



PensMeadowSchool

Living, Growing, Learning

Safeguarding and Child Protection Policy

SEPTEMBER 2022

NEXT REVIEW DATE: SEPTEMBER 2023

Staff Responsible: Mr M. Pawlowicz – Deputy Headteacher, DSL

Disclaimer

Pens Meadow School makes every effort to ensure that the information in this document is accurate and up-to-date. If errors are brought to our attention, we will correct them as soon as practicable.

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PENS MEADOW SCHOOL SAFEGUARDING POLICY (Including Child Protection)

➤ **Date of Policy:** December 2006

Policy review date: December 2008, November 2009, March 2011, March 2012, March 2013, March 2014, February 2015, May 2015, Feb 2016, September 2016, November 2016, December 2016, September 2017, December 2017, September 2018, January 2019, September 2019, September 2020, September 2021, September 2022

Next review date: September 2023 (or in line with updated guidance)

Member of staff responsible: Designated Safeguarding Lead – Mr Michal Pawlowicz

This safeguarding policy forms part of a suite of documents and policies which relate to the safeguarding responsibilities of the school and should be read in conjunction with the Behaviour Policy and:

- Anti-Bullying Policy
- Online Safety Policy including Mobile Phone Usage
- Whistleblowing Policy
- Intimate Care Policy
- Staff Disciplinary Policy
- Extremism and Radicalisation policy and risk assessment

Key contacts:

Safeguarding Lead DSL, Deputy Head Teacher
Head teacher, DSL
Business Manager, Designated Person for Whistleblowing, DSL
Chair of Governors

Mr Michal Pawlowicz
Mrs Marie Hunter
Mrs Alison Austin
Mr Paul Leyshon

Local Authority Designated Officer

Mrs Yvonne Nelson-Brown,
Valerie Wilmott

Virtual School Head

Mr Andrew Wright

Named Child Looked After Lead, Online Safety Lead,
Online Safety

Mr Michal Pawlowicz

1. Aims

The school aims to ensure that:

- Appropriate action is taken in a timely manner to safeguard and promote children's welfare including their mental health
- All staff are aware of their statutory responsibilities with respect to safeguarding
- Staff are properly trained in recognising and reporting safeguarding issues

We give special consideration to children who:

- Have special educational needs (SEN) or disabilities
 - Are young carers
 - May experience discrimination due to their race, ethnicity, religion, LGBTQ+, gender identification or sexuality
 - Have English as an additional language
 - Are known to be living in difficult situations – for example, temporary accommodation or where there are issues such as substance abuse or domestic violence
 - Are at risk of FGM, sexual and criminal exploitation, forced marriage, or radicalisation
 - Are asylum seekers
 - Are at risk due to either their own or a family member's mental health needs
- Are Children in Care or previously Children in Care

2. School Context

Pens Meadow School is committed to safeguarding and promoting the welfare of all children and young people, including their mental health, both within the school environment and outside. We recognise our responsibility to provide a safe environment in which children can learn. This includes the online environment.

Pens Meadow School is committed to ensuring that all staff who meet children and their families and carers have a role to play in safeguarding children. To fulfil the responsibility effectively, the school will ensure their approach is child centred. This means that they will consider, always, what is in the best interest of the child.

Because of our day-to-day contact with children and young people, education staff are particularly well placed to observe outward signs of abuse, changes in children's behaviour or their failure to develop. We need, therefore to be alert to the possibility of abuse occurring, aware of the procedures to be followed if the school have suspicions and have the confidence to follow those procedures. This policy applies to all staff, governors and volunteers working in the school.

Child Protection and wider child safety issues will be addressed as part of a broad and balanced curriculum as appropriate, especially in Personal, Social and Health Education (PSHE), Information and Communication Technology (ICT), Citizenship and Relationships and Relationships and Sex Education and Online Safety, so as to teach pupils how to recognise when they are at risk and how to get help when they need it.

Working Together to Safeguard Children (2018, updated 2020) requires all schools to follow the procedures for protecting children from abuse which are established by their local safeguarding partners. At Pens Meadow this is the Dudley Safeguarding People Partnership Board (DSPPB). (www.dudleysafeguarding.org.uk/).

Schools are also expected to ensure that they have appropriate procedures in place for responding to situations in which they believe that a child has been abused or are at risk of abuse including online and sexual exploitation. These procedures should also cover circumstances in which a member of staff is accused of, or suspected of, abuse.

It is important for children to receive the right help at the right time to address risks and prevent issues escalating and impacting on their mental health. Research and Child Safeguarding Practice Reviews have repeatedly shown the dangers of failing to take effective action. Poor practice includes: failing to act on and refer the early signs of abuse and neglect; poor record keeping; failing to listen to the views of the child; failing to re-assess concerns when situations do not improve; sharing information too slowly; and a lack of challenge to those who appear not to be acting.

3. Legislation and statutory guidance

This policy is based on the Department for Education's statutory guidance, [Keeping Children Safe in Education \(2022\)](#) and [Working Together to Safeguard Children \(2018\)](#), and the [Governance Handbook](#). We comply with this guidance and the arrangements agreed and published by our 3 local safeguarding partners.

This policy is also based on the following legislation:

- Section 175 of the [Education Act 2002](#), which places a duty on schools and local authorities to safeguard and promote the welfare of pupils
- Departmental advice [What to do if you are Worried a Child is Being Abused - Advice for Practitioners](#) and [Sexual Violence and sexual Harassment between children in schools and colleges \(September 2021\)](#)
- [The School Staffing \(England\) Regulations 2009, which](#) set out what must be recorded on the single central record and the requirement for at least one person on a school interview/appointment panel to be trained in safer recruitment techniques
- [The Children Act 1989](#) (and [2004 amendment](#)), which provides a framework for the care and protection of children
- Section 5B(11) of the Female Genital Mutilation Act 2003, as inserted by section 74 of the [Serious Crime Act 2015](#), which places a statutory duty on teachers to report to the police where they discover that female genital mutilation (FGM) appears to have been carried out on a girl under 18
- [Statutory guidance on FGM \(2020\)](#), which sets out responsibilities with regards to safeguarding and supporting girls affected by FGM
- [The Rehabilitation of Offenders Act 1974](#), which outlines when people with criminal convictions can work with children
- Schedule 4 of the [Safeguarding Vulnerable Groups Act 2006](#), which defines what 'regulated activity' is in relation to children
- Statutory [guidance on the Prevent duty](#), which explains schools' duties under the Counter-Terrorism and Security Act 2015 with respect to protecting people from the risk of radicalisation and extremism
- The [Childcare \(Disqualification\) Regulations 2009](#) (and [2018 amendment](#)) and [Childcare Act 2006 \(as amended in 2018\)](#), which set out who is disqualified from working with children

- Early years foundation stage statutory framework (EYFS) September 2021
- Information sharing 2018
- Dudley Safeguarding People Partnership Board (DSPPB) - Safeguarding Children Procedures
<http://dudleysafeguarding.org.uk/>

4. Definitions

Safeguarding and promoting the welfare of children means:

- Protecting children from maltreatment
- Preventing impairment of children's mental and physical health or development
- Ensuring that children grow up in circumstances consistent with the provision of safe and effective care
- Taking action to enable all children to have the best outcomes

Child protection is part of this definition and refers to activities undertaken to prevent children suffering, or being likely to suffer, significant harm.

Abuse is a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. **Harm can include ill treatment that is not physical as well as the impact of witnessing ill treatment of others. This can be particularly relevant, for example, in relation to the impact on children of all forms of domestic abuse.** Appendix 1 explains more about different types of abuse, as set out in Keeping Children Safe in Education 2022.

Neglect is a form of abuse and is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Appendix 1 defines neglect in more detail.

Sexting (also known as youth produced sexual imagery) is the sharing of sexual imagery (photos or videos) by children

Children includes everyone under the age of 18.

The following three **Safeguarding Partners** are identified in Keeping Children Safe in Education (and defined in the Children Act 2004, as amended by chapter 2 of the Children and Social Work Act 2017). They will decide to work together to safeguard and promote the welfare of local children, including identifying and responding to their needs:

- The local authority (LA)
- A clinical commissioning group for an area within the LA
- The chief officer of police for a police area in the LA area

5. Equality statement

Some children have an increased risk of abuse, and additional barriers can exist for some children with respect to recognising or disclosing it. We are committed to anti-discriminatory practice and recognise children's diverse circumstances. We ensure that all children have the same protection, regardless of any barriers they may face.

