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| Safeguarding Children Policy  December 2019  Version Number: 3.2 |
| Hardwick LOGO |

**1.0 Purpose**

Hardwick House School is owned and operated by Cavendish Education, the Proprietary Body, also known as the Governing Body. Any reference to governors means any director of Cavendish Education.  Hardwick House School recognises its responsibilities with regard to the safeguarding of children and this policy aims to outline the role that Hardwick House School has in fulfilling these responsibilities in relation to child protection and the procedures that employees should apply. It provides general guidance in relation to child protection but is not exhaustive. Therefore, employees should use this policy as a good reference point but the needs and safety of the children in their care should be considered on a case by case basis putting each child at the centre of any decisions made.

The Policy applies to all employees of Hardwick House School:

* The policy outlines the expected standards of employees regarding the safeguarding of children and is also expected to be adhered to by any sub-contracted / agency workers.
* It provides guidance on procedures and practices that should be applied in relation to Safeguarding Children i.e. identifying and reporting cases of abuse.
* There is an inherent expected standard of conduct that all employees are expected to apply whilst at work, which encompasses the protection of children.

Hardwick House School aims to ensure that:

* Appropriate action is taken in a timely manner to safeguard and promote learner’s welfare
* All staff are aware of their statutory responsibilities with respect to safeguarding
* Staff are properly trained in recognising and reporting safeguarding issues.

Children and young people have a fundamental right to be protected from harm. Our learners have the right to expect us to provide them with a safe and secure environment. We acknowledge that staff in our school are in a unique position to identify and to help abused and vulnerable children. We also recognise that the protection of our pupils is a shared community responsibility. **Safeguarding is everyone’s responsibility.**

**2.0 Relevant Legislation**

This policy is based on the Department for Education’s statutory guidance Keeping Children Safe in Education (2019) and Working Together to Safeguard Children (2018). Hardwick House School complies with this guidance and the procedures set out by the local safeguarding children board, Leicestershire County Council.

This policy is also based on the following legislation:

* Section 175 of the Education Act 2002, which places a duty on schools and local authorities to safeguard and promote the welfare of pupils;
* The School Staffing (England) Regulations 2009, which set out what must be recorded on the single central record and the requirement for at least one person on a school interview/appointment panel to be trained in safer recruitment techniques;
* Part 3 of the schedule to the Education (Independent School Standards) Regulations 2014, which places a duty on academies and independent schools to safeguard and promote the welfare of pupils at the school;
* 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 Childcare (Disqualification) Regulations 2009 (and 2018 amendment) and Childcare Act 2006, which set out who is disqualified from working with children;
* The Voyeurism (Offences) Act 2019 is an Act which amends the Sexual Offences Act 2003 to make upskirting a specific offence of voyeurism.

# Relevant Definitions

In the context of this document:

**Safeguarding Children:** Safeguarding is a term, which is broader than ‘child protection’ and relates to the action the commission takes to promote the welfare of children and protect them from harm. Safeguarding is everyone’s responsibility. With regards to the specific term Safeguarding of Children this involves:

* + - * Protecting children from maltreatment;
      * Preventing impairment of children’s health and development;
      * Ensuring that children grow up in circumstances consistent with the provision of safe and effective care and;
      * Taking action to enable all children to have the best outcomes.

**Child protection** refers to the processes undertaken to protect the children who have been identified as suffering, or being at risk of suffering significant harm.

**Child/learner** is anyone who has not yet reached their 18th birthday or their 19th birthday for those learners with disabilities.

**Staff** refers to all those working for or on behalf of Hardwick House School, full time or part time, temporary or permanent, in either a paid or voluntary capacity.

**Parents** refer to birth parents and other adults who are in a parenting role, for example stepparents, foster carers and adoptive parents.

**Designated Safeguarding Lead (DSL)** means the person within the School with responsibility for the day-to-day application of the Safeguarding and Child Protection Policy. At Hardwick House School, this is Sarah Unwin, Head Teacher.

**Safeguarding Governor** means the school Governor nominated to oversee relevant School safeguarding matters. At Hardwick House School, this is Mark Edwards, Governor and Director of the School, and Stephen Aiano, Governor and Safeguarding Lead at Cavendish Education.

**Children’s Social Care** means the team within the Local Authority, which has a duty to safeguard and promote the welfare of children.

**Local Safeguarding Children Board (LCSB)** means the statutory organisation responsible for the co-ordination of the various agencies responsible for the welfare and well-being of children for example colleges, social services, police, voluntary organisations etc.

**Child Abuse –** is in general terms when a person often in a position of power inflicts harm upon a child. Under the Children’s Act there are 4 areas that are identified as abuse.

1. **Physical –** a adult physically hits, shakes, squeezes, burns, bites etc a child. Giving a child alcohol, illicit drugs or poison is also regarded as physical abuse.
2. **Sexual –** where children are used to meet the sexual needs of an adult i.e. intercourse, masturbation, fondling, oral sex. Genital mutilation, exposing children to pornography and using sexualised language also resides under sexual abuse.
3. **Emotional –** there is a persistent lack of love and affection that damages a child emotionally. Using threatening language, shouting at children or taunting them is also emotional abuse. A child witnessing or hearing a form of abuse such as that connected with domestic violence or parental substance misuse is also emotional abuse.
4. **Neglect –** a child’s basic needs such as food and clothing are failed to be met. Children being left unsupervised is another form of neglect. In addition, an adult refusing to give children their love or attention is categorised as neglect.

# 4.0 Policy

**4.1 Safeguarding and Child Protection Statement**

Hardwick House School recognises the moral and statutory responsibility to safeguard and promote the welfare of all learners and endeavours to provide a safe and welcoming environment where children are respected and valued. The school is alert to the signs of abuse and neglect and will follow the set procedures to ensure that children receive effective support, protection and justice.

In upholding this statement, Hardwick House School expects that all staff will adhere to good practice in relation to safeguarding / child protection, as outlined below:

1. Treating all learners with respect.
2. Setting a good example by conducting themselves appropriately.
3. Involving learners in decisions that affect them.
4. Encouraging positive, respectful and safe behaviour among learners.
5. Being a good listener.
6. Being alert to changes in learners’ behaviour and to signs of abuse and neglect.
7. Recognising that challenging behaviour may be an indicator of abuse.
8. Reading and understanding the school’s Safeguarding Children Policy and Procedures, Staff Code of Conduct and guidance documents on wider safeguarding issues, for example bullying, behaviour, and information-sharing.
9. Asking the learner’s permission before initiating physical contact, such as assisting with dressing, personal care, physical support during PE or administering first aid, unless the learner’s behaviour is in danger of causing harm to themselves or others.
10. Maintaining appropriate standards of conversation and interaction with and between learners and avoiding the use of sexualised or derogatory language.
11. Being aware that the personal and family circumstances and lifestyles of some learners lead to an increased risk of abuse.
12. Applying the use of reasonable force and physical intervention only as a last resort and in compliance with school procedures.
13. Following the School’s rules with regard to communication with learners and use of social media and online networking.
14. Referring all concerns about a learner’s safety and welfare to the DSL or, if necessary, directly to the Police or Children’s Social Care.

All Governors, staff and volunteers are to be aware that the school regards that inappropriate behaviour towards learners as unacceptable and that their conduct towards learners must be beyond reproach.

Governors, Staff and volunteers should understand that, under the Sexual Offences Act 2003, it is an offence for a person over the age of 18 to have a sexual relationship with a person under the age of 18, where that person is in a position of trust, even if the relationship is consensual. This means that any sexual activity between a member of the School staff and a learner under 18 may be a criminal offence, even if that learner is over the age of consent.

**4.2 Children Who May be Particularly Vulnerable**

Hardwick House School recognises that some children are more vulnerable to abuse and neglect than others. Several factors may contribute to that increased vulnerability such as societal attitudes and assumptions including prejudice and discrimination; child protection procedures that are inadequately responsive to children’s diverse circumstances; isolation; social exclusion; communication issues; a reluctance on the part of some adults to accept that abuse can occur; as well as an individual child’s personality, behaviour, disability and family circumstances.

Children with a diagnosis of Autism Spectrum Disorder (ASD) and other Special Educational Needs and Disabilities (SEND) share the right of all children to protection from abuse. Children with a diagnosis of ASD are potentially more vulnerable, because they may find it difficult to communicate with others, struggle with social interaction or have difficulties understanding people’s motives. They may be less able to report abuse and thus be more vulnerable to it. This necessitates greater vigilance among professionals in recognising, reporting and investigating potential signs of abuse as well as ensuring that safeguarding issues remain on the agenda when working with autistic children and young people.

