



**Five
Rivers®**

**FIVE RIVERS
CHILD CARE LTD**

Fountain House
- Child
Protection and
Safeguarding
Policy &
Procedure

'Five Rivers is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment'

Policy Owner	Mark Barcroft
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1. Education Child Protection and Safeguarding Policy

1.1 Policy Statement

- 1.1.1 It is the company’s responsibility to safeguard and promote the welfare of children. Children who are and feel safe make more successful learners. Policies will be reviewed annually, unless an incident or new legislation or guidance suggests the need for an earlier date of review.
- 1.1.2 We recognise our moral and statutory responsibility to safeguard and promote the welfare of all children. We endeavour to provide a safe and welcoming environment where children are respected and valued. We are alert to the signs of abuse and neglect and follow our procedures to ensure that children receive effective support, protection and justice.
- 1.1.3 Every person who works with children and young people has a responsibility under child protection to take any action necessary to protect the child. In terms of any member of staff, this will usually extend to the passing over of information to someone in a more senior position and they will co-ordinate matters from there on: however staff at any time independently can contact the local authority duty service with any concerns they may have regarding the safety and well-being of a young person. It is the responsibility of the local authority social care to initiate any action in conjunction with local police where an incident or investigation is required. Five Rivers should relay the information to the placing authority and attend any of the follow-up meetings as requested.

1.2 Terms and Definitions

- 1.2.1 The below table sets out a number of terms and definitions used within this document:

Term	Definition
Children in Need	A child in need is defined under the Children Act 1989 as a child who is unlikely to achieve or maintain a reasonable level of health or development, or whose health and development is likely to be significantly or further impaired, without the provision of services; or a child who is disabled. Local authorities are required to provide services for children in need for the purposes of safeguarding and promoting their welfare. Children in need may be assessed under section 17 of the Children Act 1989

1.3 Data Protection

1.3.1 Five Rivers Child Care supports the objectives of the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 and other legislation relating to Data Processing, including the Human Rights Act 1998, Regulation of Investigatory Powers Act 2000 and the Freedom of Information Act 2000. Five Rivers Child Care has a statutory obligation to process personal data in accordance with the provisions of the General Data Protection Regulation (GDPR) and the Data Protection Act 2018

1.3.2 Every member of Five Rivers Child Care has an obligation to ensure that the information they process (use) is collected, maintained and disclosed in accordance with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 and the Five Rivers Child Care Data Protection Policy.

1.4 Disclosure of Information

1.4.1 Any use or disclosure of information held within Five Rivers Child Care, without there being a legitimate purpose or legal basis, will be classed as unauthorised and is a criminal offence under Section 55 of the Act Right of Access (Subject Access Requests).

1.5 Further Information

1.5.1 This guidance is issued under:

- Section 157 and 175 of the Education Act 2002.
- Section 7 of the Local Authority Social Services Act 1970, which requires local authorities in their social services functions to act under the general guidance of the Secretary of State;
- Section 11 (4) of the Children Act 2004 which requires each person or body to which the section 11 duty applies to have regard to any guidance given to them by the Secretary of State; and Section 16 of the Children Act 2004, which states that local authorities and each of the statutory partners must, in exercising their functions relating to Local Safeguarding Children Boards, have regard to any guidance given to them by the Secretary of State.
- Female Genital Mutilation Act 2003
- Counter-Terrorism and Security Act 2015

1.5.2 The school will act in accordance with the above legislation and the guidance offered in:

- "Working together to safeguard children" 2018
- "What to do if you are worried a child is being abused – advice for practitioners"
- "Keeping Children Safe in Education September 2018"
- "The Prevent duty" 2015
- "Children missing education" 2015

1.5.3 All staff must ensure that they have read all policies relating to the safeguarding of children and sign the document at the end of this policy. Child Protection contacts: A number of staff are available to act as contact points in case of queries:

Safeguarding Contact Details

Please see supporting document linked to the school listed below

Appendix A – Reporting Safeguarding Concerns – Fountain House

2. Education Child Protection and Safeguarding Procedure

2.1 Child Protection and Safeguarding

- 2.1.1 Safeguarding, and promoting the welfare of children, is a broader term than child protection. It encompasses protecting children from maltreatment, preventing impairment of children's health or development, and ensures children grow up in safe circumstances.
- 2.1.2 Child protection is part of this definition and refers to activities undertaken to prevent children suffering, or likely to suffer, significant harm.
- 2.1.3 Each Local Safeguarding Children Board (LSCB) has a detailed set of safeguarding procedures which includes actions to be taken in all child protection matters. The procedure that follows extracts the relevant messages from these comprehensive procedures and applies to them to the context of the work at Five Rivers.
- 2.1.4 **Staff** refers to all those working for or on behalf of the company, school, full time or part time, in either a paid or voluntary capacity.
- 2.1.5 **Child** refers to all young people who have not yet reached their 18th birthday.
- 2.1.6 Parent refers to birth parents and other adults who are in a parenting role, for example step-parents, foster carers and adoptive parents.
- 2.1.7 Staff should remember the fundamental rule in child protection, which is that they never promise the child secrecy to information they may share and that they should continue to remind young people of their duty to share information where they feel the child may be at risk should they fail to do so.

2.2 School Commitment

- 2.2.1 “We recognise that for children high self-esteem, confidence, supportive friends and clear lines of communication with a trusted adult helps prevention.”
- 2.2.2 Our school will therefore:
- Establish and maintain an ethos where children feel secure and are encouraged to talk and are listened to through.
 - Ensure that children know that there are adults in the school who they can approach if they are worried or in difficulty by making ourselves openly available, and prepared to give time to listen to children. There is also a clear procedure in place should the young person or staff member feel uncomfortable with any presenting one-to-one situation.
 - Include in the curriculum activities and opportunities for PSE, which equip children with the skills they need to, stay safe from abuse.

- Include in the curriculum material, which will help children develop realistic attitudes to the responsibilities of adult life, particularly with regard to childcare and parenting skills.

2.3 Aims and Objectives

- 2.3.1 These procedures ensure that all staff and parents/carers in our school are clear about the actions necessary with regard to a child protection issue. Its aims are:
- To raise the awareness of all staff and identify responsibility in reporting possible cases of abuse
 - To ensure effective communication between all staff when dealing with child protection issues and
 - To lay down the correct procedures for those who encounter an issue of child protection.
- 2.3.2 The school will strive to create an atmosphere in which children feel able and safe to talk about their worries and fears. Staff will listen carefully to anything children want to tell them. They will:
- **not** ask leading questions
 - **not** promise to keep the matter secret
 - **not** attempt to investigate a situation themselves.

2.4 Good Practice Guidelines

- 2.4.1 To meet and maintain our responsibilities towards children, the school agrees to the following standards of good practice.

2.5 Duty of Care

- 2.5.1 All staff are accountable for the way in which they exercise authority; manage risk; use resources; protect students from discrimination and avoidable harm.
- 2.5.2 This means that staff should:
- understand the responsibilities, which are part of their employment or role, and be aware that sanctions will be applied if these provisions are breached
 - always act, and be seen to act, in the students' best interests
 - avoid any conduct which would lead any reasonable person to question their motivation and intention; take responsibility for their own actions and behaviour.

2.6 Exercise of Professional Judgement

- 2.6.1 This guidance cannot provide a complete checklist of what is, or is not, appropriate behaviour for staff. It does highlight however, behaviour that is illegal, inappropriate or inadvisable. Individuals are expected to make judgements about their behaviour in order to

secure the best interests and welfare of the students in their charge and in so doing, will be seen to be acting reasonably.

2.6.2 This means that where no specific guidance exists staff should:

- discuss the circumstances that informed their action, or their proposed action, with a senior colleague. This will help to ensure that the safest practices are employed and reduce the risk of actions being misinterpreted
- always discuss any misunderstanding, accidents or threats with a senior manager
- record discussions and actions taken, giving justification where appropriate.

2.7 Power and Positions of Trust

2.7.1 As a result of the authority invested in their role, all adults working with children, young people and vulnerable adults in education settings are in positions of trust in relation to the young people in their care. A relationship between a member of staff and a student cannot be a relationship between equals. There is potential for exploitation and harm of vulnerable young people, and staff have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification. Wherever possible, staff should avoid behaviour which might be misinterpreted by others, and report and record any incident with this potential.

2.7.2 Where a person aged 18 or over is in a position of trust with a student under 18, it is an offence for that person to engage in any sexual activity with or in the presence of that student, or to cause or incite that student to engage in or watch sexual activity.

2.7.3 This means that staff should not:

- use their position to gain access to information for their own advantage and/or a student or family's detriment; use their power to intimidate, threaten, bully, coerce or undermine students
- use their status and standing to form or promote relationships with students, which are of a sexual nature
- display behaviour that may be viewed as favouritism.

2.8 Confidentiality

2.8.1 Members of staff may have access to confidential information about students in order to undertake their everyday responsibilities. In some circumstances staff may be given additional highly sensitive or private information. They should never use confidential or personal information about a student or his/her family for their own, or others' advantage (including that of partners, friends, relatives or other organisations). Information must never be used to intimidate, humiliate, or embarrass the student.