We give special consideration to children who:

- Have special educational needs or disabilities
- Are young carers

- May experience discrimination due to their race, ethnicity, religion, gender identification or sexuality
- Have English as an additional language
- Are known to be living in difficult situations – for example, temporary accommodation or where there are issues such as substance abuse or domestic violence
- Are at risk of FGM, sexual exploitation, forced marriage, or radicalisation
- Are asylum seekers

6. Roles and responsibilities

Safeguarding and child protection is **everyone's** responsibility. This policy applies to all staff, volunteers and governors in the school and is consistent with the procedures of Dudley Safeguarding People Partnership Board (DSPPB) (<http://dudleysafeguarding.org.uk>). Our policy and procedures also apply to extended school and off-site activities.

All staff, but especially the designated safeguarding lead (and deputies) should consider whether children are at risk of abuse or exploitation in situations outside their families. Extra-familial harms take a variety of different forms and children can be vulnerable to multiple harms including (but not limited to) **sexual abuse (including harassment and exploitation), domestic abuse in their own intimate relationships (teenage relationship abuse)**, criminal exploitation, serious youth violence, county lines, and radicalisation.

6.1 All staff

All staff will read understand and sign that they will abide by part 1 and Annex A of the Department for Education's statutory safeguarding guidance, [Keeping Children Safe in Education \(2022\)](#), and review this guidance at least annually.

All staff are aware of:

- Our systems which support safeguarding, including the Behaviour Policy and Code of Conduct, the role of the designated safeguarding lead (DSL), and the safeguarding response to children who go missing from education
- The early help process and their role in it, including identifying emerging problems, liaising with the DSL, and sharing information with other professionals to support early identification and assessment
- Their duty to share their concerns in writing in CPOMS without delay
- Their duty to promptly record conversations with DSL in CPOMS
- The process for making referrals to local authority children's social care and for statutory assessments that may follow a referral, including the role they might be expected to play
- What to do if they identify a safeguarding issue or a child tells them they are being abused or neglected, including specific issues such as FGM and child-on-child abuse, and how to maintain an appropriate level of confidentiality while liaising with relevant professionals

- The signs of different types of abuse and neglect, as well as specific safeguarding issues, such as child sexual exploitation (CSE), child-on-child abuse, FGM, radicalisation, child criminal exploitation (CCE), county lines, sexting and upskirting.
- Mental Health difficulties might be a sign of abuse.
- All staff members will undertake safeguarding and child protection training, including online safety training, at induction, together with managing allegations and whistle-blowing procedures, to ensure they understand the school's safeguarding systems and their responsibilities, and can identify signs of possible abuse or neglect. This training will be regularly updated and will be in line with local and statutory guidelines.
- All staff will have training on the government's anti-radicalisation strategy, Prevent, to enable them to identify children at risk of being drawn into terrorism and to challenge extremist ideas.
- Staff will also receive regular safeguarding and child protection updates (for example, through emails, e-bulletins and staff meetings) as required, but at least annually.
- Volunteers and Contractors will receive appropriate training, if applicable.

Section 14 and appendix 2 of this policy outline in more detail how staff are supported to do this.

6.2 The Designated Safeguarding lead (DSL)

The Designated Safeguarding Lead (DSL) is a senior member of staff from the leadership team and has responsibility, management oversight and accountability for child protection, along with the Head Teacher. Deputy DSLs are trained to the same standards as the DSL and the role is explicit within their job description. DSL training is undertaken every 2 years and has been updated to allow the DSL to recognise the additional risks that children with SEN and disabilities (SEND) face online, for example, from online bullying, grooming and radicalisation and are confident that they have the capability to support SEND pupils to stay safe online.

Our DSL is Mr Michal Pawlowicz, Deputy Head Teacher. The DSL takes lead responsibility for child protection and wider safeguarding.

During term time, the DSL will be available during school hours for staff to discuss any safeguarding concerns.

Mr Pawlowicz can be contacted out of school hours through an email: safeguarding@pens-meadow.dudley.sch.uk. This will send a notification directly to him.

When the DSL is absent, the Head Teacher – Mrs Marie Hunter and Business Manager – Mrs Alison Austin will act as cover.

The DSL will be given the time, funding, training, resources and support to fulfil his responsibilities to safeguard children. This includes to:

- Refer cases of suspected abuse to the local authority children's social care as required
- Support staff who make referrals to local authority children's social care
- Act as Mental Health Lead for the school, undertake appropriate training and work closely with Mental Health Leads
- Refer cases to the Channel programme where there is a radicalisation concern as required
- Refer cases where a person is dismissed or left due to risk/harm to a child to the Disclosure and Barring Service as required
- Refer cases where a crime may have been committed to the Police as required
- Liaise and act as a source of support, advice and expertise for all staff

- Undergo training to provide them with the knowledge and skills required to carry out the role. This training should be updated at least every two years.
- Have a solid understanding of new and current safeguarding themes and regularly train staff
- Undertake Prevent awareness training.
- Understand the assessment process for providing early help and statutory intervention, including local criteria for action and local authority children's social care referral arrangements.
- Raise safeguarding awareness within your setting and wider community
- Ensure the school or college's child protection policy is reviewed annually (as a minimum) and the procedures and implementation are updated and reviewed regularly
- Be available (during school or college hours) for staff in the school or college to discuss any safeguarding concerns and arrange adequate and appropriate cover arrangements for any out of hours/out of term activities.
- Promote educational outcomes by working closely with their teachers and sharing information about their welfare, safeguarding and child protection concerns
- The DSL will also keep the headteacher informed of any issues and liaise with local authority case managers and designated officers (LADO) for safeguarding and child protection concerns as appropriate.

Please refer to Keeping Children Safe in Education 2022, Annexe B in regards to specific responsibilities.

6.3 The Governing Body

The governing board will approve this policy at each review, and hold the head teacher to account for its implementation.

The governing board has appointed Mr Paul Leyshon, the Chair of Governors, to monitor the effectiveness of this policy in conjunction with the full governing board. This is always a different person from the DSL.

The chair of governors will act as the 'case manager' in the event that an allegation of abuse is made against the head teacher, where appropriate (see appendix 3).

All Governors have read and understood Keeping Children Safe in Education 2022. (Part Two of this policy has information on how governors are supported to fulfil their role.)

6.4 The Head Teacher

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

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

- Refer cases where a person is dismissed or left due to risk/harm to a child to the Disclosure and Barring Service/Teaching Regulatory Agency/TRA as required
- Complete appropriate safeguarding and child protection (including online) training
- Ensuring the relevant staffing ratios are met, where applicable
- Making sure each child in the Early Years Foundation Stage is assigned a key person

7. Confidentiality

At Pens Meadow School it is a responsibility of all staff members to share information about the protection of children with the Designated Safeguarding Lead and other professionals as set out in school's Confidential Reporting Policy.

KCSiE (2022), p29: para 110:

'The Data Protection Act 2018 and GDPR do not prevent the sharing of information for the purposes of keeping children safe. Fears about sharing information must not be allowed to stand in the way of the need to promote the welfare and protect the safety of the children.'

All staff are aware that:

- Fears about sharing information must not be allowed to stand in the way of the need to promote the welfare, and protect the safety, of children
- The Data Protection Act (DPA) 2018 and GDPR do not prevent, or limit, the sharing of information for the purposes of keeping children safe
- If staff need to share 'special category personal data', the DPA 2018 contains 'safeguarding of children and individuals at risk' as a processing condition that allows practitioners to share information without consent if it is not possible to gain consent, it cannot be reasonably expected that a practitioner gains consent, or if to gain consent would place a child at risk
- Staff should never promise a child that they will not tell anyone about a report of abuse, as this may not be in the child's best interests
- The government's information sharing advice for safeguarding practitioners includes 7 'golden rules' for sharing information, and will support staff who have to make decisions about sharing information
- If staff are in any doubt about sharing information, they should speak to the Designated Safeguarding Lead (or deputy)

8. Communication with Parent/carers

At Pens Meadow School all staff work as key workers for individual children. They develop positive working relationships with parent/carers through frequent communication. This is implemented by:

- communication in person at the beginning and the end of the day
- sending messages in home-school diaries
- using email system
- telephone conversations
- inviting them to MDT meetings
- EHCPs reviews

Pens Meadow recognises that it is everybody's responsibility to assess the needs of the children and young people they meet and to safeguard them effectively, by assessing and managing risk alongside other agencies.

At Pens Meadow we operate a keyworker approach across the school. This enables parents/carers to build a positive relationship with a key member of staff with whom they can discuss any issues. This alongside our weekly Team around the Child (TAC) meetings, allow the school to identify pupils/families who may require additional support.

In addition, we recognise that being a parent/carer of a disabled child presents its own challenges and that these challenges can impact on the whole family. When families are well supported and equipped to overcome these challenges, we know that this can only have a positive impact on our parent/carers, their children and their engagement in school.

In recognition of this Pens Meadow School has recruited their own Family Outreach Team. The Family Outreach Team consists of a Family Outreach Coordinator and a Family Support Worker. The team work closely with our families to provide support, sign posting and engagement opportunities. Our service is unique to Pens Meadow School. The team work closely with services across the borough and aims to be a contact point for information sharing as well as providing direct support to our families.