Identifying safeguarding issues for children with ASD and knowing what should be investigated can be complex as many traits of autism can be confused with signs of abuse and neglect.

To ensure that all of learners receive equal protection, the school will give special consideration to children who are:

1. disabled or have additional special educational needs;
2. young carers;
3. living in a domestic abuse situation;
4. affected by parental substance misuse;
5. asylum seekers;
6. looked after by the Local Authority;
7. otherwise living away from home;
8. vulnerable to being bullied, or engaging in bullying behaviours;
9. living in temporary accommodation;
10. living transient lifestyles;
11. living in chaotic and unsupportive home situations;
12. vulnerable to discrimination and maltreatment on the grounds of race, ethnicity, religion, disability or sexuality;
13. involved directly or indirectly in child sexual exploitation (CSE);
14. do not have English as a first language;
15. at risk of female genital mutilation (FGM), forced marriage or honour based violence;
16. at risk of becoming radicalised, involved in gangs and/or violent extremism.

This list provides examples of additionally vulnerable groups and is not exhaustive.

***Hardwick House School is acutely aware of the heightened vulnerability of our learners and as such recognises the increased level of risk associated with students being victims of sexual abuse from their peers, as well as unknowingly committing sexual abuse against their peers. Legally, we are not required to report abuse by, or to a child, by a child to the Police, however, we as a school will assess each instance reported and follow the same course of action as with any other safeguarding concern.***

**4.3 Attendance**

It is recognised by the school that full attendance at school is important to the well-being of all learners and enables them to access the opportunities made available to them at school. Attendance is monitored closely and the school works closely with the relevant Education Social Work Service when the patterns of absence are of concern.

The school is aware that a child going missing from education is a potential indicator of abuse and neglect, including sexual abuse and sexual exploitation. The DSL will monitor unauthorised absence, particularly where children go missing on repeated occasions and will follow the Department for Education’s legal requirements for schools in respect of recording and reporting of children who leave school without any known destination.

The School Attendance Procedure is set out in a separate document and is reviewed regularly by the Head and Governors.

**4.4 Helping Learners to Keep Themselves Safe**

Hardwick House School is committed to ensuring that learners are aware of behaviour towards them that is not acceptable and how they can keep themselves safe. Learners are taught to understand and manage risk through the Personal, Social, Health, Citizenship and Economic (PSHCE) education lessons and through all aspects of School life. All learners are aware of who the senior member of staff with responsibility for child protection is and there are posters around the school, but that they can also talk to any member of staff regarding being at risk of harm or abuse. Learners are informed as to who they might talk to, both in and out of the School, their right to be listened to and heard and what steps can be taken to protect them from harm. The School’s arrangements for consulting with and listening to learners are through Tutors, Support Staff and other external agencies contracted by the School.

**4.5 Partnership with Parents**

Hardwick House School is committed to working with parents positively, openly and honestly. The School will ensure that all parents are treated with respect, dignity and courtesy. Parents’ rights to privacy and confidentiality are respected and the School will not share sensitive information unless it has permission or it is necessary to do so in order to protect a child. The School will share with parents any concerns it may have about their child, unless to do so may place a child at risk of harm. The School will encourage parents to discuss any concerns they may have with the DSL. The School will make parents aware of this policy through the School website & prospectus.

**4.6 Support for Learners, Families and Staff Involved in a Child Protection Issue**

It is recognised that a learner’s welfare is paramount, however good child protection practice and outcome relies on a positive, open and honest working partnership with parents. Whilst the School may, on occasion, need to make referrals without consultation with parents, every effort will be made to maintain a positive working relationship with parents whilst fulfilling the School’s duties to protect the learner. Hardwick House School recognises that staff dealing with disclosures of information may need support themselves and in such circumstances the School will provide appropriate in- house support or access to external services.

The School will support learners, their families and staff by:

* 1. taking all suspicions and disclosures seriously;
  2. nominating a link person who will keep all parties informed and be the central point of contact;
  3. where a member of staff is the subject of an allegation made by a learner, separate link people will be nominated to avoid any conflict of interest;
  4. providing proper explanations (appropriate to age and understanding), as to what action is being taken on their behalf and why;
  5. responding sympathetically to any request from learners or staff for time out to deal with distress or anxiety;
  6. maintaining confidentiality and sharing information on a need-to-know basis only with relevant individuals and agencies;
  7. storing records securely;
  8. offering details of helplines, counselling or other avenues of external support;
  9. when appropriate, following the procedures laid down in the school’s whistleblowing, complaints and disciplinary procedures;
  10. co-operating fully with relevant statutory agencies.

**4.7 Record Keeping**

In relation to maintaining child protection records, the School will:

1. keep clear detailed written records of concerns about children (noting the date, event and action taken), even where there is no need to refer the matter to Children’s Social Care immediately;
2. keep records in a folder in a meticulous chronological order;
3. ensure all records are kept secure and in locked locations;
4. when a learner moves, ensure all relevant child protection records are sent separate from the general learner files and directly to the Designated Safeguarding Lead of the receiving school, college or other education establishment.

Child protection information will be stored and handled in line with Data Protection Act principles and the GDPR 2018. The Data Protection Act and GDPR 2018 does not prevent school staff from sharing information with relevant agencies, where that information may help to protect a child.

**4.8 Confidentiality and Information Sharing**

All staff will ensure that child protection issues retain a high level of confidentiality, not only out of respect for the learner and staff involved but also to ensure that information being released into the public domain does not compromise evidence. Staff will ensure confidentiality protocols are adhered to and information is shared appropriately. If in any doubt about confidentiality, staff will seek advice from a senior leader or outside agency, as required. Leicestershire’s guidance can be accessed at www.lrsb.org.uk.

Staff should not guarantee confidentiality to a learner nor should they agree with a learner to keep a secret, as any child protection concern must be reported to the DSL, or one of the Deputy DSL’s, and may require further investigation by the appropriate authorities.

It is reasonable for staff to discuss day-to-day concerns about learners with colleagues in order to ensure that children’s general needs are met in school. However, staff should only refer child protection concerns to the DSL or the Head, or in the case of concerns about the Head Teacher to Mark Edwards – Governor and Director of Hardwick House School . The person receiving the referral will then decide who else needs to have the information and they will disseminate it on a ‘need-to-know’ basis. **However, the statutory guidance ‘***Keeping Children Safe in Education (2019)’* **emphasises that any member of staff can contact Children’s Social Care if they are concerned about the safety of a child.**

Staff have a professional responsibility to share information with other agencies in order to safeguard children. Staff, parents and Governors are reminded that publication of material that may lead to the identification of a teacher who is the subject of an allegation of abuse is prohibited by law. Publication includes verbal conversations or writing, including content placed on social media sites.

The Data Protection Act 2018 and General Data Protection Regulations (GDPR) do not prevent, or limit, the sharing of information for the purposes of keeping children safe. The School publishes further information about information sharing through its Privacy Policy; available on the website or from school reception.

The School must inform Ofsted of any allegations of serious harm or abuse by any

person living, working or looking after children at the School. The School must also notify Ofsted of the action taken in respect of the allegations. These notifications must be made as soon as is reasonably practicable, but at the latest within 14 days of the

allegations made.

**4.9 Learner / Parental Access to Child Protection Information**

Child protection records are normally exempt from the disclosure provisions of the Data Protection Act, which means that learners and parents do not have an automatic right to see them. Any learner or parent wanting to see child protection records will need to make the request to the school Governors, who will advise them to submit a Freedom of Information request for consideration.

**4.10 Complaints Procedure**

Hardwick House School’s complaints procedure will be followed where a learner or parent raises a concern about poor practice towards a learner that initially does not reach the threshold for child protection action. Poor practice examples include unfairly singling out a learner or attempting to humiliate them, bullying or belittling a learner or discriminating against them in some way. Complaints are managed by the Head and Governors.

Complaints from staff are dealt with under the School’s Complaints and Disciplinary and Grievance Procedures.

**4.11 Safer Recruitment**

The School will have regard for ‘*Keeping Children Safe in Education (2019), Part three: Safer recruitment’* and ensure that all appropriate measures are applied in relation to everyone who works in the school, who is likely to be perceived by a learner as a safe and trustworthy adult including temporary staff, volunteers, Governors and staff employed by contractors.