2.8.2 Confidential information about a child or young person should never be used casually in conversation or shared with any person other than on a need to know basis. In circumstances where the student's identity does not need to be disclosed, the information should be used anonymously.

2.8.3 There are some circumstances in which a member of staff may be expected to share information about a student, for example when abuse is alleged or suspected. In such cases, individuals have a duty to pass information on, without delay, to the staff with designated child protection responsibilities. If a member of staff is in any doubt about whether to share information or keep it confidential he or she should seek guidance from a senior member of staff. Any media or legal enquiries should be passed to senior management.

2.8.4 This means that staff:

- are expected to treat information they receive about children and young people in a
- are discreet and confidential manner
- who are in any doubt about sharing information they hold or which has been requested of them, should seek advice from a senior member of staff
- need to be cautious when passing information to others, even a parent, about a child/young person
- need to be vigilant that they do not inadvertently betray confidences in casual conversations with colleagues in staff rooms, corridors and in emails.

2.8.5 All staff have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of children and young people. They should adopt high standards of personal conduct in order to maintain the confidence and respect of their peers, students and the public in general. There are risks involved with social networking sites.

2.8.6 This means that staff should not:

- behave in a manner which would lead any reasonable person to question their suitability to work with students or act as a role model. This applies both within and outside the working environment
- make sexual remarks to a student (including email, text messages, phone, letter or other)
- discuss their own sexual relationships with, or in the presence of, students
- discuss student sexual relationships in inappropriate settings or contexts
- have students as “friends” on social networking sites, as their propriety could be.

2.9 Dress and Appearance

2.9.1 A person's dress and appearance are matters of personal choice. However staff should consider the manner of dress and appearance appropriate to their professional role, which may be different to that adopted in their personal life. Staff should ensure they are dressed decently, safely and appropriately for the tasks they undertake. Those who dress or appear in a manner, which could be considered as inappropriate, could render themselves vulnerable to criticism or allegation.

2.9.2 This means that staff should wear clothing which:

- promotes a positive and professional image
- is appropriate to their role
- is not likely to be viewed as offensive, revealing, or sexually provocative
- does not distract, cause embarrassment or give rise to misunderstanding
- is not considered to be discriminatory.

2.10 Infatuations

- 2.10.1 Staff need to be aware that it is not uncommon for students to be strongly attracted to a member of staff and/or develop a heterosexual or homosexual infatuation. All situations should be responded to sensitively to maintain the dignity of all concerned. Staff should also be aware that such circumstances always carry a high risk of words or actions being misinterpreted and for allegations to be made against staff.
- 2.10.2 A member of staff, who becomes aware that a student may be infatuated with themselves or a colleague, should discuss this at the earliest opportunity with a senior colleague so that appropriate action can be taken. In this way, steps can be taken to avoid hurt and distress for all concerned.
- 2.10.3 This means that staff should:
- report any indications (verbal, written or physical) that suggest a student may be infatuated with a member of staff. This applies regardless of your relationship with the member of staff or the student. If you do not report such an incident, you are putting yourself in a vulnerable situation by observing incidents, which could be misconstrued, but not acting upon it, and therefore condoning it
 - be careful when providing support to students that it is not being misconstrued.

2.11 Social Contact

- 2.11.1 Staff should not establish or seek to establish social contact with students for the purpose of securing a friendship or to pursue or strengthen a relationship. Even if a young person seeks to establish social contact, or if this occurs coincidentally, the member of staff should not enter into any social contact.
- 2.11.2 This means that staff should:
- report and record any situation which could be interpreted as compromising the school.

2.12 Physical Contact

- 2.12.1 There are occasions when it is entirely appropriate and proper for staff to have physical contact with students, but it is crucial that they only do so in ways appropriate to their professional role.
- 2.12.2 A 'no touch' approach is impractical for some situations and may in some circumstances be inappropriate. When physical contact is made with students this should be in response to their needs at the time, of limited duration and appropriate given their age, stage of development, gender, ethnicity, disability and background. Staff should therefore use their professional judgement at all times. Staff should be particularly aware of the possible implications of making physical contact in a situation when they are alone with the student.

2.12.3 If a member of staff believes that an action could be misinterpreted, the incident and circumstances should be recorded as soon as possible and discussed with their line manager.

2.12.4 Extra caution may be required where it is known that a student has suffered previous abuse or neglect. In the student's view, physical contact might be associated with such experiences and lead to staff being vulnerable to allegations of abuse.

2.12.5 This means that staff should:

- be aware that even well intentioned physical contact may be misconstrued by the student, an observer or by anyone to whom this action is described;
- never touch a student in a way which may be considered indecent;
- always be prepared to explain actions and accept that all physical contact be open to scrutiny.

2.13 Disclosures About Personal Life, Background and Opinions

2.13.1 Staff should be cautious when speaking to students about their personal life, background and opinions. This does not mean that any disclosures are inappropriate.

2.13.2 This means that staff should:

- never discuss their sex life with students
- not cause students to feel at all responsible for a member of staff's personal situation or uncomfortable about the level of detail being disclosed
- present balanced view points when discussing politically or socially sensitive issues.

2.14 Pupils in Distress

2.14.1 There may be occasions when a distressed student needs comfort and reassurance. This may include physical contact. Staff should remain self-aware at all times in order that their contact is not threatening, intrusive or subject to misinterpretation. If staff are concerned that a student may cause themselves harm please contact DSP AND DEPUTY for advice.

2.14.2 This means that staff should:

- consider the way in which they offer comfort to a distressed student
- always tell a colleague when and how they offered comfort to a distressed student
- record situations which may give rise to concern.

2.15 Behaviour Management

2.15.1 All students have a right to be treated with respect and dignity. The use of humour can help to defuse a situation. The use of sarcasm, demeaning or insensitive comments towards students is not acceptable in any situation.

2.15.2 This means that staff should:

- use TCI practice
- not use force as a form of punishment
- try to defuse situations before they escalate

- keep parents/carers informed of any sanctions as appropriate.

2.16 Sexual Contact with Young People

- 2.16.1 Any sexual behaviour by a member of staff with or towards a child or young person is both inappropriate and illegal. Children and young people are protected by the same laws as adults in relation to non-consensual sexual behaviour. They are additionally protected by specific legal provisions regardless of whether the child or young person consents or not. The Sexual Offences Act 2003 makes it a criminal offence for a person over the age of 18, in a position of trust, to engage in any sexual activity with a child under 18. This applies even if the member of staff does not teach or support the child directly. This includes the prohibition on adults in a position of trust.
- 2.16.2 The sexual activity referred to does not just involve physical contact including penetrative and non-penetrative acts. It may also include non-contact activities, such as causing students to engage in or watch sexual activity or the production of pornographic material.
- 2.16.3 Staff should be aware that conferring special attention and favour upon a student might be construed as being part of a 'grooming' process, which is an offence.
- 2.16.4 This means that staff should:
- not pursue sexual relationships with children and young people either in or out of school
 - avoid any form of communication with a child or young person which could be interpreted as sexually suggestive or provocative i.e. verbal comments, letters, notes, electronic mail, phone calls, texts, physical contact.

2.17 Educational Visits and After School Activities

- 2.17.1 Staff should take particular care when supervising students on any activity. During school activities that take place off the school site or out of school hours, a more relaxed discipline or informal dress and language code may be acceptable. However, staff remain in a position of trust and need to ensure that their behaviour cannot be interpreted as seeking to establish an inappropriate relationship or friendship.
- 2.17.2 Health and Safety arrangements require members of staff to keep colleagues/employers aware of their whereabouts, especially when involved in an out of school activity.
- 2.17.3 This means that staff should:
- conduct a risk assessment, signed and agreed by your manager
 - always have another adult present in out of school activities, unless otherwise agreed with senior staff in school
 - ensure that their behaviour remains professional at all times
 - staff should never drink alcohol when supervising students.

2.18 Photography, Videos, Creative Arts

- 2.18.1 Many school activities involve recording images. These may be undertaken as part of the curriculum, extra school activities, for publicity, or to celebrate achievement. Staff should remain sensitive to any students who appear uncomfortable and should recognise the potential for misinterpretation.
- 2.18.2 Certain photos or images of individuals we use in school would be considered as “personal data” under the Data Protection Act – particularly where the individual is the focus of the image and the image includes biographical facts about that individual. Staff must ensure that such images are handled properly, in line with the School’s Data Protection Policy. In particular, staff are expected to:
- think about the individuals concerned - ensuring that the way the image is obtained or used is fair to them and is not likely to cause them distress
 - be aware of the potential for misuse of personal data by others – particularly if it is put on the website
 - ensure images are securely stored and used only by those authorised to do so.
- 2.18.3 This means that staff should:
- be clear about the purpose of the activity and about what will happen to the photographs when the lesson/activity is concluded
 - ensure that a senior member of staff is aware that the photography/image equipment is being used and for what purpose
 - ensure that all images are available for scrutiny in order to screen for acceptability;
 - be able to justify images of students in their possession
 - avoid using DVD / film footage with age ratings above the teaching group age
 - This means that staff should not: take, display or distribute images of students unless they have consent to do so.