The Family Outreach Team work with families in school or through home visits to support with advocacy, benefit forms, coordination of services, referrals for support, transition support, access to funding.

9. Recognising abuse and taking action

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

9.1 If a child is in immediate danger

Make a referral to children's social care and/or the police **immediately** if a child is in immediate danger or at risk of harm. **Anyone can make a referral.**

Tell the DSL as soon as possible if you make a referral directly.

Dudley **Report it** page: <https://safeguarding.dudley.gov.uk/tell-us/>

The guidance below should be followed in conjunction with the government document – '[What do you do if you are worried a child is being abused March 2015](#)'

If any member of staff is concerned about a child, they must inform the Designated Safeguarding Lead (or Deputy DSL) in person or by telephone immediately. Information should not be left in pigeon holes. The member of staff must record information regarding the concerns.

At Pens Meadow ALL concerns regarding a child including those around online safety must be recorded on CPOMS. In case there is no online access any person concerned about the child should fill in the Cause for Concern pro-forma shown in Appendix 7, available on the safeguarding noticeboard in the staff room, from the office or copies can be found in each class and hand it directly to the DSL. Do not leave it in their pigeon hole or on their desk for them to 'find'. It may be urgent and require an immediate response. This is printed onto pink paper to make it visible for all. The recording must be a clear, precise, factual account of the observations.

The Designated Safeguarding Lead will decide whether the concern should be referred to the Social Care Team through the MASH. If it is decided to make a referral, this will be discussed with the parent/carers, unless to do so would place the child at further risk of harm. A MARF will also be completed. See 'The Referrals Process' Appendix 6.

Attention will be paid to the attendance and development of any child about whom the school has concerns, or who has been identified as being the subject of a child protection plan and a written record will be kept.

9.2 If a child makes a disclosure to you

When a child tells me about abuse s/he has suffered, what must I remember?

- Stay calm.
- Do not communicate shock, anger or embarrassment.
- Reassure the child. Tell her/him you are pleased that s/he is speaking to you.
- Never enter into a pact of secrecy with the child. Assure her/him that you will try to help but let the child know that you must tell other people in order to do this. State who this will be and why.
- Tell her/him that you believe them. Children very rarely lie about abuse; but s/he may have tried to tell others and not been heard or believed.
- Tell the child that it is not her/his fault.
- Encourage the child to talk but do not ask "leading questions" or press for information.
- Listen and remember.
- Check that you have understood correctly what the child is trying to tell you.
- Praise the child for telling you. Communicate that s/he has a right to be safe and protected.
- Do not tell the child that what s/he experienced is dirty, naughty or bad.
- It is inappropriate to make any comments about the alleged offender.
- Be aware that the child may retract what s/he has told you. It is essential to record all you have heard.
- At the end of the conversation, tell the child again who you are going to tell and why that person or those people need to know.
- As soon as you can afterwards, make a detailed record of the conversation using the child's own language. Include any questions you may have asked. Do not add any opinions or interpretations.

(All staff must record their concerns in CPOMS. In case there is no online access any person concerned about the child should fill in Cause for concern reporting form (See Appendix 7) – This is printed onto pink paper to make it visible for all)

NB It is not education staff's role to seek disclosures. Their role is to observe that something may be wrong, ask about it, listen, be available and try to make time to talk.

Concerns outside the immediate environment (e.g. a parent or carer)

- Report your concerns to the, Designated Safeguarding Lead who should contact Social Care Team or the Police as soon as possible.
- If the Designated Safeguarding Lead is not available, then speak to the deputy DLS or the person currently responsible for the school should be informed. (This is to ensure there is no delay in seeking advice or making a referral).
- Social Care Team and the Designated Safeguarding Lead will decide how to involve the parents/carers. Parent/carers should not be informed if to do so would increase risk to the child.
- Maintain confidentiality on a need to know basis only.

Information for social care or the police about suspected abuse

To ensure that this information is as helpful as possible, a detailed record should always be made at the time of the disclosure/concern, which should include the following:

- The reasons for your concern
- Full name and date of birth of the child
- Names and dates of birth of the child's family/household members
- Other agencies/professionals involved with the family
- The child's first language and any special needs
- The child's developmental needs, family and environmental factors and parenting capacity
- Any work you may have already undertaken with the child and family

All incidents will be reported on a Multi-Agency Referral Form (MARF), by the Designated Safeguarding Lead, to the Multi Agency Safeguarding Hub at mash_referrals@dudley.gov.uk

Childs Wishes

Where there is a safeguarding concern governing body and school leaders ensure the child's wishes and feelings are considered when determining what action to take and what services to provide. Children have frequent opportunities to express their views and give feedback. Where the child is not able to express themselves the school's systems and processes will act in the best interest of that child.

Should any member of staff disagree with the actions taken following the referral they should refer to Resolution and Escalation document and follow the process.

Mental Health

Positive mental health is the concern of the whole community and we recognise that schools play a key part in this. Our school wants to develop the emotional wellbeing and resilience of all pupils and staff, as well as provide specific support for those with additional needs.

We understand that there are risk factors, which increase someone's vulnerability, and protective factors that can promote or strengthen resiliency. The more risk factors present in an individual's life, the more protective factors or supportive interventions are required to counter balance and promote further growth of resilience.

It is vital that we work in partnership with parent/carers to support the well-being of our pupils. Parent/carers should share any concerns about the well-being of their child with school, so appropriate support and intervention is identified and implemented.

If staff have a mental health concern about a child that is also a safeguarding concern, immediate action should be taken, following our Safeguarding Policy, and speaking to the designated safeguarding lead or a deputy.

[Mental Health & Behaviours in School](#)

9.3 If you discover that FGM has taken place or a pupil is at risk of FGM

The Department for Education's Keeping Children Safe in Education 2022 explains that FGM comprises "all procedures involving partial or total removal of the external female genitalia, or other injury to the female genital organs".

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

Possible indicators that a pupil has already been subjected to FGM, and factors that suggest a pupil may be at risk, are set out in appendix 2.

Any teacher who discovers that an act of FGM appears to have been carried out on a **pupil under 18** must immediately report this to the police, personally. This is a statutory duty, and teachers will face disciplinary sanctions for failing to meet it.

The duty above does not apply in cases where a pupil is *at risk* of FGM or FGM is suspected but is not known to have been carried out. Staff should not examine pupils.

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

Any member of staff who suspects a pupil is *at risk* of FGM or discovers that a **pupil age 18 or over** appears to have been a victim of FGM, must speak to the DSL and follow our local safeguarding procedures.

Local guidance regarding FGM can be found on [Dudley Safeguarding People Partnership Board](#) website.

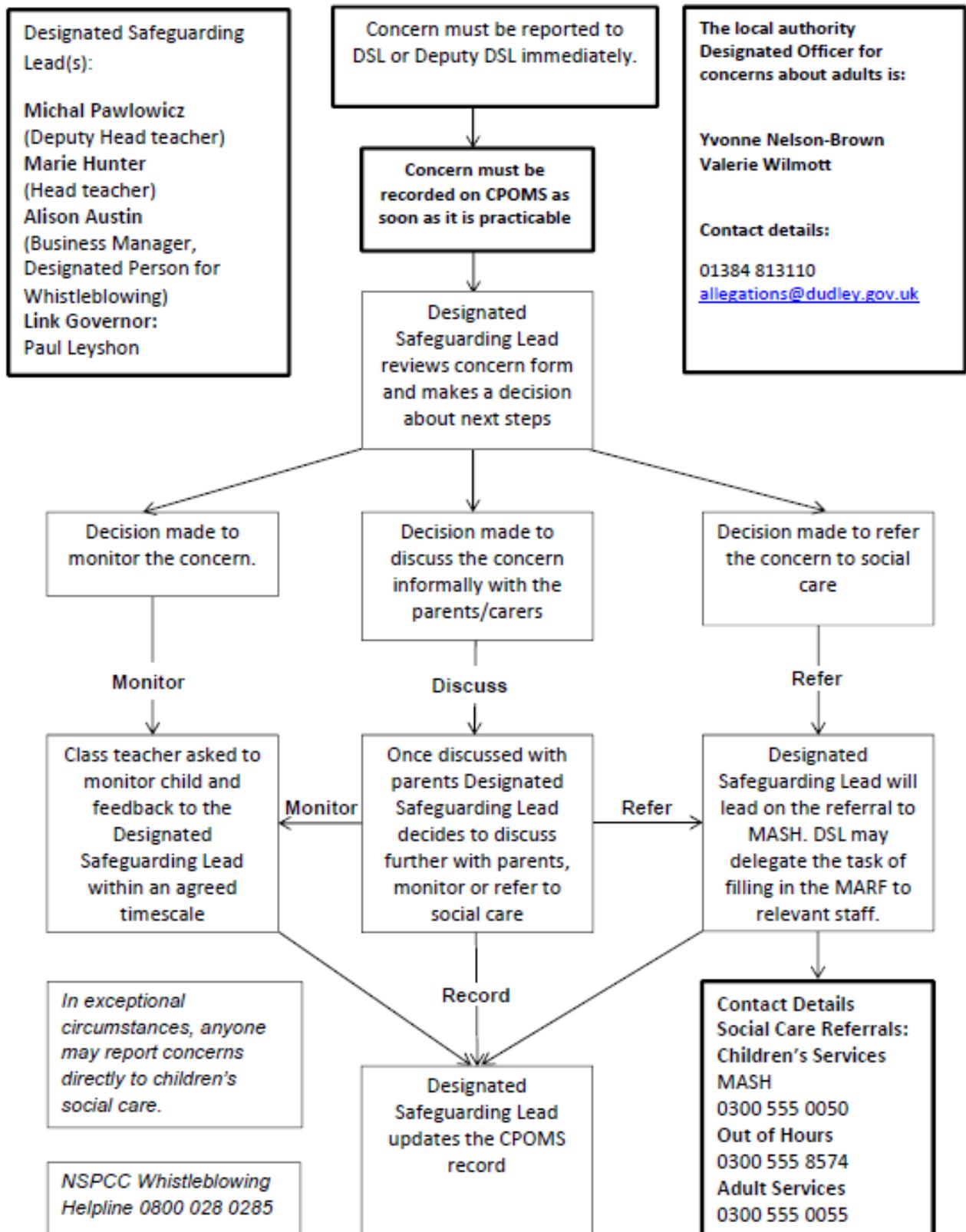
9.4 If you have concerns about a child (as opposed to a child being in immediate danger)

