to him/her.
15. This will enable accurate information to be given in future references, provide clarification in future DBS checks and prevent unnecessary reinvestigation, were the allegation to resurface after a period of time. The record should be retained 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.

### References

16. Records of any that are found to be unsubstantiated, or false should be kept in personnel files but the allegations should not be referred to in employer references. A history of repeated concerns or allegations which have all been found to be false, unsubstantiated or malicious should also not be included in any reference.

### Timescales

17. All allegations should be investigated as a priority to avoid any delay. It is expected that 80 percent of cases should be resolved within one month, 90 percent within three months, and all but the most exceptional cases within 12 months.
18. For those cases where it is clear immediately that the allegation is unsubstantiated or malicious, they should be resolved within one week. Where the police carry out the investigation, this may take up to four weeks.
19. Following the police report, if no criminal action is to be taken, or if following an internal investigation it is decided that the allegation does not involve a criminal offence, the Headmistress and LADO should consider next steps.
20. Where investigation does not lead to further social care service or police involvement, consider invoking the school's disciplinary procedures. Appropriate action should be instituted within three working days and if a disciplinary hearing is required, this should be held within 15 working days.

### Suspension

21. The Headmistress must consider carefully whether the circumstances of the case warrant suspension; all options to avoid suspension should be considered prior to taking that step. If she is concerned about the welfare of other pupils or the teacher's family, these should be

reported to the LADO or the police. Suspension is highly unlikely to be justified on the basis of such concerns alone.

22. Suspension should only be considered where there is cause to suspect that a pupil or pupils at the school are at immediate risk of harm, or the case is so serious that it might be grounds for dismissal. The LADO and the police cannot require the Headmistress to suspend an individual, but she should give weight to their views when making a decision about suspension. It will be necessary to immediately suspend an individual where the Secretary of State has made an interim prohibition order.
23. An individual should only be suspended if there is no reasonable alternative. If the LADO, police and OSCB have no objections to the member of staff continuing to work during the investigation, the Headmistress should be as inventive as possible to avoid suspension. The following alternatives, appropriately risk assessed, should be considered:
  - Redeployment within school so that the individual does not have direct contact with the pupil(s) concerned
  - Providing an assistant to be present when the individual has contact with pupils
  - Redeploying to alternative work so the individual does not have unsupervised access to pupils
  - Moving the pupil(s) to classes where they will not come into contact with the individual, making 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, for example to an alternative school.
24. These alternatives allow time for an informed decision regarding the suspension and possibly reduce the initial impact of the allegation. The Headmistress should consider the potential permanent professional reputational damage to employees that can result from suspension where an allegation is later found to be unsubstantiated or maliciously intended.
25. If immediate suspension is deemed appropriate, the reasons and justification should be recorded by the school and the LADO. This should also include what alternatives were considered and why they were rejected. The individual should be notified of the reasons in as much detail as possible, within one working day. They should also be informed of who their named contact is and provided with their contact details.

### Information sharing

26. All agencies involved should share all relevant information they have about the person who is the subject of the allegation, and about the alleged victim. The Headmistress should ask the police to obtain consent from individuals involved to share their statements for use in the school's disciplinary process. Children's social care should adopt a similar procedure.

### **Specific Actions**

#### Following a criminal investigation or a prosecution

27. The police should inform the Headmistress and the LADO immediately a criminal investigation and any subsequent trial is complete, or if it is decided to close an investigation without charge, or not to continue to prosecute the case after the person has been charged.
28. The Headmistress and LADO should consider whether any further action, including disciplinary action, is appropriate and, if so, how to proceed. Information provided by the police and children's social care services should inform the decision, 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.