The School’s safer recruitment procedures are designed to:

1. attract the best possible applicants to vacancies;
2. deter prospective applicants who are unsuitable for work with children or young people;
3. identify and reject applicants who are unsuitable for work with children and young people.

**Inviting applications:**

1. Advertisements for posts will include the statement: “The school is committed to safeguarding and promoting the welfare of children and young people and expects all members of staff to share this commitment.’
2. Full employment checks and an enhanced Disclosure and Barring Service Check are required for all posts.
3. A copy of the School’s safeguarding policy will be included in online external advertisements and on the School’s recruitment page of the website.

**Prospective applicants will be supplied, as a minimum, with the following:**

1. job description and person specification containing the School’s commitment to safeguarding;
2. information about the School;
3. the School’s safeguarding policy;
4. the selection procedure for the post;
5. an application form which will include a safeguarding statement.
6. a safer recruitment interview checklist outlining documents needed for interview.

**To comply with safer recruitment practice all applicants will follow our safer recruitment procedures and successful candidates are subject to pre-employment checks and DBS checks procedures.**

**The School will ensure that:**

1. at least one member of staff of each recruitment panel (or volunteer appointment process) will have attended safer recruitment training;
2. at least one member of the panel is a school leader;
3. all new members of staff and volunteers will undergo an induction that includes familiarisation with the School’s Safeguarding Children Policy, Staff Code of Conduct, and identification of their child protection training needs;
4. written confirmation is obtained from supply agencies, stating that they have satisfactorily undertaken all appropriate checks that the school would have undertaken if they were employing the individual directly;
5. a single central record of completed recruitment checks is maintained.

Volunteers will undergo checks commensurate with their work in the school and contact with learners. All staff and Directors will undertake DBS checks.

Volunteers who work only in a supervised capacity and are not in regulated activity will undergo the safer recruitment checks appropriate to their role, in accordance with the school’s risk assessment process and statutory guidance.

The School will check the identity of all contractors working on site and request DBS checks where appropriate.

**4.12 Staff Training**

The DSL and Directors will attend training for newly appointed DSLs and refresher training every two years delivered by Leicestershire County Council’s Education Safeguarding Service. The DSL will also be supported to access inter-agency training as part of their continuing professional development.

The Head and at least one other member of the senior leadership team will attend safer recruitment training.

All staff (including temporary staff and volunteers, who will have direct contact with learners) will receive an explanation during their induction which will include:

* 1. the Safeguarding Children Policy;
  2. signs and symptoms of abuse and neglect;
  3. responding to disclosure of abuse or neglect by a child;
  4. reporting and recording arrangements;
  5. the staff Code of Conduct;
  6. details of the DSL and Deputy DSL’s.

The induction will take place **before** a new member of staff or volunteer has direct contact with learners in the School. The School’s Safeguarding Children Policy and Staff Code of Conduct will be given at Induction. The individual will be given an opportunity to clarify any issues and then asked to sign to confirm that they have read and understood both policies and undertake to comply with them.

All staff, including the Head and Governors will receive training that is regularly updated. For staff this will consist of a 2-hour training event every year as a minimum. All staff will also receive regular safeguarding updates, as required, but at least annually, to provide them with relevant skills and knowledge to safeguard children effectively. In addition, Leicestershire County Council produces a Safeguarding Termly Update that is also circulated to all staff through the weekly CPD training session and via email.

**4.13 Site Security**

Visitors to the School, including contractors, are to sign in at reception and are given an identity badge, which confirms they have permission to be on site. Parents who are simply delivering or collecting their children do not need to sign in, but will be required to remain in the reception area. All visitors are expected to observe the School’s safeguarding and health and safety regulations to ensure learners are kept safe.

The Head Teacher will exercise professional judgment in determining whether any visitor should be escorted or supervised while on site.

**4.14 Extended School and Off-Site Arrangements**

Where extended school activities are provided by and managed by the School, the School’s Safeguarding Children Policy and Procedures apply. If other organisations provide services or activities on the School site, the School will check that those organisations have appropriate procedures in place, including safer recruitment procedures.

When School learners attend off-site activities, including day and residential visits and work related activities, the school will check that effective child protection arrangements are in place.

**4.15 Work Experience**

The School has detailed procedures to safeguard learners undertaking work experience, including arrangements for checking people who provide placements and supervising learners on work experience which are in accordance with the guidance in ‘*Keeping Children Safe in Education (2019)’*.

**4.16 Photography, Mobile Phones, Cameras and Images**

In order to protect learners, the School will:

1. seek their consent and parental consent for photographs to be taken/published and names of learners to be published alongside an image (for example, on websites or in newspapers or publications);
2. ensure learners are appropriately dressed; and
3. encourage learners to tell a member of staff if they are worried about any photographs that are taken of them.
4. The use of mobile phones and cameras in the School by staff is prohibited unless they are using a school registered device for educational purposes.
5. Ensure that staff are fully aware that the act of “upskirting” is now an illegal act. (Further information can be found in section 4.19j).

**4.17 E-Safety**

The E-safety Policy explains how learners are kept safe in school when using technology.

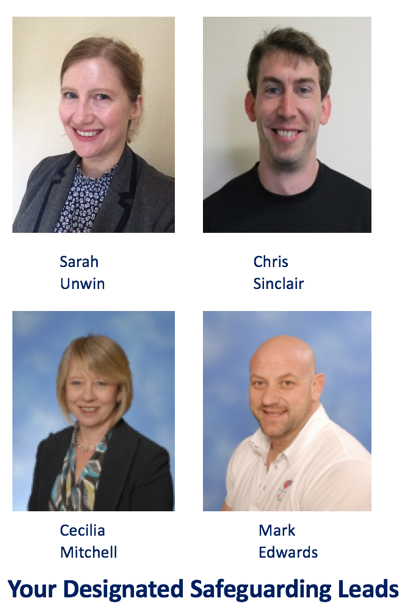
Cyber bullying and sexting by learners, via texts and emails, will be treated as seriously as any other type of bullying and will be managed through the School’s Anti-Bullying Procedures.

**4.18 Roles and Responsibilities**

Safeguarding and child protection is **everyone’s** responsibility. This policy applies to all staff, volunteers and governors in the school and is consistent with the procedures of Leicestershire safeguarding children board. Our policy and procedures also apply to extended school and off-site activities.

**4.18a Safeguarding Team**

The safeguarding team at Hardwick House School is stated below. The appointed Senior Designated Safeguarding Lead is Sarah Unwin (Head Teacher) and the appointed Deputy Senior Designated Safeguarding leads are Chris Sinclair (Deputy Head) and Mark Edwards (Director and Governor). If a member of staff has any concerns they must speak to a member of the safeguarding team without delay and ideally within 15 minutes.



**4.18b All staff**

All staff will read and understand part 1 and Annex A of the Department for Education’s statutory safeguarding guidance, Keeping Children Safe in Education (2019), and review this guidance at least annually.

All staff will be aware of:

1. know the names of the Designated Safeguarding Lead and members of the safeguarding team and understand the role of the Designated Safeguarding Lead and the team;
2. understand and comply with the school’s Safeguarding Children Policy;
3. deal with any bullying incidents that may occur and will never be tolerated;
4. refer e-safety concerns to a member of the safeguarding team;
5. behave in accordance with our Staff Conduct Policy (which is given to all staff annually and is in the Staff Handbook);
6. be aware of everyone’s obligation to pay “due regard to the need to prevent people from being drawn into terrorism”. Report any concerns to a member of the safeguarding team;
7. be aware of our statutory duty to personally inform the police of any reported incident of FGM along with the Designated Safeguarding Lead;
8. be aware of our ‘Position of Trust’ and how this can be abused (Sexual Offences Act 2003);
9. address risks and prevent issues escalating.

‘Early help’, research and Serious Case Reviews have repeatedly shown the dangers of failing to take effective action. Good practice includes:

1. early referral to the safeguarding team, action on and referral of the early signs of abuse and neglect, good record keeping, always listening to the views of the child, re-assessing concerns when situations do not improve, sharing information swiftly and challenge to those who appear not to be taking action;
2. ensure appropriate use of social media, which includes no contact with learners or parents/carers
3. monitor all learners within tutor groups and in lessons, reporting emerging concerns swiftly to a member of the safeguarding team to enable early identification and assessment;
4. understand the difference between an early-help concern and an immediate danger/risk of harm;
5. can contribute to and shape safeguarding arrangements and the Safeguarding Children Policy at any time by discussing with the safeguarding lead or a member of the safeguarding team;
6. have read the behaviour and staff conduct policies;
7. ensure personal mobile devices are not used in school.