Flowchart 1 illustrates the procedure to follow if you have concerns about a child's welfare and the child is not in immediate danger.

Where possible, speak to the DSL first to agree a course of action. Alternatively, make a referral to local authority children's social care directly (see 'Referral' below).

You can also contact the charity NSPCC on 0808 800 5000 if you need advice on the appropriate action.

Flowchart 1: procedure if you have concerns about a child's welfare (no immediate danger)



Early help

Pens Meadow recognises that it is everybody's responsibility to assess the needs of the children and young people they meet and to safeguard them effectively, by assessing and managing risk alongside other agencies.

Children, Young People and Families Threshold Guidance and Framework for Support document is available on request from school.

Further information can be found in Appendix 5.

Referral

If it is appropriate to refer the case to local authority children's social care or the police, the DSL will make the referral or support you to do so.

If you make a referral directly (see section 9.1), you must tell the DSL as soon as possible.

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

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

Should anyone have a concern about any form of exploitation they should discuss it with DSL. DSL then will use Contextual Safeguarding Screening Tool and make a referral into Exploitation Hub by email: CS.Hub@dudley.gov.uk.

For Prevent referrals we will liaise with safe & sound (Dudley's Community Safety Partnership) website - <https://www.dudleysafeandsound.org/prevent>.

9.5 If you have concerns about extremism

If a child is not at immediate risk of harm, where possible, speak to the DSL first to agree a course of action. Alternatively, make a referral to local authority children's social care directly if appropriate (see 'Referral' above).

Where there is a concern, the DSL will consider the level of risk and decide which agency to make a referral to. This could include Channel, the government's programme for identifying and supporting individuals at risk of being drawn into terrorism, or the local authority children's social care team.

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

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

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

9.6 Concerns about a staff member or volunteer

An appropriate action should be taken should it be alleged that anyone working in the school that provides education for children under 18 years of age, including supply teachers and volunteers has:

- behaved in a way that has harmed a child, or may have harmed a child;
- possibly committed a criminal offence against or related to a child;
- behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children; or
- behaved or may have behaved in a way that indicates they may not be suitable to work with children.

If you have concerns about a member of staff or volunteer, speak to the Head Teacher. If you have concerns about the Head Teacher, speak to the chair of governors.

You can also discuss any concerns about any staff member or volunteer with the DSL.

The Head Teacher/chair of governors/DSL will then follow the procedures set out in appendix 4, if appropriate.

Where appropriate, the school will inform Ofsted of the allegation and actions taken, within the necessary timescale (see appendix 4 for more detail).

9.7 Allegations of abuse made against other pupils

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

All staff are aware that safeguarding issues could manifest themselves via child on child abuse. This is most likely to include, but may not be limited to:

- bullying (including cyberbullying);
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm;
- any form of exploitation
- sexual violence and sexual harassment;
- sexting (also known as youth produced sexual imagery); and
- initiation/hazing type violence and rituals.

Most cases of pupils hurting other pupils will be dealt with under our school’s behaviour policy, but this child protection and safeguarding policy will apply to any allegations that raise safeguarding concerns. This might include where the alleged behaviour:

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

If a pupil makes an allegation of abuse against another pupil:

- You must tell the DSL and record the allegation, but do not investigate it
- The DSL will contact the local authority children's social care team and follow its advice, as well as the police if the allegation involves a potential criminal offence
- The DSL will put a risk assessment and support plan into place for all children involved – both the victim(s) and the child(ren) against whom the allegation has been made – with a named person they can talk to if needed
- The DSL will contact the Children and Adolescent Mental Health Services (CAMHS), if appropriate

We will minimise the risk of child-on-child abuse by:

- Challenging any form of derogatory or sexualised language or behaviour
- Being vigilant to issues that particularly affect different genders – for example, sexualised or aggressive touching or grabbing towards female pupils, and initiation or hazing type violence with respect to boys
- Ensuring our curriculum helps to educate pupils about appropriate behaviour and consent
- Ensuring pupils know they can talk to staff confidentially by key worker approach and PSHE curriculum that include RSE
- Ensuring staff are trained to understand that a pupil harming a peer could be a sign that the child is being abused themselves, and that this would fall under the scope of this policy

15. Children Looked After

The Designated Teacher for Looked After Children at Pens Meadow School is Mr M. Pawlowicz. He is responsible for promoting the educational achievement of children who are looked after and/or who have left care through adoption, special guardianship, child arrangement orders or who were adopted from state care outside England and Wales. The Designated Teacher has the skills, knowledge and understanding to keep previously looked after children safe. The Designated Teacher will work closely with the Virtual School Head and all other agencies, to ensure that prompt action is taken in respect of any concerns and that Pupil Premium funding is best used to support the progress of the child looked after. In the case of care leavers, the LA retains an ongoing responsibility which includes keeping in touch with them, preparing assessments of their needs and appointing a personal advisor to develop a pathway plan. Where applicable, the DSL will liaise with their LA personal advisor as necessary.

16. Notifying parent/carers

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

Other staff will only talk to parent/carers about any such concerns following consultation with the DSL.

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

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

17. Mobile phones and cameras

Staff members (including volunteers and students on placement) may bring mobile technology onto the school site on the understanding that the device

- Is used only in the staffroom, outside of the school gate/premises, or where children are not present in office spaces.
- Is stored safely and securely away from children.
- Only used during break times and at either end of the school day.
- Is not used as a point of contact by relatives, friends, child's school, GP, etc., during the school day. *(Staff must ensure that all potential contacts have the school landline numbers so that initial contact is made directly to the school office).*
- When off-site, designated members of the group will have a mobile phone available for emergency contact with the school, with each other or with the emergency services. In this context school phones will not be used to make or receive personal calls.
- Personal mobile phones must not be used to take photos of children.
- Teachers and Teaching Assistants should not use a personal mobile phone, even outside of the school day, to exchange information with parent/carers.
- The above information is shared with new staff members as part of the induction process.

Visitors (including parent/carers, professionals, contractors)

- Visitors may bring mobile phones on to the school site but, when visiting the main school, are asked to switch them off and place them out-of-sight until they leave the building and have exited the school gate. This is done as part of the meet-and-greet process in a way that makes clear our safeguarding priorities.
- Agency supply staff will be asked to store their phones away safely and securely.
- Visitors waiting briefly in reception – e.g. to collect a child – may keep phones to hand but they must be stored out of sight and not used.
- Visitors attending meetings in the school may use their phones once inside the meeting room. On leaving, phones must be switched off and kept out-of-sight until outside of the school gate.
- Visitors found to be using their phones in contravention of this guidance will initially be reminded of the policy and ultimately asked to leave.
- Signs are placed around the school re mobile phones use.
- Where possible, all visitors are made aware of the mobile phone policy in advance either through written or verbal communication (e.g. for parent/carers this may be in 'New Starter' documentation, school newsletters, letters inviting parent/carers to annual review meetings, mailings, emails, etc.).
- If contractors are required to have their mobile phone to hand in order to convey live information to their line manager or head office, they will seek prior permission to do so in advance and will be accompanied around the site.
- The use of personal mobiles to take photographs of the site (internal or external e.g. corridors, classrooms, central areas, etc.) of children or of staff is strictly prohibited.