#### On conclusion of a case

29. If the allegation is substantiated and the person is dismissed or the employer ceases to use the person's services, or the person resigns or otherwise ceases to provide his or her services, the LADO should discuss with the Headmistress and school's HR advisor whether the school will make a referral to the DBS for inclusion on the barred lists; and in the case of a member of teaching staff whether to refer the matter to the National College for Teaching and Leadership (NCTL) to consider prohibiting the individual from teaching. Possible reasons for this include 'unacceptable professional conduct', 'conduct that may bring the profession into disrepute' or 'a conviction, at any time, for a relevant offence'.
30. There is a legal requirement to report to the DBS, within one month of their leaving, any person who has engaged in conduct that harmed, or posed a risk of harm, to a child.
31. Ceasing to use a person's services includes: dismissal; non-renewal of a fixed-term contract; no longer engaging/refusing to engage a supply teacher provided by an employment agency; terminating the placement of a student teacher or other trainee; no longer using staff employed by contractors; no longer using volunteers; resignation; and voluntary withdrawal from supply teaching, contract working, a course of initial teacher training, or volunteering.
32. It is important that reports to the DBS or NCTL include as much evidence about the circumstances of the case as possible. Failure to make a report constitutes an offence.
33. Where it is decided on the conclusion of a case that a person who has been suspended can return to work, the case manager should consider how best to facilitate that. 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 Headmistress should also consider how the person's contact with the pupil(s) who made the allegation can best be managed if they are still enrolled at school.

#### In respect of malicious or unsubstantiated allegations

34. If an allegation is determined to be unsubstantiated or malicious, the LADO should refer the matter to children's social care services to determine whether the child concerned is in need of services or may have been abused by someone else. Pupils who are found to have made malicious or deliberately invented allegations are likely to have breached the school's Behaviour and Sanctions policy and may be subject to sanctions in accordance with this policy. This could include temporary or permanent exclusion, as well as referral to the police if there are grounds for believing a criminal offence has been committed.

#### Learning lessons

35. If there has been a substantiated allegation against a member of staff, the Headmistress/Chair of Governors should work with the LADO to determine whether there are any improvements to be made to the school's procedures or practice to help prevent similar events in the future. This should include issues arising from the decision to suspend the member of staff, the duration of the suspension and whether or not the suspension was justified. Lessons should also be learned from the use of suspension when the individual is subsequently reinstated. The LADO and Headmistress should consider how future investigation of a similar nature could be carried out without suspending the individual.
36. This investigation should take ten days, plus two days to consider the results.

## **Appendix 4 Definitions and Signs of Abuse and Neglect**

**Abuse** is a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. They may be abused by an adult or adults or another child or children.

### **Physical Abuse**

Physical abuse may involve hitting, shaking, throwing, poisoning, burning, 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.

#### **Signs that MAY INDICATE physical abuse**

- Bruises and abrasions around the face
- Damage or injury around the mouth
- Bi-lateral injuries such as two bruised eyes
- Bruising to soft area of the face such as the cheeks
- Fingertip bruising to the front or back of torso
- Bite marks
- Burns or scalds (unusual patterns and spread of injuries)
- Deep contact burns such as cigarette burns
- Injuries suggesting beatings (strap marks, welts)
- Covering arms and legs even when hot
- Aggressive behaviour or severe temper outbursts

Injuries need to be accounted for. Inadequate, inconsistent or excessively plausible explanations or a delay in seeking treatment, should signal concern.

### **Emotional Abuse**

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

#### **Signs that MAY INDICATE emotional abuse**

- Over reaction to mistakes
- Lack of self confidence/esteem
- Sudden speech disorders
- Self harming
- Extremes of passivity and/or aggression

- Compulsive stealing
- Drug, alcohol, solvent abuse
- Fear of parents being contacted
- Unwillingness or inability to play
- Excessive need for approval, attention and affection

## **Domestic Abuse**

Domestic abuse is any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners, or family members regardless of gender and sexuality. This can encompass, but is not limited to, the following types of abuse: psychological, physical, sexual, financial, emotional.

Controlling behaviour is a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape, and regulating their everyday behaviour.

Coercive behaviour is an act or pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish or frighten their victim.

Witnessing domestic abuse whether visually or aurally, is a form of emotional abuse.

## **Sexual Abuse**

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, encouraging sexting, 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.