2.19 Mobile phones and cameras

- 2.19.1 Pupils are not allowed to use mobile phones in school.
- 2.19.2 Staff are allowed to bring their personal phones to school for their own use, but will limit such use to non-contact time when pupils are not present. Staff members’ personal phones will remain in their bags or cupboards during contact time with pupils.
- 2.19.3 Staff will not take pictures or recordings of pupils on their personal phones or cameras.
- 2.19.4 We will follow the General Data Protection Regulation and Data Protection Act 2018 when taking and storing photos and recordings for use in the school.

2.20 Internet Use

- 2.20.1 Infrastructure/equipment, filtering and monitoring: The school will be responsible for ensuring that the school infrastructure/network is as safe and secure as is reasonably possible and that policies and procedures approved within this policy are implemented.

2.20.2 Each school has a clear policy regarding the use of ICT. Under no circumstances should adults or young people in school access inappropriate images, nor should school equipment be used for this at any time.

2.20.3 This means that staff should:

- follow the school guidelines on the use of IT equipment.

2.21 Site Security

2.21.1 All employees have an ID badge. All employees must sign in when entering the school.

2.21.2 All visitors to the school must sign in the Visitors book. This includes any contractors. No visitor must be left unsupervised at any time.

2.22 First Aid and Administration of Medication

2.22.1 Each school has a trained first aiders/appointed person. Staff should receive appropriate training before administering first aid or medication. When administering first aid, wherever possible, staff should ensure that another adult is present, or aware of the action being taken. Parents/carers should always be informed when first aid has been administered.

2.22.2 This means that staff should:

- adhere to the school guidelines on these matters;
- make other staff aware of the task being undertaken;
- explain to the child what is happening.

2.23 Physical Intervention by Staff

2.23.1 There may be times when adults in our school, in the course of their duty, use physical intervention to restrain children. This should be exercised in line with the school policy and guidance on appropriate restraint. The Headteacher requires the adult involved in any such incident to report this to him/her immediately (unless it was them who has exercised the restraint), and to record it in on a Critical Incident form. These will be sent to the Head of Education who will send on for governance. Any witnesses to the incident must be identified.

2.23.2 When applying disciplinary measures such as restraint or isolation in response to incidents involving children with SEN and disabilities, staff consider all risks carefully and are trained in TCI. To safeguard a pupil or student and others, it may be necessary to use restraint and yet restraint is likely to impact on the well-being of the child. All children have a behaviour management plan and an individual risk assessment.

2.24 Whistleblowing

2.24.1 Whistleblowing is the mechanism by which staff can voice their concerns, made in good faith, without fear of repercussion – see the Whistleblowing policy.

2.24.2 This means that staff should:

- report any behaviour by colleagues that raises concern.

2.24.3 All staff have a duty to report any child protection concerns to the Headteacher (if any staff are involved) or Designated safeguarding lead for child protection for child issues. They must never investigate situations themselves. This applies regardless of the relationship with the member of staff or the student. If staff do not report such an incident, they are putting themselves in a vulnerable situation. By observing incidents, which could be misconstrued, but not acting upon it, staff could be regarded as condoning the behaviour.

2.24.4 Child protection concerns may often arise when staff may notice a change in a child's behaviour, physical or emotional state. Suspicion or evidence of a child protection matter could result from:

- A child disclosing that they have been abused or injured.
- Staff observing unusual behaviour from the child.
- Staff observing suspicious injuries on a child.
- Direct observation of an act against a child, which appears to be abusive.
- Direct or indirect information from another raising concerns about a child being abused.

2.24.5 The child protection concern could include physical, emotional, sexual abuse or neglect. There are various expert sources of advice on the signs of abuse and neglect. Each area's Local Safeguarding Children Board (LSCB) should be able to advise on useful material, including training options.

2.25 Types of Abuse and Neglect

2.25.1 Safeguarding is everybody's business. In law, young people are children until their 18th birthday. Child abuse can occur at any age from birth onwards. There can also be serious concerns pre-birth.

2.25.2 Abuse and neglect can affect a child at any age. The abuse can be so damaging that some children may take a long time to recover. In some cases the effects of the abuse will remain with the person forever.

2.25.3 Abuse: a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others (e.g. via the internet). They may be abused by an adult or adults or another child or children. There are many different forms of child abuse. Children can be abused by the direct actions of an adult, such as a physical beating or because an adult fails to act, for example, by failing to provide proper food or clothing for a child.

2.25.4 Child abuse usually falls into one or more of four categories: physical abuse, emotional abuse, sexual abuse and neglect.

- Physical abuse
- Emotional abuse
- Sexual abuse

- Neglect

Physical Abuse

2.25.5 Most children will collect cuts and bruises in their daily life. These are likely to be in places where there are bony parts of their body, like elbows, knees and shins. Some children however, will have bruising which can almost only have been caused non-accidentally. An important indicator of physical abuse is where bruises or injuries are unexplained or the explanation does not fit the injury. A delay in seeking medical treatment for a child when it is obviously necessary is also a cause for concern. Bruising may be more or less noticeable on children with different skin tones or from different racial groups and specialist advice may need to be taken.

2.25.6 Patterns of bruising that are suggestive of physical child abuse include:

- bruising in children who are not independently mobile
- bruising in babies
- bruises that are seen away from bony prominences
- bruises to the face, back, stomach, arms, buttocks, ears and hands
- multiple bruises in clusters; multiple bruises of uniform shape
- bruises that carry the imprint of an implement used, hand marks or fingertips
- although bruising is the commonest injury in physical abuse, fatal non-accidental head injury and non-accidental fractures can occur without bruising. Any child who has unexplained signs of pain or illness should be seen promptly by a doctor.

2.25.7 Other physical signs of abuse may include:

- cigarette burns
- adult bite marks
- broken bones
- scalds.

2.25.8 Changes in behaviour, which can also indicate physical abuse:

- fear of parents being approached for an explanation
- aggressive behaviour or severe temper outbursts
- flinching when approached or touched
- reluctance to get changed, for example wearing long sleeves in hot weather
- depression
- withdrawn behaviour
- running away from home.

Emotional Abuse

2.25.9 Emotional abuse is the persistent emotional ill treatment of a child to cause severe and persistent effects on the child's emotional development, and may involve:

- Telling a child that they are worthless, unloved, inadequate, or valued only to meet the needs of another person.

- Imposing developmentally inappropriate expectations, for example interactions beyond the child's developmental capability, overprotection, limitation of exploration and learning, preventing the child from participation in normal social interaction.
- Causing a child to feel frightened or in danger, for example witnessing domestic violence, seeing or hearing the ill treatment of someone else.
- Exploitation or corruption of a child.
- Online bullying.

2.25.10 Some level of emotional abuse is involved in most types of ill treatment of children, though emotional abuse may occur alone. Emotional abuse can be difficult to measure, and often children who appear well cared for may be emotionally abused by being taunted, put down or belittled. They may receive little or no love, affection or attention from their parents or carers. Emotional abuse can also take the form of children not being allowed to mix/play with other children.

2.25.11 The signs of emotional abuse may include:

- a failure to thrive or grow, particularly if the child puts on weight in other circumstances, e.g., in hospital or away from their parents' care
- sudden speech disorders
- developmental delay, either in terms of physical or emotional progress.

2.25.12 Changes in behaviour, which can also indicate emotional abuse include:

- neurotic behaviour, e.g., sulking, hair twisting, rocking
- being unable to play;
- fear of making mistakes;
- self-harm;
- fear of parent being approached regarding their behaviour.

Sexual Abuse

2.25.13 Adults who use children to meet their own sexual needs abuse both girls and boys of all ages, including infants and toddlers.

2.25.14 Usually, in cases of sexual abuse, it is the child's behaviour which may cause you to become concerned, although physical signs can also be present. In all cases, children who talk about sexual abuse do so because they want it to stop. It is important, therefore, that they are listened to and taken seriously.

2.25.15 The physical signs of sexual abuse may include:

- pain or itching in the genital/anal areas
- bruising or bleeding near genital/anal areas
- sexually transmitted disease
- vaginal discharge or infection
- stomach pains discomfort when walking or sitting down
- pregnancy.

2.25.16 Changes in behaviour, which can also indicate sexual abuse include:

- sudden or unexplained changes in behaviour e.g. becoming aggressive or withdrawn;
- fear of being left with a specific person or group of people;
- having nightmares, running away from home;
- sexual knowledge which is beyond their age or developmental level;
- sexual drawings or language;
- bedwetting;
- eating problems such as overeating or anorexia;
- self-harm or mutilation, sometimes leading to suicide attempts;
- saying they have secrets they cannot tell anyone about;
- substance or drug abuse;
- suddenly having unexplained sources of money;
- not allowed to have friends (particularly in adolescence);
- acting in a sexually explicit way towards adults.

Neglect

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

Examples include failure:

- during pregnancy as a result of maternal substance misuse;
- to provide adequate food, clothing or shelter;
- to protect from physical and emotional harm or danger;
- to meet or respond to basic emotional needs;
- to ensure adequate supervision including the use of adequate care-takers;
- to ensure access to appropriate medical care or treatment;
- to make sure their educational needs are met; or
- to make sure their opportunities for intellectual stimulation are met.