Further information can be found in Use of Mobile Technology Policy.

18. Complaints and concerns about school safeguarding practices

a. Complaints against staff

Complaints against staff that are likely to require a child protection investigation will be handled in accordance with our procedures for dealing with allegations of abuse made against staff (see appendix 3).

b. Other Complaints and Whistleblowing

This section should be read in conjunction with Confidential Reporting Policy.

12.3 Resolution and Escalation Protocol

Should any of the staff disagree with the professionals' decisions regarding safeguarding matters and they wish to challenge they should use Dudley's Resolution and Escalation Protocol available on request from the DSL.

19. Record-keeping

We will hold records in line with our records retention schedule.

All safeguarding concerns, discussions, decisions made and the reasons for those decisions, must be recorded in writing on CPOMS or on pink Cause for Concern forms if CPOMS is not available. This must be completed without delay. If you are in any doubt about whether to record something, discuss it with the DSL.

Non-confidential records will be easily accessible and available. Confidential information and records will be held securely and only available to those who have a right or professional need to see them.

At Pens Meadow School we have a robust reporting and recording system.

- From October 2018 all staff use CPOMS as a recording system, however paper versions of concern forms are still available.
- Outcomes of all concerns are recorded and stored appropriately:
 - in student's file, or
 - Safeguarding file if necessary
 - CPOMS database
- Safeguarding files are kept in a locked cabinet in SLT office at Ridge Hill site. There are 2 keys that can open this cabinet. Safeguarding Lead has one and one is in a locked key cabinet in the main office.
- Only DSLs have access to CPOMS records of safeguarding concerns. Other staff members may record and view their individual concerns but won't be able to view the outcomes or other concerns.
- Family Outreach workers have extended access to CPOMS but they are only able to view and create reports for non-safeguarding items.

- If a pupil moves from our school, the DSL will consider whether it is appropriate to share any information with the new school in advance of the pupil leaving. Child protection records may be forwarded on to the Designated Safeguarding Lead at the new school, with due regard to their confidential nature and in line with current government guidance on the transfer of such records. Direct contact between the two schools may be necessary, especially on transfer from primary to secondary schools or in instances where advance information would allow the new school to continue supporting the victim of abuse and have the appropriate support in place for the pupil's arrival. We will record where and to whom the records have been passed and the date.
- If sending by post pupil records will be sent by "Special/Recorded Delivery". The notes are kept in a safeguarding folder in the office at Ridge Hill Site.
- If a pupil is permanently excluded and moves to a Pupil Referral Unit, child protection records will be forwarded on to the relevant organisation.
- When a Designated Safeguarding Lead resigns their post or no longer has child protection responsibility, there should be a full face-to-face handover/exchange of information with the new post holder.
- Files of children that do not transfer to another educational establishment are archived and stored securely until individuals are 25 years old at the very least.

The Data Protection Act 2018 and GDPR do not prevent, or limit, the sharing of information for the purposes of keeping children safe.

In addition:

- Appendix 3 sets out our policy on record-keeping specifically with respect to recruitment and pre-employment checks
- Appendix 4 sets out our policy on record-keeping with respect to allegations of abuse made against staff

20. Training

a. All staff

All staff members undertake safeguarding and child protection training at induction, including on whistle-blowing procedures, to ensure they understand the school's safeguarding systems and their responsibilities, and can identify signs of possible abuse or neglect. This training is regularly updated and will be in line with advice from our Dudley Safeguarding People Partnership Board (DSPPB).

All staff members receive training on the government's anti-radicalisation strategy, Prevent, to enable them to identify children at risk of being drawn into terrorism and to challenge extremist ideas.

Staff also receive regular safeguarding and child protection updates through safeguarding newsletter and planned INSETs throughout the academic year.

Volunteers also receive appropriate training, if applicable.

b. The DSL and deputies

The DSL and deputies undertake child protection and safeguarding training at least every 2 years.

In addition, they will update their knowledge and skills at regular intervals and at least annually through Safeguarding newsletters, Dudley Safeguarding People Partnership Board (DSPPB) DSL briefing and attending safeguarding workshops planned and offered by DSPPB.

They will also undertake Prevent awareness training.

c. **Governors**

All governors receive training about safeguarding, to make sure they have the knowledge and information needed to perform their functions and understand their responsibilities.

d. **Recruitment – interview/appointment panels**

At least one person on any interview/appointment panel for a post at the school will have undertaken Safer Recruitment in Education Training. This will cover, as a minimum, the contents of the Department for Education’s statutory guidance, Keeping Children Safe in Education 2022, and be in line with local safeguarding procedures. Further explanation can be found in Appendix 3.

e. **Staff who have contact with pupils and families**

All staff who have contact with children and families have supervisions which will provide them with support, coaching and training, promote the interests of children and allow for confidential discussions of sensitive issues.

15. Monitoring arrangements

This policy will be reviewed **annually and as required** by Mr Michal Pawlowicz, Deputy Head Teacher and Designated Safeguarding Lead. At every review, it will be approved by the full governing board.

Appendix 1: when to be concerned

Abuse, including neglect, and safeguarding issues are rarely standalone events that can be covered by one definition or label. In most cases, multiple issues will overlap.

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. Abuse can take place wholly online, or technology may be used to facilitate offline abuse. Children may be abused by an adult or adults or by another child or children.

Physical abuse: a form of abuse which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.

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

Sexual abuse: involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse. Sexual abuse can take place online, and technology can be used to facilitate offline abuse. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children. The sexual abuse of children by other children is a specific safeguarding issue in education.

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

Appendix 2: specific safeguarding issues

Children missing from education

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

Children missing education are children of compulsory school age who are:

- Not on a school roll.
- Not being educated otherwise than at school.
- Identified as having been out of any educational provision for a substantial period of time (4 weeks).

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

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

We will follow our procedures for unauthorised absence and for dealing with children who go missing from education, particularly on repeat occasions, to help identify the risk of abuse and neglect, including sexual exploitation, and to help prevent the risks of going missing in future. In order to do that the school always asks parent/carers to fill in the admission paperwork with the request for at least two contact details. This includes informing the local authority if a child leaves the school without a new school being named, and adhering to requirements with respect to sharing information with the local authority, when applicable, when removing a child's name from the admission register at non-standard transition points.

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

If a staff member suspects that a child is suffering from harm or neglect, we will follow local child protection procedures, including with respect to making reasonable enquiries. We will make an immediate referral to the local authority children's social care team, and the police, if the child is in immediate danger or at risk of harm. Further information is identified in Attendance Policy and [Children missing education: statutory guidance for local authorities \(2016\)](#).

Child Abduction and community safety incidents

Keeping Children Safe in Education 2022 states: Child abduction is the unauthorised removal or retention of a minor from a parent or anyone with legal responsibility for the child. Child abduction can be committed by parent/carers or other family members; by people known but not related to the victim (such as neighbours, friends and acquaintances); and by strangers."

Other community safety incidents in the vicinity of a school can raise concerns amongst children and parent/carers, for example, people loitering nearby or unknown adults engaging children in conversation.

All staff take responsibility to provide pupils with relevant practical advice and skills to keep themselves safe through contextualised curriculum as well as conducting community engagement activities and travel training.

Additional information can be found by accessing the links below.

www.actionagainstabduction.org

www.clevernevergoes.org

Missing pupils

Pupils are not be permitted to leave the school premises during the school day unless they have permission from the school. The following procedures will be taken in the event of a pupil going missing whilst at school:

- The member of staff who has noticed the missing pupil will inform the headteacher immediately.
- The office staff will also be informed as they will act as a point of contact for receiving information regarding the search.
- A member of staff will stay with the rest of the class, and all other available members of staff will conduct a thorough search of the school premises as directed by the headteacher.
- The following areas will be systematically searched:
 - All classrooms
 - All toilets
 - Changing rooms
 - The library
 - Any outbuildings
 - The school grounds
- Available staff will begin a search of the area immediately outside of the school premises, and will take a mobile phone with them so they can be contacted.
- If the pupil has not been found after 10 minutes, then the police and parent/carers of the pupil will be notified.
- The school will attempt to contact parent/carers using the emergency contact numbers provided.
- The missing pupil's teacher will fill in an incident form, describing all circumstances leading up to the pupil going missing.
- If the missing pupil has an allocated social worker, is a looked-after child, then the appropriate personnel will be informed.
- When the pupil has been located, members of staff will care for and talk to the pupil to ensure they are safe and well.
- Parent/carers and any other agencies will be informed immediately when the pupil has been located.