**4.18c The Designated Safeguarding Lead (DSL)**

The Senior DSL is Sarah Unwin, Head Teacher. The DSL takes lead responsibility for child protection and wider safeguarding. During term time, the DSL will be available during school hours for staff to discuss any safeguarding concerns.

The Senior DSL can be contacted out of hours at: s.unwin@hardwickhouseschool.co.uk

When the Senior DSL is absent, the Deputy DSL’s will act as cover.

All DSLs will be given the time, funding, training, resources and support to:

1. Provide advice and support to other staff on child welfare and child protection matters
2. Take part in strategy discussions and inter-agency meetings and/or support other staff to do so;
3. Contribute to the assessment of children;
4. Refer suspected cases, as appropriate, to the relevant body (local authority children’s social care, Channel programme, Disclosure and Barring Service, and/or police), and support staff who make such referrals directly.
5. The DSL will also keep the Leadership Team and Governors informed of any issues, and liaise with local authority case managers and designated officers for child protection concerns as appropriate.

The Designated Safeguarding Lead is responsible for:

1. the provision of leadership and vision in respect of child protection;
2. ensuring mechanisms are in place to assist staff and governors to understand and discharge their role and responsibilities;
3. the practical implementation of the child protection policy in ensuring that child protection procedures are followed within the school and that appropriate referrals are made to the proper Social Care Services and other agencies;
4. the provision of training to all staff employed within the school so that they are aware of signs of abuse, what they need to do if they think that a learner is being abused and how they can protect themselves from an allegation;
5. ensuring that the safeguarding team have received the appropriate training every two years. With at least one annual update for the DSL;
6. the co-ordination of all activities related to child protection and children in care, including record keeping, school representation at child protection conferences and other related meetings, supporting learners at risk, liaison with other professionals, and the monitoring of welfare and academic progress;
7. liaison between the safeguarding team, the leadership team and Governors;
8. maintaining awareness of PREVENT/Channel referrals in conjunction with the police/LA guidance;
9. monitoring the effectiveness of the Safeguarding Children Policy and procedures and updating policy at least annually;
10. ensuring every member of staff along with volunteers read and understand part one of Keeping Children Safe in Education;
11. ensuring learners are taught, as part of a broad and balanced curriculum, the importance of safeguarding, including on-line safety;
12. opportunities for staff to offer a valuable contribution to safeguarding arrangements and policies will be ongoing, these take place during training sessions and informal meetings;
13. will ensure that there is always a member of the safeguarding team available during the school day for staff to liaise with.

**4.18d The Governors**

The Governors will approve this policy at each review, and hold the Head Teacher to account for its implementation. A Governor will act as the ‘case manager’ in the event that an allegation of abuse is made against the Head Teacher, where appropriate. The Governor with this responsibility will be Mark Edwards, also a Director of the school. Where Mark Edwards is not available, this responsibility will go to Stephen Aiano, Governor and Operations Director of Cavendish Education.

The Governors are responsible for ensuring that:

1. the school complies with legislation related to child protection;
2. the school has a Safeguarding Policy which will include the Child Protection Policy and that procedures are in place that safeguard and promote the wellbeing of learners in the school. At Hardwick House these are combined into the Safeguarding Children Policy;
3. this policy is reviewed at least annually;
4. the school is using safe recruitment procedures and that appropriate checks are carried out on new staff and volunteers;
5. the school is aware of its duties regarding PREVENT/Channel referrals in conjunction with the police/LA, in particular that the school community has “due regard to the need to prevent people from being drawn into terrorism”. All staff understand that they have a statutory duty to notify a member of the safeguarding team should they have a concern;
6. all staff are aware of their statutory duty to report FGM to a member of their safeguarding team and the Police;
7. ensure every member of staff along with volunteers and Directors read and understand part one of Keeping Children Safe in Education;
8. safeguarding arrangements take into account the procedures of the Local Authority as set up by the Leicestershire Safeguarding Children Board;
9. ensure learners are taught, as part of a broad and balanced curriculum, the importance of safeguarding, including on-line safety.

**4.18e The Head Teacher**

The Head Teacher is responsible for the implementation of this policy, including:

1. Ensuring that staff (including temporary staff) and volunteers are informed of this policy as part of their induction;
2. Communicating this policy to parents when their child joins the school and via the school website;
3. Ensuring that the DSL has appropriate time, funding, training and resources, and that there is always adequate cover if the DSL is absent;
4. Ensuring that all staff undertake appropriate safeguarding and child protection training and update this regularly;
5. Acting as the ‘case manager’ in the event of an allegation of abuse made against another member of staff or volunteer, where appropriate;
6. Ensuring the relevant staffing ratios are met, where applicable.

**4.19 Safeguarding and Child Protection Procedures**

Staff, volunteers and Governors must follow the procedures set out below in the event of a safeguarding issue.

**4.19a If a child is in immediate danger**

The DSL will make a referral to Leicestershire First Response Children’s Duty and/or the police immediately if a child is in immediate danger, left alone or missing or at risk of harm. However, the statutory guidance ‘Keeping Children Safe in Education 2019’ emphasises that any member of staff can make a referral.

If a member of staff does contact First Response Children’s Duty directly they must inform the DSL as soon as possible.

The telephone number for Leicestershire First Response Children’s Duty is 0116 305 0005. Following a telephone referral, you will also be asked to complete the online referral form. Further information along with details for other local authorities can be found in Appendix 3.

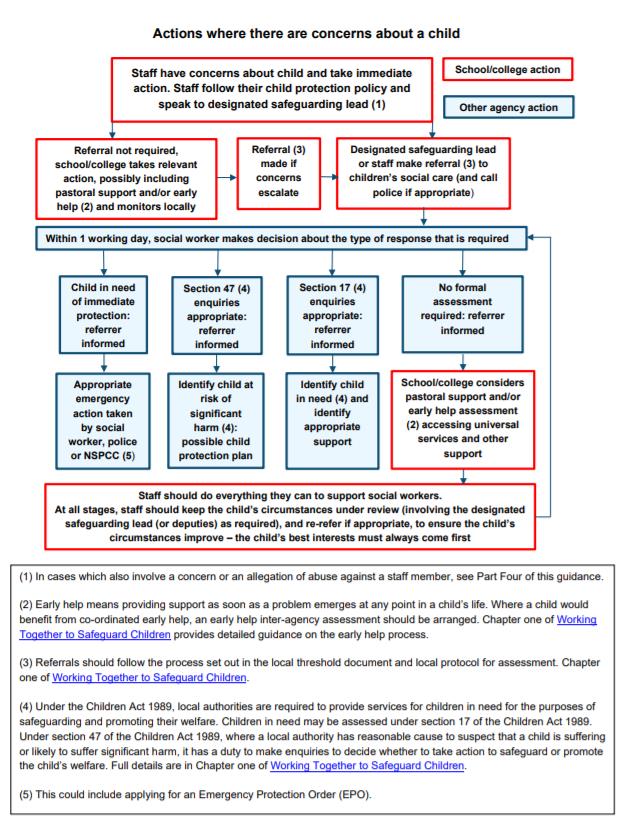
**4.19b Non-emergencies**

If there is no immediate danger or if you need advice, contact the Leicestershire Professionals Consultation Line on 0116 305 5500 or Email [childrensduty@leics.gov.uk](mailto:childrensduty@leics.gov.uk).

If there is no immediate danger, you will need to establish the level of need and risk before you take action. The flow chart below helps with this.

If you need advice about the levels of need and whether to make a referral, please contact First Response Children’s Duty.