2.25.18 Neglect can be a difficult form of abuse to recognise, yet have some of the most lasting and damaging effects on children. The physical signs of neglect may include:

- constant hunger, sometimes stealing food from other children
- constantly dirty or smelly
- loss of weight, or being constantly underweight
- inappropriate dress for the conditions.

2.25.19 Changes in behaviour which can also indicate neglect may include:

- complaining of being tired all the time
- not requesting medical assistance and/or failing to attend appointments
- having few friends
- mentioning their being left alone or unsupervised.

2.25.20 If you suspect child abuse:

- **Do** listen to the child.
- **Do** take what the child says seriously.
- **Do** act quickly.

- **Do** share your worries with Children's Social Care, the police or the NSPCC - they are there to help you.
- **Do** continue to offer support to the child.
- **Don't** delay.
- **Don't** probe or push the child for explanations.
- **Don't** assume that someone else knows and will help the child. You must act.
- **Don't** be afraid to voice your concerns, the child may need urgent protection and help.

2.25.21 The above list is not meant to be definitive but as a guide to assist you. It is important to remember that many children and young people will exhibit some of these indicators at some time, and the presence of one or more should not be taken as proof that abuse is occurring.

2.25.22 All staff should be aware that abuse, neglect and safeguarding issues are rarely standalone events that can be covered by one definition or label. In most cases multiple issues will overlap with one another.

2.25.23 Some incidents of harm to a child are easily recognisable; many are not. Babies, young children and children with disabilities are particularly vulnerable when subject to abuse.

2.25.24 It is not possible to list all the circumstances that may result in the likelihood of significant harm. However, the following circumstances would normally indicate the need for a referral:

- Any allegation of sexual abuse.
- Parents whose behaviour may present a high risk to children because of:
 - Domestic violence.
 - Drug and alcohol abuse.
 - Mental health problems.
- Physical injury caused by assault or neglect, which requires medical attention.
- Repeated incidents of physical harm that are unlikely to constitute significant harm in themselves but collectively may do so.
- Contact with a person assessed as presenting a risk to children.
- Children who live in a low warmth, high criticism environment which is likely to have an adverse impact on their emotional development.
- Children who suffer from persistent neglect.
- Children living in a household where there is domestic violence likely to lead to physical or emotional hardship.
- A child living in a household or having significant contact with a person convicted of an offence listed in Schedule 1 of the Children and Young Persons Act 1933 (as amended).
- Children who may be involved in exploitation.
- Other circumstances where professional judgement and/or evidence suggests that a child's health, development or welfare may be significantly harmed.
- Extreme bullying.
- Physical or emotional hardship.

2.26 Abuse & Neglect Support

- 2.26.1 We have a statutory duty to make enquiries where we have reasonable cause to suspect that a child is suffering or is likely to suffer significant harm, or is subject to an emergency protection order or police protection. Children's Social Care carries out these responsibilities on behalf of Somerset County Council. We do not do this alone. We consult with other agencies and professionals. We take a lead role in managing individual cases but also rely on the assistance and co-operation of professionals in other agencies.
- 2.26.2 All children have a right to be safe from harm. Everyone is responsible for helping to keep children safe. If someone tells us that they are concerned about a child we need to find out more. The law says that children's services must ask questions to find out if a child is at risk of harm. If a child or young person appears to be at risk because of neglect or abuse, we will investigate and make sure that the child is safe. We will carry out a thorough investigation, talking with families, doctors, health visitors, teachers and people who may be able to help us find a way to keep a child safe.
- 2.26.3 If we have special concerns about the child, we may hold a Child Protection Conference. This is a meeting with the family, Social Worker and other professionals to try to find a solution to the difficulties at home. We will always try to work with families to support and help them cope.
- 2.26.4 If we assess that abuse has, or may have taken place, the agencies involved will always consider what is best for the child - how to protect them and keep them safe.

2.27 Specific Safeguarding Issues

- 2.27.1 All staff should be aware that behaviours linked to the likes of drug taking, alcohol abuse, truanting and sexting put children in danger.
- 2.27.2 All staff should be aware safeguarding issues can manifest themselves via peer on peer abuse. This is most likely to include, but not limited to: bullying (including cyber bullying), gender based violence/sexual violence, sexual harassment and sexting. Staff should be clear as to our policy and procedures with regards to peer on peer abuse.
- 2.27.3 Expert and professional organisations provide up-to-date guidance and practical support on specific safeguarding issues. For example information for schools and colleges can be found on the TES, MindEd and the NSPCC websites. All staff can access government guidance as required on the issues listed below via GOV.UK and other government websites. Staff should particularly be vigilant where there have been instances of:
- Bullying
 - Problems following a parents visit
 - Running away
 - Knowledge of young people being involved in sexual activity
 - Domestic violence
 - Female genital mutilation (FGM)
 - Forced marriage

- Faith abuse
- Substance misuse
- Gang activity
- Knowledge of young people being involved in any radicalization or extremist behaviour
- A child going missing from education is a potential indicator of abuse or neglect. Staff members should follow Five Rivers procedures for dealing with children who go missing from education, particularly on repeat occasions, to help identify the risk of abuse and neglect including sexual abuse or exploitation and to help prevent the risks of their going missing in future.

Please see separate appendices for guidance

- 2.27.4 Within the curriculum, pupils will be taught how to understand, respond and calculate risk effectively and to be aware of support available to them.
- 2.27.5 Work experience: all placements are vetted according to current guidelines. Most students receive a visit from a member of staff part-way through their placement and all are provided with contact numbers for the school in case they need to call for assistance.

2.28 Missing from Education

- 2.28.1 All of our schools will inform each local authority of any pupil who is going to be deleted from the admission register where they:
- have been taken out of school by their parents and are being educated outside the school system e.g. home education
 - have ceased to attend school and no longer live within reasonable distance of the school at which they are registered
 - have been certified by the school medical officer as unlikely to be in a fit state of health to attend school before ceasing to be of compulsory school age, and neither he/she nor his/her parent has indicated the intention to continue to attend the school after ceasing to be of compulsory school age
 - are in custody for a period of more than four months due to a final court order and the proprietor does not reasonably believe they will be returning to the school at the end of that period, or,
 - have been permanently excluded.
- 2.28.2 The school will inform the local authority of any pupil who fails to attend school regularly, or has been absent without the school's permission for a continuous period of 10 school days or more.
- 2.28.3 We will ensure appropriate safeguarding responses to children who go missing from education, particularly on repeat occasions, to help identify the risk of abuse and neglect including sexual abuse or exploitation and to help prevent the risks of their going missing in future.
- 2.28.4 The government's missing children and adults strategy and the department's children missing education guidance provides information that governing bodies and proprietors

might find useful when considering children who go missing from education. Further guidance: Children missing education, September 2018.

2.29 Contextual safeguarding

- 2.29.1 Contextual Safeguarding has been developed by Carlene Firmin at the University of Bedfordshire over the past six years to inform policy and practice approaches to safeguarding adolescents. Contextual Safeguarding is an approach to understanding, and responding to, young people's experiences of significant harm beyond their families. It recognises that the different relationships that young people form in their neighbourhoods, schools and online can feature violence and abuse. Parents and carers have little influence over these contexts, and young people's experiences of extra-familial abuse can undermine parent-child relationships.
- 2.29.2 Therefore children's social care practitioners need to engage with individuals and sectors who do have influence over/within extra-familial contexts, and recognise that assessment of, and intervention with, these spaces are a critical part of safeguarding practices. Contextual Safeguarding, therefore, expands the objectives of child protection systems in recognition that young people are vulnerable to abuse in a range of social contexts.

2.30 The Designated Safeguarding Lead

- 2.30.1 There is a named senior person in each of our schools who is the designated teacher for child protection, who is responsible for co-ordinating child protection issues within the school and for liaising with other services.
- 2.30.2 The Designated safeguarding lead for Child Protection will be released to attend specialised child protection training, which will be up-dated at least every two years.
- 2.30.3 Staff working for Five Rivers need to be clear on the fact that it is not their responsibility to investigate any concerns.
- 2.30.4 The broad areas of responsibility for the designated safeguarding lead are:

2.31 Managing referrals

- 2.31.1 Refer all cases of suspected abuse to the local authority children's social care and:
- 2.31.2 The local authority designated officer (LADO) for child protection concerns (all cases which concern a staff member);
- 2.31.3 Disclosure and Barring Service (cases where a person is dismissed or left due to risk/harm to a child); and/or Police (cases where a crime may have been committed).
- 2.31.4 Liaise with the Headteacher to inform them of issues especially ongoing enquiries under section 47 of the Children Act 1989 and police investigations Act as a source of support, advice and expertise to staff on matters of safety and safeguarding and when deciding whether to make a referral by liaising with relevant agencies.