The headteacher will take the appropriate action to ensure that pupils understand they must not leave the premises, and sanctions will be issued if deemed necessary. Appropriate disciplinary procedures will be followed in accordance with the Behaviour Policy.

The headteacher will carry out a full investigation and will draw a conclusion as to how the incident occurred. A written report will be produced, and policies and procedures will be reviewed in accordance with the outcome where necessary.

Homelessness

Being homeless or being at risk of becoming homeless presents a real risk to a child's welfare.

The DSL and deputies are aware of contact details and referral routes into the local housing authority so they can raise/progress concerns at the earliest opportunity (where appropriate and in accordance with local procedures).

Where a child has been harmed or is at risk of harm, the DSL will also make a referral to children's social care.

Domestic Abuse

Domestic abuse can take many forms, including psychological, physical, sexual, financial and emotional.

Our school recognises that exposure to domestic abuse can have a serious, long-term emotional and psychological impact on children.

We work with other key partners and share relevant information where there are concerns that domestic abuse may be an issue for a child or family or be placing a child at risk of harm.

The impact of on children who are exposed to Domestic abuse or suffer it in their own relationships have been made clear. Domestic Abuse Act 2021 clarifies definition and the requirements for local councils. Children who experience or witness domestic abuse will be classed as victims in their own rights.

National Domestic Abuse Helpline

Refuge runs the National Domestic Abuse Helpline, which can be called free of charge and in confidence, 24 hours a day on 0808 2000 247. Its website provides guidance and support for potential victims, as well as those who are worried about friends and loved ones. It also has a form through which a call from the team can be booked at a safe time.

Additional advice on identifying children who are affected by domestic abuse and how they can be helped is available at:

- [NSPCC- UK domestic-abuse Signs Symptoms Effects](#)
- [Refuge what is domestic violence/effects of domestic violence on children](#)
- [Safelives: young people and domestic abuse.](#)

Child sexual exploitation

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

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

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

If a member of staff suspects CSE, they will discuss this with the DSL. The DSL will trigger the local safeguarding procedures, including a referral to the local authority's children's social care team and the police, if appropriate.

Indicators of sexual exploitation can include a child:

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

Sexual exploitation can take many forms ranging from the seemingly 'consensual' relationship where sex is exchanged for affection or gifts, to serious organised crime by gangs and groups within an increasingly widespread form of harm that is a typical feature of county lines criminal activity. Child criminal exploitation includes drug networks or gangs grooming and exploiting children to carry drugs and money from urban areas to suburban areas, rural areas, seaside and market towns. The key to identifying potential involvement in county lines is 'missing episodes', where the victim may have been trafficked for the purpose of transporting drugs. In such cases, the school may consider a referral to the National Referral Mechanism.

Sexual Violence and Sexual Harassment

Sexual violence and sexual harassment can occur between two children of any age and sex. It can also occur through a group of children sexually assaulting or sexually harassing a single child or group of children.

Children who are victims of sexual violence and sexual harassment will likely find the experience stressful and distressing. This will, in all likelihood, adversely affect their educational attainment. Sexual violence and sexual harassment exist on a continuum and may overlap, they can occur online and offline (both physically and verbally) and are never acceptable. It is important that all victims are taken seriously and offered appropriate support.

Sexual violence

For the purpose of this policy, when referring to sexual violence we are referring to sexual offences under the Sexual Offences Act 2003 as described below:

Rape: A person (A) commits an offence of rape if: he intentionally penetrates the vagina, anus or mouth of another person (B) with his penis, B does not consent to the penetration and A does not reasonably believe that B consents.

Assault by Penetration: A person (A) commits an offence if: s/he intentionally penetrates the vagina or anus of another person (B) with a part of her/his body or anything else, the penetration is sexual, B does not consent to the penetration and A does not reasonably believe that B consents.

Sexual Assault: A person (A) commits an offence of sexual assault if: s/he intentionally touches another person (B), the touching is sexual, B does not consent to the touching and A does not reasonably believe that B consents.

What is consent? Consent is about having the freedom and capacity to choose. Consent to sexual activity may be given to one sort of sexual activity but not another, e.g. to vaginal but not anal sex or penetration with conditions, such as wearing a condom. Consent can be withdrawn at any time during sexual activity and each time activity occurs. Someone consents to vaginal, anal or oral penetration only if s/he agrees by choice to that penetration and has the freedom and capacity to make that choice.

- a child under the age of 13 can never consent to any sexual activity;
- the age of consent is 16;
- sexual intercourse without consent is rape.

Sexual harassment

For the purpose of this policy, when referring to sexual harassment we mean ‘unwanted conduct of a sexual nature’ that can occur online and offline. When we reference sexual harassment, we do so in the context of child on child sexual harassment. Sexual harassment is likely to: violate a child’s dignity, and/or make them feel intimidated, degraded or humiliated and/or create a hostile, offensive or sexualised environment.

Whilst not intended to be an exhaustive list, sexual harassment can include:

- sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance and calling someone sexualised names;
- sexual “jokes” or taunting;
- physical behaviour, such as: deliberately brushing against someone, interfering with someone’s clothes (schools and colleges should be considering when any of this crosses a line into sexual violence - it is important to talk to and consider the experience of the victim) and displaying pictures, photos or drawings of a sexual nature; and
- online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence. It may include:
 - non-consensual sharing of sexual images and videos. (UKCCIS sexting advice provides detailed advice for schools and colleges);
 - sexualised online bullying;
 - unwanted sexual comments and messages, including, on social media; and
 - sexual exploitation; coercion and threats.

LGBT+ pupils

Some pupils may be vulnerable due to their sexual orientation or gender identity, either because they are subject to homophobic, bi-phobic or transphobic bullying or because of negative responses from parents/carers or others, which may result in increased risk of self-harm, suicide or homelessness.

Several studies also evidence that LGBT+ young people may be at increased risk of becoming victims of CSE.

Schools should therefore ensure that they are aware of the increased risk factors and know how to access appropriate support for these young people when required.

Staff should be aware that some groups are potentially more at risk. Evidence shows girls, children with special educational needs and disabilities (SEND) and LGBT children are at greater risk.

Staff should be aware of the importance of:

- challenging inappropriate behaviours
- making clear that sexual violence and sexual harassment is not acceptable, will never be tolerated and is not an inevitable part of growing up
- not tolerating or dismissing sexual violence or sexual harassment as “banter”, “part of growing up”, “just having a laugh” or “boys being boys”; and
- challenging physical behaviours (potentially criminal in nature), such as grabbing bottoms, breasts and genitalia, pulling down trousers, flicking bras and lifting up skirts. Dismissing or tolerating such behaviours risks normalising them

<https://safeguarding.dudley.gov.uk/media/17613/dudley-transgender-guidance-and-toolkit.pdf>

Harmful sexual behaviour

Children’s sexual behaviour exists on a wide continuum, from normal and developmentally expected to inappropriate, problematic, abusive and violent. Problematic, abusive and violent sexual behaviour is developmentally inappropriate and may cause developmental damage. A useful umbrella term is “harmful sexual behaviour”. The term has been widely adopted in child protection and is used in this advice. Harmful sexual behaviour can occur online and/or offline and can also occur simultaneously between the two. Harmful sexual behaviour should be considered in a child protection context.

When considering harmful sexual behaviour, ages and the stages of development of the children are critical factors to consider. Sexual behaviour between children can be considered harmful if one of the children is much older, particularly if there is more than two years’ difference or if one of the children is pre-pubescent and the other is not. However, a younger child can abuse an older child, particularly if they have or smaller in stature. Further information on what Harmful sexual behaviour is can be found on [NSPCC: Harmful sexual behaviour](#).

In order to fulfil our legal responsibilities Pens Meadow School ensures:

- all staff have read and will adhere to Keeping Children Safe in Education 2022, Part One and Annexe A
- Working Together to Safeguard Children 2018 is adhered to
- Behaviour Policy is in place, contains information on measures to prevent all forms of bullying and is reviewed regularly in accordance to the guidance
- RSE is taught accordingly to the needs of our pupils and students and is based on the [RSE Statutory Guidance](#).

Pens Meadow School’s immediate response to all victims of Sexual Violence and Sexual Harassment will be reassurance that they are being taken seriously, we will support them and keep them safe. We will also follow appropriate and gradient actions in regards to referring the case forward.

All members of staff are aware of the necessity to report any cases of Sexual Violence and Sexual Harassment to DSL and recording the incidents in CPOMS.

DSL will follow the safeguarding processes and procedures to address the issue.

Further information on Sexual Violence and Sexual Harassment can be found in [Sexual violence and sexual harassment between children in schools and colleges](#) document from May 2018.