To make a referral to First Response Children’s Duty please complete the online referral form at www.leics.gov.uk/firstresponse



**4.19c Procedures for When a Learner is Missing from Education**

Where a learner has 10 consecutive school days of unexplained absence and all reasonable steps have been taken by the school to establish their whereabouts without success, the School should make an immediate referral to Leicestershire’s Children Missing Education (CME) Service. Reasonable steps include:

1. telephone calls to all known contacts;
2. letters home (including recorded delivery);
3. contact with other schools where siblings may be registered;
4. possible home visits where safe to do so;
5. enquiries to friends, neighbours etc. through school contacts;
6. enquiries with any other Service known to be involved with the learner/family;
7. enquiries with the Local Authority Special Educational Needs Assessment (SENA) Service

All contacts and outcomes to be recorded on the learner’s file. If the CME Service is able to contact the learner and her/his parents, arrangements will be made with the School and family for a return to education, including a re-integration programme where necessary. If the learner has registered at another school, the School will delete the child’s name from the roll and transfer the child’s educational records to the new school in the normal way. Any child protection records will be transferred separately and securely for the attention of the DSL in the new school and a receipt secured.

**4.19d If a child makes a disclosure to you**

If a child discloses a safeguarding issue to you, you should:

* Listen to and believe them. Allow them time to talk freely and do not ask leading questions
* Stay calm and do not show that you are shocked or upset;
* Tell the child they have done the right thing in telling you. Do not tell them they should have told you sooner;
* Explain what will happen next and that you will have to pass this information on. Do not promise to keep it a secret;
* Write up your conversation as soon as possible in the child’s own words. Stick to the facts, and do not put your own judgement on it;
* Record the concern on a Cause for Concern form and pass on to the DSL promptly and ideally within 15 minutes. Copies of the form are kept in reception.

**4.19e If you discover that FGM has taken place or a learner is at risk of FGM**

The Department for Education’s, 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’.

Possible indicators that a learner has already been subjected to FGM, and factors that suggest a learner may be at risk, are set out in appendix 1.

Any teacher who discovers that an act of FGM appears to have been carried out on a learner under 18 must immediately report this to the police, personally. This is a statutory duty, and teachers will face disciplinary sanctions for failing to meet it. The duty above does not apply in cases where a learner is *at risk* of FGM or FGM is suspected but is not known to have been carried out. Staff should not examine learners.

Any other member of staff who discovers that an act of FGM appears to have been carried out on a learner under 18 must speak to the DSL and follow our local safeguarding procedures. Any member of staff who suspects a pupil is *at risk* of FGM, must speak to the DSL and follow our local safeguarding procedures.

**4.19f Early Help**

If early help is appropriate, the DSL will support you in liaising with other agencies and setting up an inter-agency assessment as appropriate.

The DSL will keep the case under constant review and the school will consider a referral to local authority children’s social care if the situation does not seem to be improving. Timelines of interventions will be monitored and reviewed.

**4.19g Referral**

If it is appropriate to refer a case to local authority children’s social care or the police, the DSL will make the referral or support you to do so. If you make a referral directly (see section 4.19a), you must tell the DSL as soon as possible.

The local authority will make a decision within 1 working day of a referral about what course of action to take and will let the person who made the referral know the outcome. The DSL or person who made the referral must follow up with the local authority if this information is not made available, and ensure outcomes are properly recorded.

If the child’s situation does not seem to be improving after the referral, the DSL must contact the local authority and make sure the case is reconsidered to ensure the concerns have been addressed and the child’s situation improves.

**4.19h If you have a concern about extremism**

If a child is not at immediate risk of harm, where possible, speak to the DSL first to agree a course of action. Alternatively, make a referral to local authority children’s social care directly if appropriate. 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 children’s social care team. To make a Channel referral, Leicestershire Prevent Engagement Team can be contacted on 0116 248 6726.

The Department for Education also has a dedicated telephone helpline, 020 7340 7264, that school staff and Directors can call to raise concerns about extremism with respect to a learner. You can also email 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

**4.19i Concerns about a staff member or volunteer**

If you have concerns about a member of staff or volunteer, speak to the Head of School. If you have concerns about the Head Teacher, speak to Mark Edwards, Governor and Director if Hardwick House School. The Head or Governor will then follow the procedures set out in Appendix 2: Allegations of abuse made against staff.

The Head Teacher (or Governor, in the case of a concern about the Head Teacher) will also inform the designated officer for the local authority. Where appropriate, the school will inform Ofsted of the allegation and actions taken, within the necessary timescale).

**4.19j Allegations of abuse made against other learners (peer on peer abuse)**

We recognise that children are capable of abusing their peers. Abuse will never be tolerated or passed off as “banter” or “part of growing up”.

Most cases of learner hurting other learners will be dealt with under the school’s Behaviour Policy and Bullying Policy, but this Safeguarding Children 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 learners in the school at risk;
* is violent;
* involves learners being forced to use drugs or alcohol;
* involves sexual exploitation or sexual abuse, such as indecent exposure, sexual assault, or sexually inappropriate pictures or videos (including sexting);

This abuse could also include “upskirting”, initiation/hazing type violence, all forms of bullying, and physical violence experienced by both boys and girls. There are separate school and local authority or Safeguarding Children Partnership guidances and policies to address these concerns including the Behaviour Policy, Anti-bullying Policy, E-safety Policy and “Guidance for schools working with children who display harmful sexual behaviour” (Leicestershire LA Guidance) Where specific risks are identified, a risk assessment will be undertaken in order to ensure the safety of all staff and pupils and to offer appropriate support.

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

* you must tell the DSL and record the allegation, but do not investigate it;
* the DSL will contact the local authority children’s social care team and follow its advice, as well as the police if the allegation involves a potential criminal offence;
* the DSL will put a risk assessment and support plan into place for all children involved – both the victim(s) and the child(ren) against whom the allegation has been made – with a named person they can talk to if needed;
* the DSL will contact the children and adolescent mental health services (CAMHS), if appropriate.

**We will minimise the risk of peer-on-peer abuse by:**

* challenging any form of derogatory or sexualised language or behaviour;
* being vigilant to issues that particularly affect different genders – for example, sexualised or aggressive touching or grabbing towards female learners, and initiation or hazing type violence with respect to boys;
* ensuring our curriculum helps to educate learners about appropriate behaviour and consent ensuring learners know they can talk to staff confidentially by notifying their class/form teacher or any member of staff;
* ensuring staff are trained to understand that a learner harming a peer could be a sign that the child is being abused themselves, and that this would fall under the scope of this policy.

**4.19k Procedures for Keeping Records Secure and Retaining Confidentiality**

Child protection records are to be maintained independently from the learner’s school file and the school file is to be ‘tagged’ to indicate that separate information is held. Such records will only be accessible to the DSL and school leaders who need to be aware.

Completed Cause for Concern forms and Learner at Risk forms along with any other written information will be stored in a locked facility and any electronic information will be password protected and only made available to relevant individuals.

Any sensitive information that needs to be stored on portable devices such as laptop computers or tablets or on portable media such as a CD or flash drive will be password protected or encrypted and kept in locked storage.

Staff will ensure confidentiality protocols are adhered to and information is shared appropriately. If in any doubt about confidentiality, staff will seek advice from the Leicestershire LSCB. Leicestershire’s guidance for child protection procedures can be accessed at http://www.lrsb.org.uk.

# 5.0 Related Documentation

* Disciplinary Policy
* Data Protection Policy
* Learner Privacy Notice
* Job Applicant Privacy Notice
* Learner Attendance Procedure
* Performance and Capability Policy
* Anti-Bullying Policy and Post-16 Anti-Bullying Policy
* Behaviour Policy and Post-16 Behaviour Policy
* Digital Policy

# 6.0 Employee Declaration

I declare that I have read and understand this policy and as an employee of the Company will behave in accordance with the expectations the Company has stipulated within it. I understand that failure to comply with this policy could lead to disciplinary action being taken in accordance with the Company’s disciplinary procedure and could result in dismissal.

|  |  |
| --- | --- |
| Signed: |  |
| Date: |  |
| Print Name: |  |

**Appendix 1: Specific Safeguarding Issues**

***All*** *staff should have an awareness of safeguarding issues, some of which are listed below. Staff should be aware that behaviours linked to the likes of drug taking, alcohol abuse, truanting and sexting put children in danger.*

***All*** *staff should be aware that safeguarding issues can manifest themselves via peer on peer abuse. This is most likely to include, but may not be limited to, bullying (including cyberbullying), gender based violence/sexual assaults and sexting. Staff should be clear as to the school policy and procedures with regards to peer on peer abuse, these are documented in the Behaviour Policy.*

**Children missing from education**

A child going missing from education is a potential indicator of abuse or neglect, and such children are at risk of being victims of harm, exploitation or radicalisation.