2.32 Training

2.32.1 The designated safeguarding lead will receive appropriate training carried out every two years in order to:

- Understand the assessment process for providing early help and intervention, for example through locally agreed common and shared assessment processes such as early help assessments
- Have a working knowledge of how local authorities conduct a child protection case conference and a child protection review conference and be able to attend and contribute to these effectively when required to do so
- Ensure each member of staff has access to and understands the company's child protection policy and procedures, especially new and part time staff
- Be alert to the specific needs of children in need and those with special educational needs and young carers
- Be aware that children with SEN and disabilities are more prone to peer group isolation than other children
- Be able to keep detailed, accurate, secure written records of concerns and referrals
- Obtain access to resources and attend any relevant or refresher training courses
- Encourage a culture of listening to children and taking account of their wishes and feelings, among all staff, in any measures the school or college may put in place to protect them.

2.32.2 All staff members will read the Safeguarding Policy in addition to Part One of Keeping Children Safe in Education 2018 (KCSIE) and sign to say they have done so. All staff complete online safeguarding and child protection training, which will be carried out annually. In addition all staff members will receive safeguarding and child protection updates (for example, via email and staff meetings), as required, but at least annually, to provide them with relevant skills and knowledge to safeguard children effectively.

2.32.3 All staff will be aware of the early help process, and understand their role in it. This includes identifying emerging problems, liaising with the designated safeguarding lead, sharing information with other professionals to support early identification and assessment and, in some cases, acting as the lead professional in undertaking an early help assessment.

2.32.4 All staff will be aware of the process for making referrals to children's social care and for statutory assessments under the Children Act 1989, especially section 17 (children in need) and section 47 (a child suffering, or likely to suffer, significant harm) that may follow a referral, along with the role they might be expected to play in such assessments.

2.32.5 All staff working in school are trained in Prevent Awareness.

2.33 Raising Awareness

2.33.1 The designated safeguarding lead will ensure the company's policies are known and used

appropriately:

- Ensure the school's child protection policy is reviewed annually and the procedures and implementation are updated and reviewed regularly, and work with the proprietors regarding this
- Ensure the child protection policy is available publicly and parents are aware of the fact that referrals about suspected abuse or neglect may be made and the role of the school
- Link with the local authority LSCB to make sure staff are aware of training opportunities and the latest local policies on safeguarding
- Where children leave, ensure their child protection file is copied for any new placement as soon as possible but transferred separately from the main pupil file.
- Where reasonably possible, hold more than one emergency contact number for each pupil.

2.34 Records Kept by the Designated Safeguarding Lead

- 2.34.1 They will include all original notes in the child's own language and, where necessary, relevant drawings, clothing or a young person's writing. This should be handed to the Police if there is an investigation.
- 2.34.2 Records are kept in a file in a room locked by the Designated Teacher. Child protection records should be separate from pastoral records. Child protection records should be passed to a child's new school by the Designated Person– again separate from the pastoral records. Child protection records should only be shared with colleagues on a "need to know" basis.
- 2.34.3 Child protection records should not be shared with parents/carers without first seeking legal advice from a LA, from Social Services or from a school's legal advisor. These records may contain third party and other confidential information.
- 2.34.4 There will be occasions when you suspect that a child may be at serious risk, but you have no 'real' evidence. The child's behaviour may have changed, their artwork could be bizarre or you may have noticed other physical but inconclusive signs. In these circumstances, you should try to give the child the opportunity to talk. The signs you have noticed may be due to a variety of factors and it is fine to ask the child if they are alright or if you can help in any way.
- 2.34.5 Any member of staff who has knowledge of, or a suspicion that, a child is or has been suffering harm must refer their concern to the Designated Safeguarding Lead as soon as possible.
- 2.34.6 If your concerns relate to the behaviour of a member of staff in the school, contact should be made with the Headteacher or Head of Education. All allegations will be taken seriously and dealt with according to the guidance given in 'Safeguarding Children and Safer Recruitment in Education'. The relevant disciplinary procedures will be invoked and advice taken from the Local Authority.

2.34.7 The DSP AND DEPUTY will ensure a pupil's child protection file is transferred to their new school or college should they move on. This will be transferred separately from the main pupil file, ensuring secure transit, and confirmation of receipt should be obtained.

2.35 What School and College Staff Should do if a Child is in Danger or at Risk of Harm

2.35.1 If, a child is in immediate danger or is at risk of harm a referral should be made to children's social care and/or the police immediately. Anyone can make a referral. Where referrals are not made by the designated safeguarding lead the designated safeguarding lead should be informed, as soon as possible, that a referral has been made.

2.36 Early Help

2.36.1 Staff may be required to support other agencies in an early help assessment, in some cases acting as the lead professional. Any such cases should be kept under constant review and consideration given to a referral to children's social care for assessment for statutory services if the child's situation does not appear to be improving or is getting worse

2.37 General Advice on Whistleblowing

2.37.1 The NSPCC whistleblowing helpline is available for staff who do not feel able to raise concerns regarding child protection failures internally. Staff can call: 0800 028 0285 – line is available from 8:00 AM to 8:00 PM, Monday to Friday and Email: help@nspcc.org.uk.

2.38.1 Staff can also refer to the company Whistleblowing Policy and Procedure

2.38 Notifying parents/carers

2.38.1 Where appropriate, we will discuss any concerns about a child with the child's parents/carers. The DSP AND DEPUTY will normally do this in the event of a suspicion or disclosure.

2.38.2 Other staff will only talk to parents/carers about any such concerns following consultation with the DSP AND DEPUTY.

2.38.3 If we believe that notifying the parents/carers would increase the risk to the child, we will discuss this with the local authority children's social care team before doing so.

2.38.4 In the case of allegations of abuse made against other children, we will normally notify the parents/carers of all the children involved.

2.39 Further Guidance: Sexting in Schools: Responding to Incidents and Safeguarding Young People.

2.39.1 This advice only covers the sharing of sexual imagery by young people. Creating and sharing sexual photos and videos of under-18s is illegal and therefore causes the greatest complexity for schools and other agencies when responding. It also presents a range of risks, which need careful management.

2.39.2 On this basis this advice introduces the phrase ‘youth produced sexual imagery’ and uses this instead of ‘sexting.’ This is to ensure clarity about the issues this advice addresses.

- ‘Youth produced sexual imagery’ best describes the practice because:
- ‘Youth produced’ includes young people sharing images that they, or another young person, have created of themselves.
- ‘Sexual’ is clearer than ‘indecent.’ A judgement of whether something is ‘decent’ is both a value judgement and dependent on context.
- ‘Imagery’ covers both still photos and moving videos.

2.39.3 The types of incidents, which this advice covers are:

- A person under the age of 18 creates and shares sexual imagery of themselves with a peer under the age of 18
- A person under the age of 18 shares sexual imagery created by another person under the age of 18 with a peer under the age of 18 or an adult
- A person under the age of 18 is in possession of sexual imagery created by another person under the age of 18.

2.39.4 This advice does not cover:

- The sharing of sexual imagery of people under 18 by adults as this constitutes child sexual abuse and schools should always inform the police.
- Young people under the age of 18 sharing adult pornography or exchanging sexual texts which don’t contain imagery.

2.39.5 The department provides searching screening and confiscation advice for schools. Child Exploitation Online Protection Centre (CEOP) has recently updated their sexting guidance:

2.39.6 All staff must be aware of the different gender issues that can be prevalent when dealing with peer on peer abuse. This could for example include girls being sexually touched/assaulted or boys being subject to initiation/hazing type violence.

2.40 Managing Peer on Peer Allegations

2.40.1 Within our schools, there is an established ethos of respect, friendship, courtesy and kindness with clear expectations and consequences for unacceptable behaviour together with visible staff presence. Our schools seek to educate all pupils on healthy relationships through the curriculum, however we recognise despite this we need to be alert to peer on peer abuse.

2.40.2 It is important to recognise that children do engage in sexual play and experimenting, which is usually age appropriate. Child sexual abuse is a subject many people find very difficult to talk about.

2.40.3 However, the idea that children can sexually abuse others is still very hard for us to accept. The presence of one or more of the following points in situations where there has been sexual activity between children should always trigger some concern:

- There is an age difference of two years or more between the children
- One of the children is significantly more dominant than the other
- One of the children is significantly more vulnerable than the other eg. in terms of disability, confidence, physical strength
- There has been some use of threats, bribes or coercion to secure compliance or to maintain secrecy.

2.40.4 Different forms of peer on peer abuse can take, such as:

- Sexual violence and sexual harassment [sexual violence and sexual harassment guidance - Search - GOV.UK](#)
- Physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm;
- Sexting
- Initiating/hazing type violence and rituals.

2.40.5 Any peer on peer allegation must be referred to the DSL immediately, using our child protection procedures as set in this policy. Where a concern regarding peer on peer abuse has been disclosed to the DSL(s) advice and guidance will be sought from Children Social Services and where it is clear a crime has been committed or there is a risk of crime being committed the Police will be contacted. Working with external agencies there will usually be a school response to the unacceptable behaviour, for example, if a pupil's behaviour negatively impacts on the safety and welfare of other pupils then safeguards will be put in place to promote the well-being of the pupils affected, the victim and perpetrator will be provided with support to prevent any reoccurrence of improper behaviour.