Child on Child Abuse, including incidents of Sexting, and Opportunities to teach Safeguarding Electronic forms of communication have developed rapidly in recent years and the vast majority of children have access to a computer and or mobile phone. Children are frequently exposed to internet abuse including sexual abuse and bullying by phone is on the increase. Any child thought to be the victim of such abuse should therefore be regarded as in need of protection. At Pens Meadow School, online safety is taught within the curriculum and staff are provided with training around safeguarding issues such as sexual violence and sexual harassment in respect of child on child abuse. Staff are also provided with training to address contextual safeguarding. This means assessments of children will consider wider environmental factors affecting the child's life that may pose a threat to their safety and/or welfare. Wherever a referral is made, the school will provide as much contextual information as possible as part of the referral process.

Staff are aware that safeguarding issues can manifest themselves via child on child abuse. This is most likely to include, but not limited to:

- bullying (including cyberbullying);
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm;
- sexual violence and sexual harassment;
- gender-based violence
- sexting (also known as youth produced sexual imagery); and
- initiation-type violence and rituals.
- upskirting

Abuse is abuse and should never be tolerated or passed off as “banter” or “part of growing up”. Different gender issues can be prevalent when dealing with child on child abuse. This could for example include girls being sexually touched/assaulted or boys being subject to initiation-type violence. On occasion, some pupils may present a safeguarding risk to other pupils. These pupils will need an individual risk management plan to ensure that other pupils are kept safe and they themselves are not laid open to malicious allegations. There is a need to balance the tension between privacy and safeguarding.

When dealing with such incidents, they will usually, in the first instance, be investigated by the class teacher. If there is a safeguarding concern it will then be passed to the DSL; Head teacher and, in extreme cases, the Governing Board. At the Head teacher's discretion, the police may be informed, in certain circumstances and parent/carers informed (of both the pupil being complained about and the alleged victim) at the earliest opportunity.

The DSL will contact social services to discuss the case. The DSL will follow through the outcomes of the discussion and make a social services referral where appropriate. The DSL will make a record of the concern, the discussion and any outcome and keep a copy in both pupils' files. It may be

appropriate to exclude the pupil being complained about for a period of time according to the school's behaviour policy and procedures.

Where neither social services nor the police accept the complaint, a thorough school investigation should take place into the matter using the school's usual disciplinary procedures. In situations where the school considers a safeguarding risk is present, a risk assessment should be prepared along with a preventative, supervision plan.

The plan should be monitored and a date set for a follow-up evaluation with everyone concerned. We recognise that every case will be unique and that they may need to be dealt with in a variety of ways.

To minimise the risk of child on child abuse the school has an ethos of promoting friendship and cooperation. Through assembly time, life skills lessons (including PSHE) and other curriculum areas the children are taught tolerance, empathy and understanding. Each class is regularly monitored and the school employs staff that are specifically trained to support both victims and perpetrators. At Pens Meadow School, we believe that all children have a right to attend school and learn in a safe environment. Children should be free from harm by adults in the school and other students. We recognise that some students will sometimes negatively affect the learning and wellbeing of others and their behaviour will be dealt with under the school's Behaviour Policy.

Occasionally, allegations may be made against students by others in the school, which are of a safeguarding nature. Safeguarding issues raised in this way may include physical abuse, emotional abuse, sexual abuse and sexual exploitation. It is likely that to be considered a safeguarding allegation against a pupil, some of the following features will be found.

The allegation:

- is made against an older pupil and refers to their behaviour towards a younger pupil or a more vulnerable pupil
- is of a serious nature, possibly including a criminal offence
- raises risk factors for other pupils in the school
- indicates that other pupils may have been affected by this student
- indicates that young people outside the school may be affected by this student

At Pens Meadow School we will support the victims of child on child abuse by providing an adult advocate to discuss concerns with and provide support on a daily basis.

Further information can be found in guidance given to schools and colleges by the UK Council for Child Internet Safety (UKCCIS) published in 2017: ['Sexting in schools and colleges, responding to incidents, and safeguarding young people'](#).

FGM

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

Section 9.3 of this policy sets out the procedures to be followed if a staff member discovers that an act of FGM appears to have been carried out or suspects that a pupil is at risk of FGM.

Indicators that FGM has already occurred include:

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

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

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

The above indicators and risk factors are not intended to be exhaustive.

Child Criminal Exploitation - County lines

Criminal exploitation of children is a geographically widespread form of harm that is a typical feature of county lines criminal activity: drug networks or gangs groom and exploit children and young people to carry drugs and money from urban areas to suburban and rural areas, market and seaside towns. CCE also includes Knife Crime, Trafficking, Honour Based Abuse, Modern Slavery etc. Key to identifying potential involvement in county lines are missing episodes, when the victim may have been trafficked for the purpose of transporting drugs and a referral to the National Referral Mechanism should be considered. www.modernslaveryhelpline.org

Like other forms of abuse and exploitation, county lines exploitation:

- can affect any child or young person (male or female) under the age of 18 years

can affect any vulnerable adult over the age of 18 year

- can still be exploitation even if the activity appears consensual
- can involve force and/or enticement-based methods of compliance and is often accompanied by violence or threats of violence
- can be perpetrated by individuals or groups, males or females, and young people or adults; and
- is typified by some form of power imbalance in favour of those perpetrating the exploitation. Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, cognitive ability, physical strength, status, and access to economic or other resources.

All staff are required to notify a DSL immediately when they suspect that a child might be subject to criminal exploitation. DSL will take appropriate steps to inform parent/carers and safeguarding partners for further investigation. Staff will never be asked to investigate a disclosure.

Forced marriage

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

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

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

The DSL will:

- Speak to the pupil about the concerns in a secure and private place
- Activate the local safeguarding procedures and refer the case to the local authority's designated officer
- Seek advice from the Forced Marriage Unit on 020 7008 0151 or fm@fco.gov.uk

- Refer the pupil to an education welfare officer, pastoral tutor, learning mentor, or school counsellor, as appropriate

Preventing radicalisation

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

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

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

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

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

Staff will be alert to changes in pupils' behaviour.

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

- Refusal to engage with, or becoming abusive to, peers who are different from themselves
- Becoming susceptible to conspiracy theories and feelings of persecution
- Changes in friendship groups and appearance
- Rejecting activities they used to enjoy
- Converting to a new religion
- Isolating themselves from family and friends
- Talking as if from a scripted speech
- An unwillingness or inability to discuss their views
- A sudden disrespectful attitude towards others
- Increased levels of anger
- Increased secretiveness, especially around internet use
- Expressions of sympathy for extremist ideologies and groups, or justification of their actions
- Accessing extremist material online, including on Facebook or Twitter
- Possessing extremist literature
- Being in contact with extremist recruiters and joining, or seeking to join, extremist organisations

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

If staff are concerned about a pupil, they will follow our procedures set out in section 7.5 of this policy, including discussing their concerns with the DSL.

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

Further information on the school's measures to prevent radicalisation are set out in other school policies and procedures, including Behaviour Policy, e-Safety Policy,

Checking the identity and suitability of visitors

All visitors will be required to verify their identity to the satisfaction of staff at the entrance to Pens Meadow School.

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

Visitors are expected to sign the visitors' book and wear a visitor's badge on a red lanyard.

All visitors to our setting, including visiting speakers, will be accompanied by a member of staff at all times. This does not apply to other professionals working regularly with the school, ie. Physiotherapists, Occupational Therapists, Educational Psychologies and other credentials, including DBS clearance are saved within school's SCR.

We will not invite into the school any speaker who is known to disseminate extremist views, and will carry out appropriate checks to ensure that any individual or organisation using school facilities is not seeking to disseminate extremist views or radicalise pupils or staff.

Private Fostering

A private fostering arrangement is one that is made privately (with involvement of the local authority) for the care of a child under the age of 16 years (under 18 if disabled) by someone other than a parent or close relative, in their own home, with the intention that it should last for 28 days or more. (A close family relative is defined as a grandparent, brother, sister, uncle or aunt and includes half – siblings and step-parents; it does not include great aunts or uncles, great grandparents or cousins) Given the 'hidden' nature of much private fostering, local authorities have a duty to raise awareness and needs to notify the local Children's Care department. Each party involved in a private fostering arrangement has a legal duty to inform the local authority 6 weeks before the arrangement is due to start. Not to do so is a criminal offence. It is important to note that although schools have a duty to inform the local authority, there is no duty for anyone, including the private foster carer or social workers to inform the school. However, the school will be clear on who has parental responsibility.

Contextual Safeguarding

All staff, but especially the designated safeguarding lead (or deputy) will consider the context within which safeguarding incidents and/or behaviours occur. This is known as contextual safeguarding, which simply means assessments of children should consider whether wider environmental factors are present in a child's life that are a threat to their safety and/or welfare. Contextual Safeguarding helps focus on the fact that young people experience harm beyond their families and 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. Contextual

Safeguarding, therefore, expands the objectives of child protection systems, beyond focusing on families in recognition that young people are vulnerable to abuse in a range of social contexts. This allows any assessment to consider all of the available evidence and the full context of any abuse.