There are many circumstances where a child may become missing from education, but some children are particularly at risk. These include children who:

* Are at risk of harm or neglect
* Come from Gypsy, Roma, or Traveller families
* Come from the families of service personnel
* Go missing or run away from home or care
* Are supervised by the youth justice system
* Cease to attend a school
* Come from new migrant families

We will follow our procedures for unauthorised absence and for dealing with children who go missing from education, particularly on repeat occasions, to help identify the risk of abuse and neglect, including sexual exploitation, and to help prevent the risks of going missing in future. This includes informing the local authority if a child leaves the school without a new school being named, and adhering to requirements with respect to sharing information with the local authority, when applicable, when removing a child’s name from the admission register at non-standard transition points.

Staff will be trained in signs to look out for and the individual triggers to be aware of when considering the risks of potential safeguarding concerns which may be related to being missing, such as travelling to conflict zones, FGM and forced marriage.

If a staff member suspects that a child is suffering from harm or neglect, we will follow local child protection procedures, including with respect to making reasonable enquiries. We will make an immediate referral to the local authority children’s social care team, and the police, if the child is in immediate danger or at risk of harm.

**Non-collection of children**

If a child is not collected at the end of the session/day, we will:

* Ensure they are supervised by a member of staff
* Contact the named guardians, as provided by the parent/guardian on enrolment
* If the school is unable to make contact with a listed parent/guardian before 17.00 the school will contact Leicestershire safeguarding children board for further advice.

**Missing pupils**

The school will follow Leicestershire official guidance when a learner is deemed missing from school. <https://www.leicestershire.gov.uk/education-and-children/child-protection-and-safeguarding/children-missing-from-education>

Our procedures are designed to ensure that a missing child is found and returned to effective supervision as soon as possible. If a child goes missing, we will:

* Where a learner has 10 consecutive school days of unexplained absence and all reasonable steps have been taken by the school to establish their whereabouts without success, the School should make an immediate referral to Leicestershire’s Children Missing Education (CME) Service.

Reasonable steps include:

* telephone calls to all known contacts;
* letters home (including recorded delivery);
* contact with other schools where siblings may be registered;
* possible home visits where safe to do so;
* enquiries to friends, neighbours etc. through school contacts;
* enquiries with any other Service known to be involved with the learner/family;
* all contacts and outcomes to be recorded on the learner’s file.

If this also fails to establish the learner’s whereabouts, the school will be informed to remove the learner from roll by the commissioning local authority.

If the CME Service is able to contact the learner and her/his parents, arrangements will be made with the school and family for a return to education, including a re-integration programme where necessary. If the learner has registered at another school, the School will liaise with their commissioning local authority, and delete the child’s name from the roll and transfer the child’s educational records to the new school following their instruction. Any child protection records will be transferred separately and securely for the attention of the DSL in the new school and a receipt secured.

Procedure to follow in the event of the parent failing to collect a learner. This is dependent on the age of the learner and whether this is unexpected. In the first instance, the school will make contact with the parents. If contact cannot be raised with any known contacts and an hour has passed from the normal collection time then contact will be made with First Response Children’s Duty for advice.

If parents arrive late to collect the learner and this becomes a regular occurrence, then parents should be invited in for a meeting with the class form teacher and the DSL.

**Child Sexual Exploitation**

Child sexual exploitation (CSE) is a form of sexual abuse where children are sexually exploited for money, power or status.

This can involve violent, humiliating and degrading sexual assaults, but does not always involve physical contact and can happen online. For example, young people may be persuaded or forced to share sexually explicit images of themselves, have sexual conversations by text, or take part in sexual activities using a webcam.

Children or young people who are being sexually exploited may not understand that they are being abused. They often trust their abuser and may be tricked into believing they are in a loving, consensual relationship.

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 children’s social care team and the police, if appropriate.

Indicators of sexual exploitation can include a child:

* Appearing with unexplained gifts or new possessions
* Associating with other young people involved in exploitation
* Having older boyfriends or girlfriends
* Suffering from sexually transmitted infections or becoming pregnant
* Displaying inappropriate sexualised behaviour
* Suffering from changes in emotional wellbeing
* Misusing drugs and/or alcohol
* Going missing for periods of time, or regularly coming home late
* Regularly missing school or education, or not taking part in education

**FGM**

The DSL will make sure that staff have access to appropriate training to equip them to be alert to children affected by FGM or at risk of FGM.

Section 4.19 of this policy sets out the procedures to be followed if a staff member discovers that an act of FGM appears to have been carried out or suspects that a pupil is at risk of FGM.

Indicators that FGM has already occurred include:

* A learner confiding in a professional that FGM has taken place
* A mother/family member disclosing that FGM has been carried out
* A family/learner already being known to social services in relation to other safeguarding issues
* A girl:
  + Having difficulty walking, sitting or standing, or looking uncomfortable
  + Finding it hard to sit still for long periods of time (where this was not a problem previously)
  + Spending longer than normal in the bathroom or toilet due to difficulties urinating
  + Having frequent urinary, menstrual or stomach problems
  + Avoiding physical exercise or missing PE
  + Being repeatedly absent from school, or absent for a prolonged period
  + Demonstrating increased emotional and psychological needs – for example, withdrawal or depression, or significant change in behaviour
  + Being reluctant to undergo any medical examinations
  + Asking for help, but not being explicit about the problem
  + Talking about pain or discomfort between her legs

Potential signs that a learner may be at risk of FGM include:

* The girl’s family having a history of practising FGM (this is the biggest risk factor to consider)
* FGM being known to be practised in the girl’s community or country of origin
* A parent or family member expressing concern that FGM may be carried out
* A family not engaging with professionals (health, education or other) or already being known to social care in relation to other safeguarding issues
* A girl:
  + Having a mother, older sibling or cousin who has undergone FGM
  + Having limited level of integration within UK society
  + Confiding to a professional that she is to have a “special procedure” or to attend a special occasion to “become a woman”
  + Talking about a long holiday to her country of origin or another country where the practice is prevalent, or parents stating that they or a relative will take the girl out of the country for a prolonged period
  + Requesting help from a teacher or another adult because she is aware or suspects that she is at immediate risk of FGM
  + Talking about FGM in conversation – for example, a girl may tell other children about it (although it is important to take into account the context of the discussion)
  + Being unexpectedly absent from school
  + Having sections missing from her ‘red book’ (child health record) and/or attending a travel clinic or equivalent for vaccinations/anti-malarial medication The above indicators and risk factors are not intended to be exhaustive.

**Forced Marriage**

Forcing a person into marriage is a crime. A forced marriage is one entered into without the full and free consent of one or both parties and where violence, threats, or any other form of coercion is used to cause a person to enter into a marriage. Threats can be physical or emotional and psychological.

Staff will receive training around forced marriage and the presenting symptoms. We are aware of the ‘one chance’ rule, i.e. we may only have one chance to speak to the potential victim and only one chance to save them.

If a member of staff suspects that a learner is being forced into marriage, they will speak to the pupil about their concerns in a secure and private place. They will then report this to the DSL.

The DSL will:

* Speak to the learner about the concerns in a secure and private place
* Activate the local safeguarding procedures and refer the case to the local authority’s designated officer
* Seek advice from the Forced Marriage Unit on 020 7008 0151 or fmu@fco.gov.uk
* Refer the pupil to a learning mentor or school counsellor, as appropriate

**Breast Ironing**

Breast ironing (also known as breast flattening) is the pounding and massaging of a pubescent girl's breasts, using hard or heated objects, to try to make them stop developing or to disappear. Usually carried out by mothers on their daughters to protect them from rape and sexual harassment. In certain African cultures men believe that as soon as a girl has breasts she is ready to have sexual relationships. There have been incidents of this happening in the UK, you may notice an unwillingness to get changed for PE, pain when moving, or a flattened breast area.

**Honour Based Violence**

‘Murder or violence in the name of so-called honour’ are murders/violence in which, predominantly females, are killed/harmed for actual or perceived immoral behaviour, which is deemed to have breached the honour code of a family or community, causing shame. They are sometimes called ‘honour killings/violence’. There is, however, no honour in murder/violence.

The honour code means that women must follow rules that are set at the discretion of male relatives and which are interpreted according to what each male family member considers acceptable. Breaking the rules is seen as destroying the good name of the family, and is deserving of punishment at the discretion of male relatives.

Honour is an unwritten code of conduct that involves loss of face on someone’s part if offended against, especially in groups where loyalty is considered paramount. Honour Based Violence cuts across all cultures and communities: Turkish, Kurdish, Afghani, South Asian, African, Middle Eastern, South and Eastern European for example. This is not an exhaustive list. Where a culture is heavily male dominated, HBV may exist.