### **Signs that MAY INDICATE Sexual Abuse**

- Sudden changes in behaviour and school performance
- Displays of affection which are sexual and age inappropriate
- Self harm, self mutilation or attempts at suicide
- Alluding to secrets which they cannot reveal
- Tendency to cling or need constant reassurance
- Regression to younger behaviour for example thumb sucking, playing with discarded toys, acting like a baby
- Distrust of familiar adults. Anxiety of being left with relatives, a child minder or lodger
- Unexplained gifts or money
- Depression and withdrawal
- Fear of undressing for gym activities
- Sexually transmitted disease
- Fire setting

## **Child Sexual Exploitation**

Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology for example the persuasion to post sexual images on the internet (sexting) or sent to mobile phones with no immediate payment or gain.

What marks out exploitation is an imbalance of power in the relationship. The perpetrator always holds some kind of power over the victim (e.g. by virtue of age, gender, intellect, physical strength and/or economic or other resources) which increases as the relationship develops. Sexual exploitation involves varying degrees of coercion, intimidation or enticement, including unwanted pressure from peers to have sex, sexual bullying including cyberbullying and grooming.

### **Signs that MAY INDICATE Sexual Exploitation**

- Going missing from school/home
- Associating with older people/adults
- Isolation from family/friends/peer group
- Physical symptoms e.g. bruising, STIs
- Substance misuse
- Mental health issues
- Unexplained possessions, goods and/or money

However, it is also important to recognize that some young people who are being sexually exploited do not exhibit any external signs of this abuse.

### **Forced Marriage**

A Forced Marriage (FM) is a marriage conducted without the valid consent of one or both parties, and where duress is a factor. FM is now a specific offence under s121 of the Anti-Social Behaviour, Crime and Policing Act 2014 that came into force on 16 June 2014.

Staff should be alert to any concerns raised by girls about being taken abroad or conversation about this issue. This should be reported to the DSL.

### **Female Genital Mutilation**

Female genital mutilation, FGM (sometimes referred to as female circumcision) refers to procedures that intentionally alter or cause injury to the female genital organs for non-medical reasons. The practice is illegal in the UK.

FGM is carried out for cultural, religious and social reasons within families and communities.

The procedure is traditionally carried out by an older woman with no medical training.

Anaesthetics and antiseptic treatment are not generally used and the practice is usually carried out using basic tools such as knives, scissors, scalpels, pieces of glass and razor blades.

If you have concerns that a girl might be at risk from or may have had FGM you must report it to the DSL.

### **Neglect**

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may

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

### **Signs that MAY INDICATE neglect**

- Constant hunger
- Poor personal hygiene
- Constant tiredness
- Inadequate clothing
- Frequent lateness or non attendance at school
- Untreated medical problems
- Poor relationship with peers
- Compulsive stealing and scavenging
- Rocking, hair twisting and thumb sucking
- Running away
- Loss of weight or being constantly underweight
- Low self esteem

## Appendix 5

### Further information on Female Genital Mutilation

Female Genital Mutilation (FGM): professionals in all agencies, and individuals and groups in relevant communities, need to be alert to the possibility of a girl being at risk of FGM, or already having suffered FGM. There is a range of potential indicators that a child or young person may be at risk of FGM, which individually may not indicate risk but if there are two or more indicators present this could signal a risk to the child or young person. Victims of FGM are likely to come from a community that is known to practise FGM. Professionals should note that girls at risk of FGM may not yet be aware of the practice or that it may be conducted on them, so sensitivity should always be shown when approaching the subject. Warning signs that FGM may be about to take place, or may have already taken place, can be found on pages 16-17 of the Multi-Agency Practice Guidelines referred to above. Staff should activate local safeguarding procedures, using existing national and local protocols for multi-agency liaison with police and children's social care.

### Further information on so-called 'honour based' violence

So-called 'honour-based' violence (HBV) encompasses 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. All forms of so called HBV are abuse (regardless of the motivation) and should be handled and escalated as such. If in any doubt, staff should speak to the designated safeguarding lead. Professionals in all agencies, and individuals and groups in relevant communities, need to be alert to the possibility of a child being at risk of HBV, or already having suffered HBV.

#### Indicators

There are a range of potential indicators that a child may be at risk of HBV. Guidance on the warning signs that FGM or forced marriage may be about to take place, or may have already taken place, can be found on pages 38-41 of [the Multi agency statutory guidance on FGM](#) (pages 59-61 focus on the role of schools and colleges) and pages 13-14 of the [Multi-agency guidelines: Handling case of forced marriage](#).