Abuse is abuse and should never be tolerated or passed off as 'banter', 'just having a laugh' or 'part of growing up.'

2.41 Teenage Relationship Abuse

2.41.1 Teenagers experience as much relationship abuse as adults. Several independent studies have shown that 40% of teenagers are in abusive dating relationships. Domestic violence is still a 'hidden' issue in our society; and it is even more so for teenagers. This is exacerbated by the fact that adolescents can be more accepting of, and dismissive about, this form of behaviour than adults.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/623895/Preventing_and_tackling_bullying_advice.pdf

2.42 If a Child Discloses Information to You

- 2.42.1 It takes a lot of courage for a child to disclose that they are being neglected and or abused. They may feel ashamed, particularly if the abuse is sexual, their abuser may have threatened what will happen if they tell, they may have lost all trust in adults, or they may believe, or have been told, that the abuse is their own fault.
- 2.42.2 If a child talks to you about any risks to their safety or wellbeing you will need to let them know that **you must** pass the information on – you are not allowed to keep secrets. The point at which you do this is a matter for professional judgement. If you jump in immediately the child may think that you do not want to listen, if you leave it till the very end of the conversation, the child may feel that you have misled them into revealing more than they would have otherwise.
- 2.42.3 During your conversation with the child:
- Allow them to speak freely.
 - Remain calm and do not over react – the child may stop talking if they feel they are upsetting you.
 - Give reassuring nods or words of comfort – ‘I’m so sorry this has happened’, ‘I want to help’, ‘This isn’t your fault’, ‘You are doing the right thing in talking to me’.
 - Do not be afraid of silences – remember how hard this must be for the child.
 - Under no circumstances ask investigative questions – such as how many times this has happened, whether it happens to siblings too, or what does the child’s mother think about all this.
 - At an appropriate time tell the child that in order to help them you must pass the information on.
 - The teacher should then record quickly what the child has said in the words they used and seek advice. As a rule of thumb, cases of physical and sexual abuse will always be referred to social services on the same day and they have a duty to investigate under section 47 of the Children Act 1989. Staff should not discuss their concerns with the child or the parents/carers without first seeking advice in these circumstances.

2.43 Safeguarding Disabled Children

- 2.43.1 Disabled children have exactly the same human rights to be safe from abuse and neglect, to be protected from harm and achieve the Every Child Matters outcomes as non-disabled children.
- 2.43.2 Disabled children do however require additional action. This is because they experience greater risks as a result of negative attitudes and ‘created vulnerability’. This may lead to disabled children having unequal access to services and resources, and because they may have additional needs relating to physical, sensory, cognitive and/ or communication impairment.
- 2.43.3 At Five Rivers, we will ensure that our disabled children are listened to and responded to appropriately where they have concerns regarding abuse. In order to do this we will ensure that our staff and volunteers receive the relevant training to raise awareness and have

access to specialist staff in the event they have concerns regarding the abuse of a disabled child.

2.44 Private Fostering

2.44.1 Private fostering occurs when a child under the age of 16 (under 18, if disabled) is provided with care and accommodation by a person who is not a parent, person with parental responsibility for them or a relative in their own home. A child is not privately fostered if the person caring for and accommodating them has done so for less than 28 days and does not intend to do so for longer. Such arrangements may come to the attention of school staff through the normal course of their interaction, and promotion of learning activities, with children. Where a member of staff or volunteer at a school or college identifies that a private fostering arrangement is planned, or is in place, this should be raised with the designated safeguarding lead (or deputy). The school should then notify the local authority to allow the local authority to check the arrangement is suitable and safe for the child.

2.45 Confidentiality and Sharing Information

2.45.1 All staff will understand that child protection issues warrant a high level of confidentiality, not only out of respect for the child and staff involved but also to ensure that being released into the public domain does not compromise evidence.

2.45.2 Staff should only discuss concerns with the designated person, head teacher or Directors (depending on who is the subject of the concern). That person will then decide who else needs to have the information and they will disseminate it on a 'need-to-know' basis.

2.45.3 Child protection information will be stored and handled in line with [Data Protection Act 2018](#) principles. Information is:

- processed for limited purposes
- adequate, relevant and not excessive
- accurate
- kept no longer than necessary
- processed in accordance with the data subject's rights
- secure.

2.45.4 Staff should never promise a child that they will not tell anyone about an allegation- as this may ultimately not be in the best interests of the child.

2.45.5 Record of concern forms and 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.

2.45.6 Every effort should be made to prevent unauthorised access and sensitive information should not be stored on laptop computers, which, by the nature of their portability, could be lost or stolen. If it is necessary to store child protection information on portable media, such as a CD or flash drive, these items should also be kept in locked storage. Child protection

information will be stored separately from the child's school file and the school file will be 'tagged' to indicate that separate information is held.

- 2.45.7 Child protection records are normally exempt from the disclosure provisions of the Data Protection Act, which means that children and parents do not have an automatic right to see them. If any member of staff receives a request from a child or parent to see child protection records, they should refer the request to the head teacher.
- 2.45.8 The Data Protection Act does not prevent school staff from sharing information with relevant agencies, where that information may help to protect a child.

2.46 Multi-agency Working

- 2.46.1 Five Rivers will ensure each school contributes to inter-agency working in line with statutory guidance Working together to safeguard children. We work with social care, the police, health services and other services to promote the welfare of children and protect them from harm. This includes providing a co-ordinated offer of early help when additional needs of children are identified and contributing to inter-agency plans to provide additional support to children subject to child protection plans.
- 2.46.2 Five Rivers schools will ensure that their safeguarding arrangements take into account the procedures and practice of the local authority as part of the inter-agency safeguarding procedures set up by the LSCB. For example, understanding and reflecting local protocols for assessment and the LSCB's threshold document along with supplying information as requested by the LSCB.
- 2.46.3 Further details on information sharing can be found in Chapter one of Working together to safeguard children and at Information sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers.

3. Secretary of State Prohibitions

3.1 Teacher Prohibition Orders

- 3.1.1 Teacher prohibition orders prevent a person from carrying out teaching work in schools, sixth form colleges, 16 to 19 academies, relevant youth accommodation and children's homes in England. A person who is prohibited from teaching will not be appointed to work as a teacher in any of our settings. A check of any prohibition will be carried out using the Teacher Services' system.
- 3.1.2 The Teacher Services' system also verifies any award of Qualified Teacher Status (QTS)
- 3.1.3 Teacher prohibition orders are made by the Secretary of State following consideration by a professional conduct panel convened by NCTL. Pending such consideration, the Secretary of State may issue an interim prohibition order if it is considered to be in the public interest to do so.

3.2 Section 128 Direction

- 3.2.1 A section 128 direction prohibits or restricts a person from taking part in the management of an independent school, including academies and free schools. A person who is prohibited, is unable to and will not participate in any management of our independent schools. A check for a section 128 direction will be carried out using the Teacher Services' system. Where the person will be engaging in regulated activity, a DBS barred list check will also identify any section 128 direction.

Appendix A – Reporting Safeguarding Concerns – Fountain House

Reporting Safeguarding Concerns

Fountain House

Name	Role	Email	Mobile
Matthew Palmer	Headteacher	matthew.palmer@five-rivers.org	07703 830454
	Deputy DSO		
Mark Barcroft	Head of Education	mark.barcroft@five-rivers.org	07540 760104

During office hours Call the Duty and Advice team on 0113 376 0336 (Monday to Friday, 8am to 6pm).

Out of office hours: If the issue can't wait until the next working day please contact the Children's Emergency Duty Team on 0113 376 0469 and provide us with as much information as possible.

You can also email us on childrensedt@leeds.gov.uk

LADO referrals Carolyn Hargreaves and Ted O'Sullivan are the current Local Authority Designated Officers. They can be contacted Monday to Friday on: 0113 247 8652. Between them they operate a duty system for LADO Notifications. They can be contacted on email at: carolyn.hargreaves@leeds.gov.uk and ted.o'sullivan@leeds.gov.uk

Please ring first to discuss allegations or concerns before sending any information by email.

Please use the following form if reporting an allegation regarding a member of staff: <https://www.leedslscb.org.uk/LSCB/media/Images/LADONotificationFormJune2017.doc>

Appendix B - Managing Allegations Against Staff or Volunteers

Initial Considerations

The procedures for dealing with allegations will be applied with common sense and judgement. Many cases may well either not meet the criteria set out above or may do so without warranting consideration of either a police investigation or enquiries by local authority children's social care services. In these cases, local arrangements should be followed to resolve cases without delay.

Some rare allegations will be so serious they require immediate intervention by children's social care services and/or police.

The designated officer(s) should be informed of all allegations that come to a school's attention and appear to meet the criteria, so they can consult police and children's social care services as appropriate.

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 to either prove or disprove the allegation. The term, therefore, does not imply guilt or innocence;
- Unfounded: to reflect cases where there is no evidence or proper basis which supports the allegation being made.

Any allegation against a member of staff or including the Headteacher will be taken very seriously and will be referred immediately by the Designated Safeguarding Lead.