Signs:

* withdrawal of learner from school by those with parental responsibility
* pupil/student being prevented from attending higher education
* truancy or persistent absences
* request for extended leave or student not returning from an overseas visit
* surveillance by siblings/cousins/extended family members at school
* decline in behaviour, engagement, performance or punctuality, poor exam results. – in particular for previously motivated pupil/student.
* decline in physical presentation or demeanour

**Lesbian, Gay, Bisexual and Transgender (LGBT)**

We believe that respect for ourselves and others is a fundamental right and responsibility of/for all. We will always challenge inappropriate language or behaviour and never ignore ‘banter’.  
It is the duty of all staff to ensure that every member of the school community feels valued, irrespective of their sexual/gender orientation, race or religion. Diversity is celebrated and valued at Hardwick House School.

**Sexual Images (sexting)  
It is illegal for sexual or indecent images of a child under 18 to be taken and or distributed**

* Person/learner under 18 creates a sexual image of themselves and shares it with another person under 18
* Person/learner under 18 shares an image of another under 18 with another person under 18 or an adult
* Person/learner under 18 is in possession of sexual imagery created by another person under 18

All incidents of sexual images should be reported to a DSL. The image/s and the device they are stored within should be confiscated, examples would be; naked learner; topless girl; image which displays genitals; sex acts including masturbation. Indecent images may also include overtly sexual images of young people in their underwear

Although sharing sexual images of themselves is illegal and risky, it is often the result of curiosity and exploration. ‘The primary concern at all times should be the welfare and protection of the young people involved.’

* refer to the designated safeguarding lead or a member of the team
* DSL meets with the learner involved
* do not view the image unless it is unavoidable
* discuss with parents, unless there is an issue where that’s not possible
* If there is a concern that the learner is at risk of harm, we will contact social care and/or the police

We will always refer to the police or social care if incident involves:

* an adult
* coercion, blackmail, or grooming
* concerns about capacity to consent, (e.g. due to a SEND)
* images show atypical sexual behaviour for the child’s developmental stage
* violent acts are depicted
* image shows sex acts and includes a child under 13
* a young person at risk of immediate harm as a result of the disclosure (for example, self- harm or suicide)

**Viewing sexual images**

* If it is felt necessary to view, discuss with DSL first and always view with a DSL present
* Never copy, print, or share the image, unless asked to do so by the Police
* Record the fact that the images were viewed along with reasons and who was present

Deleting images (from devices and social media)

* If as a school we decide that involving other agencies is not necessary, images will be deleted

**Upskirting**

“Upskirting” typically involves taking a picture under a person’s clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification or cause the victim humiliation, distress or alarm. ***Upskirting is now a criminal offence (Keeping Children Safe in Education, 2019).*** Any allegation of upskirting will be dealt with in accordance with section4.19j: Allegations of abuse made against other learners (peer on peer abuse).

**Sexual Violence and Sexual Harassment**

All Staff should be aware that sexual violence and sexual harassment can occur between two children of any age and gender. It can also occur through a group of children sexually assaulting or sexually harassing a single child or group of children. It can occur online as well as offline and it’s important that all victims are taken seriously and offered appropriate support. Evidence shows that Children with SEND (which includes ASD) are potentially more at risk. Staff should not tolerate this behaviour or dismiss it as “banter”, “part of growing up”, “just having a laugh” or “boys being boys”. Concerns and incidents must always be reported to the lead DSL who will use the relevant guidance to manage the situation.

**Serious Violence**

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

**County Lines**

Exploitation of vulnerable children is no longer a city-based issue in England; gang culture is risk across cities and counties. It is identified that children could be involved in 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.

There are numerous factors which could be signs of a child being exploited including the use of language, new items such as gifts and a lack of attendance. Within the KCSIE 2019 it identified that 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
* 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

***Staff should raise any concerns they have linked to County Lines with the DSL immediately who will then respond accordingly including contacting the Police and/or First Response.***

**Preventing radicalisation**

Radicalisation refers to the process by which a person comes to support terrorism and forms of extremism. Extremism is vocal or active opposition to fundamental British values, such as democracy, the rule of law, individual liberty, and mutual respect and tolerance of different faiths and beliefs.

Schools have a duty to prevent children from being drawn into terrorism. The DSL will undertake Prevent awareness training and make sure that staff have access to appropriate training to equip them to identify children at risk.

We will assess the risk of children in our school being drawn into terrorism. This assessment will be based on an understanding of the potential risk in our local area, in collaboration with our local safeguarding children board and local police force.

We will ensure that suitable internet filtering is in place, and equip our learners to stay safe online at school and at home.

There is no single way of identifying an individual who is likely to be susceptible to an extremist ideology. Radicalisation can occur quickly or over a long period.

Staff will be alert to changes in learners’ behaviour. The government website Educate Against Hate and charity NSPCC say that signs that a learner 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. If staff are concerned about a learner, they will follow our procedures set out in section 4.19 of this policy, including discussing their concerns with the DSL.

Staff should **always** take action if they are worried.

**Checking the identity and suitability of visitors**

All visitors will be required to verify their identity to the satisfaction of staff.

If the visitor is unknown to the setting, we will check their credentials and reason for visiting before allowing them to enter the setting. Visitors should be ready to produce identification.

Visitors are expected to sign the visitors’ book and wear a visitor’s badge.

All visitors to our setting, including visiting speakers, will be accompanied by a member of staff at all times. We will not invite into the school any speaker who is known to disseminate extremist views, and will carry out appropriate checks to ensure that any individual or organisation using school facilities is not seeking to disseminate extremist views or radicalise learners or staff.

**Appendix 2: Allegations of abuse made against staff**

This section applies to all cases in which it is alleged that a current member of staff or volunteer has:

* Behaved in a way that has harmed a child, or may have harmed a child, or
* Possibly committed a criminal offence against or related to a child, or
* Behaved towards a child or children in a way that indicates he or she would pose a risk of harm to children

It applies regardless of whether the alleged abuse took place in the school. Allegations against a teacher who is no longer teaching and historical allegations of abuse will be referred to the police.

We will deal with any allegation of abuse against a member of staff or volunteer very quickly, in a fair and consistent way that provides effective child protection while also supporting the individual who is the subject of the allegation.

Our procedures for dealing with allegations will be applied with common sense and judgement.

**Suspension**

Suspension will not be the default position and will only be considered in cases where there is reason to suspect that a child or other children is/are at risk of harm, or the case is so serious that it might be grounds for dismissal. In such cases, we will only suspend an individual if we have considered all other options available and there is no reasonable alternative.

Based on an assessment of risk, we will consider alternatives such as:

* Redeployment within the school 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 the individual to alternative work in the school so that they do not have unsupervised access to children
* Moving the child or children to classes where they will not come into contact with the individual, making it clear that this is not a punishment and parents have been consulted
* Temporarily redeploying the individual to another role in a different location.

**Definitions for outcomes 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 to either prove or disprove the allegation (this does not imply guilt or innocence)

**Procedure for dealing with allegations**

In the event of an allegation that meets the criteria above, the Head Teacher or the Lead Governor (Mark Edwards, Director of Hardwick House School) where the Head Teacher is the subject of the allegation) – the ‘Case Manager’ – will take the following steps:

* Immediately discuss the allegation with the designated officer at the local authority. This is to consider the nature, content and context of the allegation and agree a course of action, including whether further enquiries are necessary to enable a decision on how to proceed, and whether it is necessary to involve the police and/or children’s social care services. (The Case Manager may, on occasion, consider it necessary to involve the police *before* consulting the designated officer – for example, if the accused individual is deemed to be an immediate risk to children or there is evidence of a possible criminal offence. In such cases, the case manager will notify the designated officer as soon as practicably possible after contacting the police)
* Inform the accused individual of the concerns or allegations and likely course of action as soon as possible after speaking to the designated officer (and the police or children’s social care services, where necessary). Where the police and/or children’s social care services are involved, the Case Manager will only share such information with the individual as has been agreed with those agencies
* Where appropriate (in the circumstances described above), carefully consider whether suspension of the individual from contact with children at the school is justified or whether alternative arrangements such as those outlined above can be put in place. Advice will be sought from the designated officer, police and/or children’s social care services, as appropriate
* **If immediate suspension is considered necessary**, agree and record the rationale for this with the designated officer. The record will include information about the alternatives to suspension that have been considered, and why they were rejected. Written confirmation of the suspension will be provided to the individual facing the allegation or concern within 1 working day, and the individual will be given a named contact at the school and their contact details
* **If it is decided that no further action is to be taken** in regard to the subject of the allegation or concern, record this decision and the justification for it and agree with the designated officer what information should be put in writing to the individual and by whom, as well as what action should follow both in respect of the individual and those who made the initial allegation
* **If it is decided that further action is needed**, take steps as agreed with the designated officer to initiate the appropriate action in school and/or liaise with the police and/or children’s social care services as appropriate
* Provide effective support for the individual facing the allegation or concern, including appointing a named representative to keep them informed of the progress of the case and consider what other support is appropriate. For additional support, the member of staff can also contact their trade union for further advice and/or support.
* Inform the parents or carers of the child/children involved about the allegation as soon as possible if they do not already know (following agreement with children’s social care services and/or the police, if applicable). The Case Manager will also inform the parents or carers of the requirement to maintain confidentiality about any allegations made against teachers (where this applies) while investigations are ongoing. Any parent or carer who wishes to have the confidentiality restrictions removed in respect of a teacher will be advised to seek legal advice
* Keep the parents or carers of the child/children involved informed of the progress of the case and the outcome, where there is not a criminal prosecution, including the outcome of any disciplinary process (in confidence)
* Make a referral to the DBS where it is thought that the individual facing the allegation or concern has engaged in conduct that harmed or is likely to harm a child, or if the individual otherwise poses a risk of harm to a child

We will inform Ofsted of any allegations of serious harm or abuse by any person living, working, or looking after children at the premises (whether the allegations relate to harm or abuse committed on the premises or elsewhere), and any action taken in respect of the allegations. This notification will be made as soon as reasonably possible and always within 14 days of the allegations being made.

If the school is made aware that the Secretary of State has made an interim prohibition order in respect of an individual, we will immediately suspend that individual from teaching, pending the findings of the investigation.

Where the police are involved, wherever possible the Lead Governor (Mark Edwards in first instance) will ask the police at the start of the investigation to obtain consent from the individuals involved to share their statements and evidence for use in the school’s disciplinary process, should this be required at a later point.

**Timescales**

* Any cases where it is clear immediately that the allegation is unsubstantiated or malicious will be resolved within 1 week
* If the nature of an allegation does not require formal disciplinary action, we will institute appropriate action within 3 working days
* If a disciplinary hearing is required and can be held without further investigation, we will hold this within 15 working days

**Specific actions**

**Action following a criminal investigation or prosecution**

The case manager will discuss with the local authority’s designated officer whether any further action, including disciplinary action, is appropriate and, if so, how to proceed, taking into account information provided by the police and/or children’s social care services.

**Conclusion of a case where the allegation is substantiated**

If the allegation is substantiated and the individual is dismissed or the school ceases to use their services, or the individual resigns or otherwise ceases to provide their services, the case manager and the school’s personnel adviser will discuss with the designated officer whether to make a referral to the DBS for consideration of whether inclusion on the barred lists is required.

If the individual concerned is a member of teaching staff, the case manager and personnel adviser will discuss with the designated officer whether to refer the matter to the Teaching Regulation Agency to consider prohibiting the individual from teaching.

**Individuals returning to work after suspension**

If it is decided on the conclusion of a case that an individual who has been suspended can return to work, the case manager will consider how best to facilitate this.

The case manager will also consider how best to manage the individual’s contact with the child or children who made the allegation, if they are still attending the school.

**Unsubstantiated or malicious allegations**

If an allegation is shown to be deliberately invented, or malicious, the Headteacher, or other appropriate person in the case of an allegation against the Headteacher, will consider whether any disciplinary action is appropriate against the learner(s) who made it, or whether the police should be asked to consider whether action against those who made the allegation might be appropriate, even if they are not a learner.

**Confidentiality**

The school will make every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered.

The case manager will take advice from the local authority’s designated officer, police and children’s social care services, as appropriate, to agree:

* Who needs to know about the allegation and what information can be shared
* How to manage speculation, leaks and gossip, including how to make parents or carers of a child/children involved aware of their obligations with respect to confidentiality
* What, if any, information can be reasonably given to the wider community to reduce speculation
* How to manage press interest if, and when, it arises

**Record-keeping**

The case manager will maintain clear records about any case where the allegation or concern meets the criteria above and store them on the individual’s confidential personnel file for the duration of the case. Such records will include:

* A clear and comprehensive summary of the allegation
* Details of how the allegation was followed up and resolved
* Notes of any action taken and decisions reached (and justification for these, as stated above)

If an allegation or concern is not found to have been malicious, the school will retain the records of the case on the individual’s confidential personnel file and provide a copy to the individual. We will retain these records at least until the individual has reached normal pension age, or for 10 years from the date of the allegation if that is longer.

The records of any allegation that is found to be malicious will be deleted from the individual’s personnel file.

**References**

When providing employer references, we will not refer to any allegation that has been proven to be false, unsubstantiated or malicious, or any history of allegations where all such allegations have been proven to be false, unsubstantiated or malicious.

**Learning lessons**

After any cases where the allegations are *substantiated*, we will review the circumstances of the case with the local authority’s designated officer to determine whether there are any improvements that we can make to the school’s procedures or practice to help prevent similar events in the future.

This will include consideration of (as applicable):

* Issues arising from the decision to suspend the member of staff
* The duration of the suspension
* Whether or not the suspension was justified
* The use of suspension when the individual is subsequently reinstated. We will consider how future investigations of a similar nature could be carried out without suspending the individual

**Appendix 3: Named staff and Local Authority Contacts**

* Designated Safeguarding Lead: Sarah Unwin, Head Teacher
* Deputy Designated Safeguarding Leads: Mark Edwards, Director, and Chris Sinclair, Deputy Head
* Prevent Single Point of Contact (SPOC): Sarah Unwin, Head Teacher
* Designated Teacher for Children in Care: Sarah Unwin, Head Teacher
* Nominated Safeguarding Governor: Mark Edwards, Director

**Head of Service - Safeguarding and Performance Service (Leicestershire)**

Kelda Claire 0116 3059084 / 07507686100

**Leicestershire LADO / Allegations Manager:**

Mark Goddard / Kim Taylor 0116 305 7597

**Safeguarding Development Officers:**

Simon Genders 0116 305 7750

Ann Prideaux 0116 305 7317

**First Response Children’s Duty (Same-day referrals)**

Telephone: 0116 3050005

Email Address: [childrensduty@leics.gov.uk](mailto:childrensduty@leics.gov.uk)

First Response Children’s Duty

Room 100b  
County Hall  
Championship Way  
Glenfield  
LE3 8RF

**All other referrals including Early Help Services**

<http://lrsb.org.uk/childreport>

**Early Help queries and Consultation Line**

0116 3058727

**Nottinghamshire County Council**

<https://www.nottinghamshire.gov.uk/media/129861/pathwaytoprovisionhandbook.pdf>

The Multi-Agency Safeguarding Hub (MASH) is the single point of contact for all professionals to report safeguarding concerns. Telephone 0300 500 80 90 during work hours or during an emergency call 0300 456 4546.

**Leicester City Council**

If you are concerned about the safety and welfare of a child in Leicester, please contact by calling 0116 454 1004 (24 hour service) or the police on 0116 222 2222.

<https://www.leicester.gov.uk/health-and-social-care/childrens-social-care/child-protection/>

**Rutland County Council**

During normal office hours you can contact Rutland’s Children's Duty Team by calling: [01572 758 407](tel:01572758407) or emailing: [Safeguardingunit@rutland.gcsx.gov.uk](mailto:Safeguardingunit@rutland.gcsx.gov.uk)

When their offices are closed and it's an emergency please call: [0116 305 0005](tel:01163050005). If a child is in immediate danger please call [999](tel:999) and ask for the police.

<https://www.rutland.gov.uk/my-services/health-and-family/childrens-social-care/report-a-concern-children-and-young-people/>

**Derby City Council**

Derby City Council can be contacted during normal working days between 9am and 5pm on 01332 641172. At all other times concerns can be discussed with Careline who can be contacted on [01332 786968](tel:01332786968).

<https://www.derby.gov.uk/health-and-social-care/safeguarding-children/worried-about-a-child/>