#### Actions

If staff have a concern regarding a child that might be at risk of HBV, they should tell the DSL or phone the MASH. If they feel the child is in immediate danger they should phone the police.

### Peer on Peer abuse

It is worth remembering that 90% of offenders have offended by the time they are 21. Patterns of abusing can be established through childhood and adolescence. (Source: Alison Beasley LADO Oxfordshire safer recruitment course 27<sup>th</sup> Jan 2017). Both the victim and perpetrator should be considered to be at risk.

Peer on peer abuse can take many forms. This can include (but is not limited to) bullying (including cyberbullying); sexual violence and sexual harassment; physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm; sexting and initiating/hazing type violence and rituals.

100 Guidance issued under section 36(7) and section 38(6) of the CTSA 2015. 101 Such partners are required to have regard to guidance issued under section 38(6) of the CTSA 2015 when



### **Abuse of Trust- offences carried out by teachers and adults in a school**

Vigilance is always required. Abusers may have been in place for many years before carrying out abuse. The typical model of abuse is that thoughts are then legitimised and the perpetrator's conscience is overcome. They then position themselves in a place of opportunity before testing victims and establishing vulnerability and then carrying out abuse. It is not uncommon for a teacher to have been in place for years when they are reported. Frequently, they will groom the adults around them to believe that their actions are for the welfare of the children e.g. repeatedly keeping the same group of children back during breaks for extra help, thereby providing the opportunity for abuse. A key point to look for is if a colleague has clear favourites in a class- this is never good practice and may be an indication of further concern.

**Further information on child criminal exploitation: county lines** Criminal exploitation of children is a geographically widespread form of harm that is a typical feature of county lines criminal activity: drug networks or gangs groom and exploit children and young people to carry drugs and money from urban areas to suburban and rural areas, market and seaside towns. Key to identifying potential involvement in county lines are missing episodes, when the victim may have been trafficked for the purpose of transporting drugs and a referral to the National Referral Mechanism<sup>95</sup> should be considered. Like other forms of abuse and exploitation, county lines exploitation:

- can affect any child or young person (male or female) under the age of 18 years;
- can still be exploitation even if the activity appears consensual;
- can involve force and/or enticement-based methods of compliance and is often accompanied by violence or threats of violence;
- can be perpetrated by individuals or groups, males or females, and young people or adults;

and

- is typified by some form of power imbalance in favour of those perpetrating the exploitation.

Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, cognitive ability, physical strength, status, and access to economic or other resources.

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

The Department for Education has published detailed advice on sexual violence and sexual harassment between children in schools and colleges. It is available here. Below is a summary of that advice. Context Sexual violence and sexual harassment can occur between two children of any sex. They can also occur through a group of children sexually assaulting or sexually harassing a single child or group of children. Children who are victims of sexual violence and sexual harassment will likely find the experience stressful and distressing. This will, in all likelihood, adversely affect their educational attainment. Sexual violence and sexual harassment exist on a continuum and may overlap, they can occur online and offline (both physical and verbal) and are never acceptable. It is important that all victims are taken seriously and offered appropriate support. Schools and colleges should consider the following:

- It is more likely that girls will be the victims of sexual violence<sup>102</sup> and more likely that sexual harassment will be perpetrated by boys. Schools and colleges should be aware of the importance of:
- making clear that sexual violence and sexual harassment is not acceptable, will never be tolerated and is not an inevitable part of growing up;
- not tolerating or dismissing sexual violence or sexual harassment as “banter”, “part of growing up”, “just having a laugh” or “boys being boys”; and
- challenging behaviours (which are potentially criminal in nature), such as grabbing bottoms, breasts, vaginas and penises. Dismissing or tolerating such behaviours risks normalising them.

- Children with Special Educational Needs and Disabilities (SEND) can be especially vulnerable. Disabled and deaf children are three times<sup>103</sup> more likely to be abused than their peers. Additional barriers can sometimes exist when recognising abuse in SEND children (see paragraph 96 in Part 2 of this guidance).