The designated officer will inform the accused person about the allegation as soon as possible. The accused will have provided them with as much information as possible at that time.

However, where a strategy discussion is needed, or police or children's social care services need to be involved, the DSP will not do that until those agencies have been consulted and have agreed what information can be disclosed to the accused. Employers must consider carefully whether the circumstances of a case warrant a person being suspended from contact with children at the school or college or whether alternative arrangements can be put in place until the allegation or concern is resolved. All options to avoid suspension will be considered prior to taking that step.

A risk assessment will be completed to decide whether the member of staff should be suspended

Whilst the Investigation Takes Place.

The allegation will **not** be investigated in school, other than to establish the facts. The LADO will liaise with Social Care and the Police to determine if the allegation should be investigated internally or dealt with by Social Care / Police. 'When agreed, the LADO will arrange a Strategy Meeting, which should take place at the earliest opportunity.' This will be a meeting held between professionals to determine an outcome.

Where an allegation is made against the Head of the School, the Proprietor at Five Rivers will be advised and will liaise with the LADO. When agreed, an Initial Action Meeting (IAM) should take place at the earliest opportunity but within at least 5 working days of the referral.

Guidance taken from KCSIE 18:

If there is cause to suspect a child is suffering or is likely to suffer significant harm, a strategy discussion should be convened in accordance with the statutory guidance Working together to safeguard children. If the allegation is about physical contact, the strategy discussion or initial evaluation with the police should take into account that teachers and other school and college staff are entitled to use reasonable force to control or restrain children in certain circumstances, including dealing with disruptive behaviour.

Where it is clear that an investigation by the police or children's social care services is unnecessary, or the strategy discussion or initial evaluation decides that is the case, the designated officer(s) should discuss the next steps with the case manager. In those circumstances, the options open to the school or college depend on the nature and circumstances of the allegation and the evidence and information available. This will range from taking no further action to dismissal or a decision not to use the person's services in future. Suspension should not be the default position: an individual should be suspended only if there is no reasonable alternative. In some cases, further enquiries will be needed to enable a decision about how to proceed. If so, the designated officer(s) should discuss with the case manager how and by whom the investigation will be undertaken. In straightforward cases, the investigation should normally be undertaken by a senior member of the school or college's staff. However, in other circumstances, such as lack of appropriate resource within the school or college, or the nature or complexity of the allegation, the allegation will require an independent investigator. Many local authorities already provide for an independent investigation of allegations, often as part of the personnel services that maintained schools and colleges can buy in from the authority. It is important that local authorities ensure that schools and colleges have access to an affordable facility for independent investigation where that is appropriate.

Supporting those involved

Employers have a duty of care to their employees. A support plan will then be completed with the member of staff and a support person identified to keep them informed of the progress of the case and consider what other support is appropriate for the individual.

The individual will be advised to contact their trade union representative, if they have one, or a colleague for support. They will also be given access to welfare counselling or medical advice where this is provided by the employer.

Guidance re informing parents and carers

Parents or carers of the child or children involved will be told about the allegation as soon as possible if they do not already know of it. However, where a strategy discussion is required, or police or

children's social care services need to be involved, the case manager should not do so until those agencies have been consulted and have agreed what information can be disclosed to the parents or carers. Parents or carers 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. The deliberations of a disciplinary hearing, and the information taken into account in reaching a decision, cannot normally be disclosed but the parents or carers of the child should be told the outcome in confidence.

Parents and carers should also be made aware of the requirement to maintain confidentiality about any allegations made against teachers whilst investigations are ongoing as set out in section 141F of the Education Act 2002 (see paragraph 192). If parents or carers wish to apply to the court to have reporting restrictions removed, they should be told to seek legal advice.

In cases where a child may have suffered significant harm, or there may be a criminal prosecution, children's social care services, or the police as appropriate, should consider what support the child or children involved may need.

In deciding what information to disclose, careful consideration should be given to the provisions of the Data Protection Act 1998, the law of confidence and, where relevant, the Human Rights Act 1998.

Confidentiality

The designated officer(s), police and children's social care services will meet 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

Resignations and 'settlement agreements'

If the accused person resigns, or ceases to provide their services, this should not prevent an allegation being followed up in accordance with this guidance.

A referral will be made to the DBS, if the criteria are met - see paragraphs 143-144 of KCSIE 18.

If the accused person resigns or their services cease to be used and the criteria are met, it will not be appropriate to reach a settlement/compromise agreement. Any settlement/compromise agreement that would prevent a school or college from making a DBS referral even though the criteria for referral are met, is likely to result in a criminal offence being committed. This is because the school or college would not be complying with its legal duty to make the referral.

Guidance from KCSIE 18

It is important that every effort is made to reach a conclusion in all cases of allegations bearing on the safety or welfare of children, including any in which the person concerned refuses to cooperate with the process. Wherever possible, the accused should be given a full opportunity to answer the allegation and make representations about it. But the process of recording the allegation and any

supporting evidence and reaching a judgement about whether it can be substantiated on the basis of all the information available, should continue even if that cannot be done or the accused does not cooperate. It may be difficult to reach a conclusion in those circumstances, and it may not be possible to apply any disciplinary sanctions if a person's period of notice expires before the process is complete, but it is important to reach and record a conclusion wherever possible.

'Settlement agreements' (sometimes referred to as compromise agreements), by which a person agrees to resign if the employer agrees not to pursue disciplinary action, and both parties agree a form of words to be used in any future reference, should not be used in cases of refusal to cooperate or resignation before the person's notice period expires. Such an agreement will not prevent a thorough police investigation where that is appropriate.

Record keeping

Details of allegations that are found to have been malicious should be removed from personnel records. However, for all other allegations, it is important that a clear and comprehensive summary of the allegation, details of how the allegation was followed up and resolved, and a note of any action taken, and decisions reached, is kept on the confidential personnel file of the accused, and a copy provided to the person concerned.

The purpose of the record is to enable accurate information to be given in response to any future request for a reference, where appropriate. It will provide clarification in cases where future DBS checks reveal information from the police about an allegation that did not result in a criminal conviction and it will help to prevent unnecessary re-investigation if, as sometimes happens, an allegation re-surfaces after a period of time. The record should be retained at least until the accused has reached normal pension age or for a period of 10 years from the date of the allegation if that is longer.

References

Cases in which an allegation was proven to be false, unsubstantiated or malicious should not be included 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. See paragraphs 124-127 for further information on references.

Timescales

It is in everyone's interest to resolve cases as quickly as possible consistent with a fair and thorough investigation. All allegations should be investigated as a priority to avoid any delay. Target timescales are shown below: the time taken to investigate and resolve individual cases depends on a variety of factors including the nature, seriousness and complexity of the allegation, but these targets should be achieved in all but truly exceptional cases. It is expected that 80 per cent of cases should be resolved within one month, 90 per cent within three months, and all but the most exceptional cases should be completed within 12 months.

For those cases where it is clear immediately that the allegation is unsubstantiated or malicious, they should be resolved within one week. Where the initial consideration decides that the allegation does not involve a possible criminal offence it will be for the employer to deal with it, although if there are concerns about child protection, the employer should discuss them with the designated officer(s). In such cases, if the nature of the allegation does not require formal disciplinary action,

the school will instigate appropriate action within three working days. If a disciplinary hearing is required and can be held without further investigation, the hearing will be held within 15 working days.

Oversight and monitoring.

The designated officer(s) has overall responsibility for oversight of the procedures for dealing with allegations, for resolving any inter-agency issues, and for liaison on the subject with those responsible for local multi-agency safeguarding arrangements.

The designated officer(s) will provide advice and guidance, in addition to liaising with the police and other agencies and monitoring the progress of cases to ensure that they are dealt with as quickly as possible consistent with a thorough and fair process. Reviews should be conducted at fortnightly or monthly intervals, depending on the complexity of the case.

Suspension

The possible risk of harm to children posed by an accused person should be evaluated and managed in respect of the child(ren) involved in the allegations. In some rare cases that will require the case manager to consider suspending the accused until the case is resolved. Suspension will not be an automatic response when an allegation is reported: all options to avoid suspension should be considered prior to taking that step. If the designated officer is concerned about the welfare of other children in the community or the teacher's family, those concerns will be reported to the designated officer(s), children's social care or the police.

Guidance from KCSIE 18

Suspension should be considered only in a case where there is cause to suspect a child or other children at the school or college is/are at risk of harm or the case is so serious that it might be grounds for dismissal. However, a person should not be suspended automatically: the case manager must consider carefully whether the circumstances warrant suspension from contact with children at the school or college or until the allegation is resolved, and may wish to seek advice from their personnel adviser and the designated officer(s). In cases where the school or college is made aware that the Secretary of State has made an interim prohibition order in respect of an individual at the school or college, it will be necessary to immediately suspend that person from teaching pending the findings of the NCTL investigation. The case manager should also consider whether the result that would be achieved by immediate suspension could be obtained by alternative arrangements. In many cases an investigation can be resolved quickly and without the need for suspension. If the designated officer(s), police and children's social care services have no objections to the member of staff continuing to work during the investigation, the case manager should be as inventive as possible to avoid suspension.

Based on assessment of risk, the following alternatives will be considered by the designated officer before suspending a member of staff:

- 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 to alternative work in the school so the individual does not have unsupervised access to children;
- Moving the child or children to classes where they will not come into contact with the member of staff, making it 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 or work for the local authority or academy trust.

These alternatives allow time for an informed decision regarding the suspension and possibly reduce the initial impact of the allegation. This will, however, depend upon the nature of the allegation. The case manager should consider the potential permanent professional reputational damage to employees that can result from suspension where an allegation is later found to be unsubstantiated or maliciously intended. If immediate suspension is considered necessary, the rationale and justification for such a course of action will be agreed and recorded by both the case manager and the designated officer(s). This should also include what alternatives to suspension have been considered and why they were rejected.

Where it has been deemed appropriate to suspend the person, written confirmation will be dispatched within one working day, giving as much detail as appropriate for the reasons for the suspension. It is not acceptable for an employer to leave a person who has been suspended without any support. The person will be informed at the point of their suspension who their named contact is within the organisation and provided with their contact details.

Children's social care services or the police cannot require the case manager to suspend a member of staff or a volunteer, although they should give appropriate weight to their advice. The power to suspend is vested in the proprietor of the school, or governing bodies of the school or college who are the employers of staff at the school or college. However, where a strategy discussion or initial evaluation concludes that there should be enquiries by the children's social care services and/or an investigation by the police, the designated officer(s) should canvass police and children's social care services for views about whether the accused member of staff needs to be suspended from contact with children in order to inform the school or college consideration of suspension. Police involvement does not make it mandatory to suspend a member of staff; this decision should be taken on a case-by-case basis having undertaken a risk assessment.

Information sharing

In a strategy discussion or the initial evaluation of the case, the agencies involved should share all relevant information they have about the person who is the subject of the allegation, and about the alleged victim.

Where the police are involved, wherever possible the employer the school will the police to obtain consent from the individuals involved to share their statements and evidence for use in the employer disciplinary process. This should be done as their investigation proceeds and will enable the police to share relevant information without delay at the conclusion of their investigation or any court case.

On conclusion of a case

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 designated officer(s) should discuss with the case manager and their personnel adviser whether the school or college will decide to make a referral to the DBS for consideration of whether inclusion on the barred lists is required; and, in the case of a member of teaching staff, whether to refer the matter to the NCTL to consider prohibiting the individual from teaching.

There is a legal requirement for employers to make a referral to the DBS where they think that an individual has engaged in conduct that harmed (or is likely to harm) a child; or if a person otherwise poses a risk of harm to a child. *See paragraph 143 of KCSIE 18*

Where it is decided on the conclusion of a case that a person who has been suspended can return to work, the designated officer will 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 designated officer will also consider how the person's contact with the child or children who made the allegation can best be managed if they are still a pupil at the school or college.

In respect of malicious or unsubstantiated allegations

If an allegation is determined to be unsubstantiated or malicious, the designated officer(s) will refer the matter to the children's social care services to determine whether the child concerned is in need of services or may have been abused by someone else. If an allegation is shown to be deliberately invented or malicious, the headteacher will consider whether any disciplinary action is appropriate against the pupil who made it; or whether the police should be asked to consider if action might be appropriate against the person responsible, even if he or she were not a pupil.

Learning lessons

At the conclusion of a case in which an allegation is substantiated, the designated officer(s) will review the circumstances of the case with the case manager to determine whether there are any improvements to be made to the school or college's procedures or practice to help prevent similar events in the future. This will include issues arising from the decision to suspend the member of staff, the duration of the suspension and whether or not suspension was justified. Lessons will also be learnt from the use of suspension when the individual is subsequently reinstated. The designated officer(s) will consider how future investigations of a similar nature could be carried out without suspending the individual.

Appendix C - Safer Recruitment and DBS checks

(For further details see the company Recruitment & Selection Policy & Procedure)

Central Register

We will record all information on the checks carried out in the school's single central record (SCR). Copies of these checks, where appropriate, will be held in individuals' personnel files. We follow requirements and best practice in retaining copies of these checks, as set out below.

Appointing new staff

When appointing new staff, we will:

- Verify their identity
- Obtain (via the applicant) an enhanced Disclosure and Barring Service (DBS) certificate, including barred list information for those who will be engaging in regulated activity (see definition below). We will not keep a copy of this for longer than 6 months
- Obtain a separate barred list check if they will start work in regulated activity before the DBS certificate is available
- Verify their mental and physical fitness to carry out their work responsibilities
- Verify their right to work in the UK. We will keep a copy of this verification for the duration of the member of staff's employment and for 2 years afterwards
- Verify their professional qualifications, as appropriate
- Ensure they are not subject to a prohibition order if they are employed to be a teacher
- Carry out further additional checks, as appropriate, on candidates who have lived or worked outside of the UK, including (where relevant) any teacher sanctions or restrictions imposed by a European Economic Area professional regulating authority, and criminal records checks or their equivalent
- Check that candidates taking up a management position are not subject to a prohibition from management (section 128) direction made by the secretary of state
- Ask for written information about previous employment history and check that information is not contradictory or incomplete
- We will seek references on all short-listed candidates, including internal candidates, before interview. We will scrutinise these and resolve any concerns before confirming appointments.
- *Schools with pupils aged under 8 add:* We will ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the Childcare Disqualification (Regulations) 2009 and Childcare Act 2006. Where we take a decision that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment on the individual's personnel file. This will include our evaluation of any risks and control measures put in place, and any advice sought.
- Regulated activity means a person who will be:

- Responsible, on a regular basis in a school or college, for teaching, training, instructing, caring for or supervising children
- Carrying out paid, or unsupervised unpaid, work regularly in a school or college where that work provides an opportunity for contact with children
- Engaging in intimate or personal care or overnight activity, even if this happens only once and regardless of whether they are supervised or not

If we have concerns about an existing member of staff's suitability to work with children, we will carry out all the relevant checks as if the individual was a new member of staff. We will also do this if an individual moves from a post that is not regulated activity to one that is.

We will refer to the DBS anyone who has harmed, or poses a risk of harm, to a child or vulnerable adult:

- Where the 'harm test' is satisfied in respect of the individual (i.e. that no action or inaction occurred but the present risk that it could was significant)
- Where the individual has received a caution or conviction for a relevant offence
- If there is reason to believe that the individual has committed a listed relevant offence, under the [Safeguarding Vulnerable Groups Act 2006 \(Prescribed Criteria and Miscellaneous Provisions\) Regulations 2009](#)
- If the individual has been removed from working in regulated activity (paid or unpaid) or would have been removed if they had not left
- Agency and third-party staff
- We will obtain written notification from any agency or third-party organisation that it has carried out the necessary safer recruitment checks that we would otherwise perform. We will also check that the person presenting themselves for work is the same person on whom the checks have been made.
- Contractors
- We will ensure that any contractor, or any employee of the contractor, who is to work at the school has had the appropriate level of DBS check. This will be:
 - An enhanced DBS check with barred list information for contractors engaging in regulated activity
 - An enhanced DBS check, not including barred list information, for all other contractors who are not in regulated activity but whose work provides them with an opportunity for regular contact with children
- We will obtain the DBS check for self-employed contractors.
- We will not keep copies of such checks for longer than 6 months.
- Contractors who have not had any checks will not be allowed to work unsupervised or engage in regulated activity under any circumstances.
- We will check the identity of all contractors and their staff on arrival at the school.

Volunteers

We will:

- Never leave an unchecked volunteer unsupervised or allow them to work in regulated activity
- Obtain an enhanced DBS check with barred list information for all volunteers who are new to working in regulated activity
- Obtain an enhanced DBS check without barred list information for all volunteers who are not in regulated activity, but who have an opportunity to come into contact with children on a regular basis, for example, supervised volunteers

- Carry out a risk assessment when deciding whether to seek an enhanced DBS check for any volunteers not engaging in regulated activity

Governance Individuals

- All governors [*in academies: trustees and local governors*] will have an enhanced DBS check without barred list information and section 128 check [*section 128 checks are only required for local governors if they have been delegated any management responsibilities*]
- . They will have an enhanced DBS check with barred list information if working in regulated activity.
- The chair of the board of Directors will have their DBS check countersigned by the secretary of state.
- All trustees, proprietors and local governors will also have the following checks:
- Right to work in the UK
- Other checks deemed necessary if they have lived or worked outside the UK

Alternative provision

If a child is placed at an Alternative provision for some of their education, we continue to be responsible for the safeguarding of that pupil. We will obtain written confirmation from the alternative provider that appropriate safeguarding checks have been carried out on all individuals working at the establishment.

Further Guidance Links

- [Actions where there are concerns about a child process map](#)
- [Guidance on Domestic Violence](#)
- [Guidance relating to FGM HBV Forced Marriage](#)
- [Guidance relating to Child Sexual Exploitation](#)
- [Guidance relating to Children Missing in Education](#)
- [Guidance relating to On-line Safety](#)
- [Guidance relating to Preventing Radicalisation](#)
- [Guidance relating to Sexual Violence and Sexual Harassment](#)