Appendix 3: safer recruitment and DBS checks

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

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.

Disqualification under the Childcare Act 2006

Changes to Disqualification under the Childcare Act 2006, as amended by the Childcare (Early Years Provision Free of Charge) (Extended Entitlement)(Amendment) Regulation 2018 have been made, following a consultation into Disqualification under the Childcare Act 2006. The new legislation came into force on 31st of August 2018.

In the recent past, staff providing child care could, in certain circumstances, be prohibited from working with children because of the convictions made by someone who lives in their household. This is no longer the case.

Disqualification by Association now only applies in domestic premises, not to schools. However, staff working in child care may still be disqualified because of offences committed by themselves. Relevant people include anyone working with children of reception age or younger and children between five and eight years old in and out of the school setting (like breakfast clubs or afterschool care).

All staff at Pens Meadow School are made aware that their 'relationships and associations' (including online) may have a safeguarding implication.

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

Existing staff

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.

Trainee/student teachers

Where applicants for initial teacher training are salaried by us, we will ensure that all necessary checks are carried out.

Where trainee teachers are fee-funded, we will obtain written confirmation from the training provider that necessary checks have been carried out and that the trainee has been judged by the provider to be suitable to work with children.

In both cases, this includes checks to ensure that individuals are not disqualified under the Childcare Disqualification (Regulations) 2009 and Childcare Act 2006.

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
- 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 decide 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. This will include our evaluation of any risks and control measures put in place, and any advice sought

Governors

- All governors will have an enhanced DBS check without barred list information and section 128 check
- They will have an enhanced DBS check with barred list information if working in regulated activity.

Adults who supervise pupils on work experience

When organising work experience, we will ensure that policies and procedures are in place to protect children from harm.

We will also consider whether it is necessary for barred list checks to be carried out on the individuals who supervise a pupil under 16 on work experience. This will depend on the specific circumstances of the work experience, including the nature of the supervision, the frequency of the activity being supervised, and whether the work is regulated activity.

Pupils staying with host families

Where the school makes arrangements for pupils to be provided with care and accommodation by a host family to which they are not related (for example, during a foreign exchange visit), we will request enhanced DBS checks with barred list information on those people.

Where the school is organising such hosting arrangements overseas and host families cannot be checked in the same way, we will work with our partner schools abroad to ensure that similar assurances are undertaken prior to the visit .

Appendix 4: concerns/allegations made against staff

Allegation/concerns that do not meet the harms threshold ('low-level' concerns)

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

- is inconsistent with the staff code of conduct, including inappropriate conduct outside of work; and
- does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the LADO.



Allegations that may meet the harms threshold

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

- behaved in a way that has harmed a child, or may have harmed a child;
- possibly committed a criminal offence against or related to a child;
- behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children; or
- behaved or may have behaved in a way that indicates they may not be suitable to work with children.

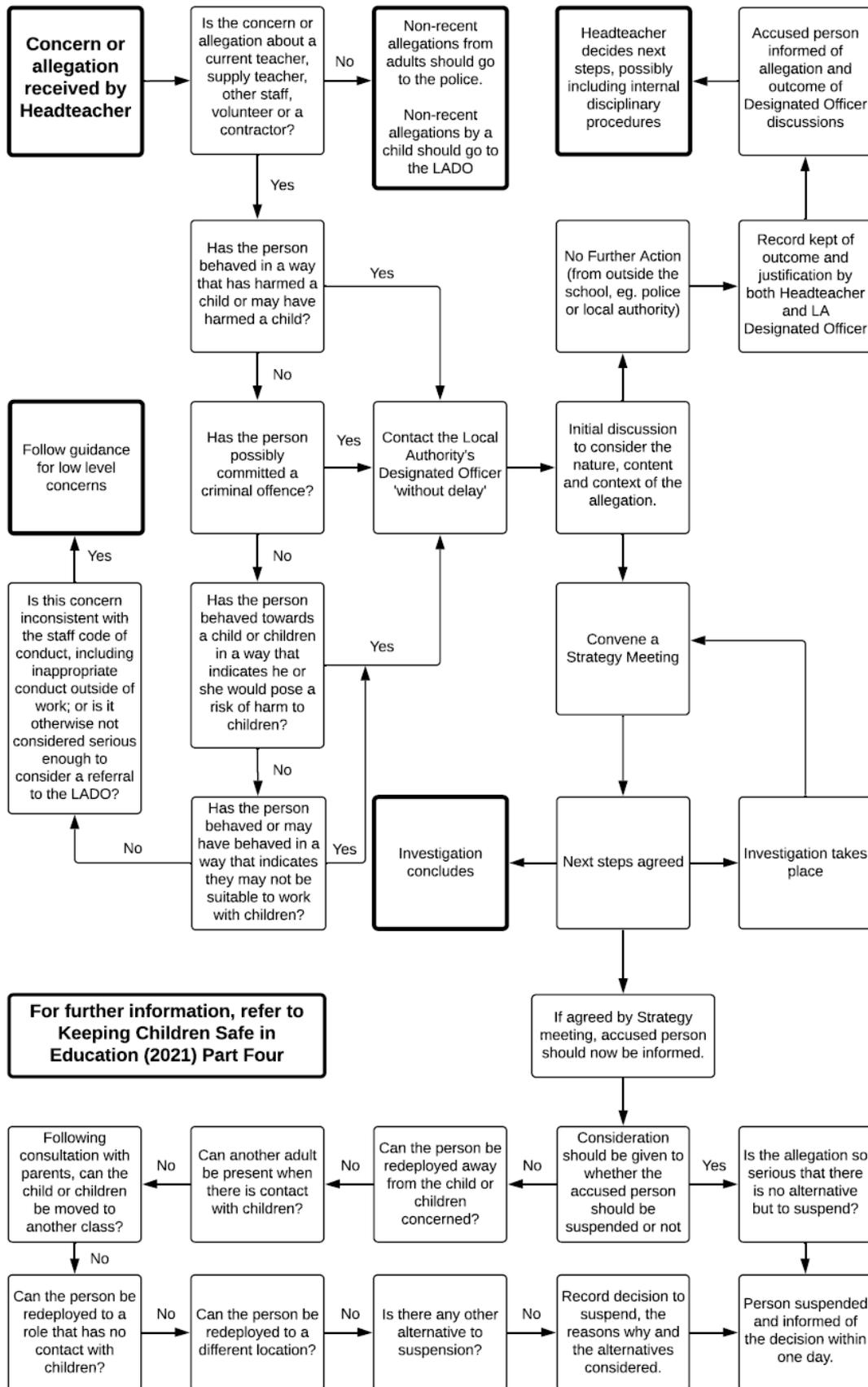
It applies regardless of whether the alleged abuse took place in the school. Allegations against a teacher who is no longer teaching and historical allegations of abuse will be referred to the police.

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

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

Flowchart below illustrates the decision making process and actions taken when allegations made may meet the threshold stated above.

Flowchart 2 – allegations that may meet the threshold



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Suspension

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

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

- Redeployment within the school so that the individual does not have direct contact with the child or children concerned
- Providing an assistant to be present when the individual has contact with children
- Redeploying the individual to alternative work in the school so that they do not have unsupervised access to children
- Moving the child or children to classes where they will not come into contact with the individual, making it clear that this is not a punishment and parent/carers have been consulted
- Temporarily redeploying the individual to another role in a different location, for example to an alternative school or other work for the Dudley Metropolitan Borough Council.

Definitions for outcomes of allegation investigations

- **Substantiated:** there is sufficient evidence to prove the allegation
- **Malicious:** there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive
- **False:** there is sufficient evidence to disprove the allegation
- **Unsubstantiated:** there is insufficient evidence to either prove or disprove the allegation (this does not imply guilt or innocence)

Procedure for dealing with allegations

In the event of an allegation that meets the criteria above, the headteacher (or chair of governors where the headteacher is the subject of the allegation) – the ‘case manager’ – will take the following steps:

- Immediately discuss the allegation with the designated officer at the local authority. This is to consider the nature, content and context of the allegation and agree a course of action, including whether further enquiries are necessary to enable a decision on how to proceed, and whether it is necessary to involve the police and/or children’s social care services. (The case manager may, on occasion, consider it necessary to involve the police *before* consulting the designated officer – for example, if the accused individual is deemed to be an immediate risk to children or there is evidence of a possible criminal offence. In such cases, the case manager will notify the designated officer as soon as practicably possible after contacting the police)
- Inform the accused individual of the concerns or allegations and likely course of action as soon as possible after speaking to the designated officer (and the police or children’s social care services, where necessary). Where the police and/or children’s social care services are involved, the case manager will only share such information with the individual as has been agreed with those agencies
- Where appropriate (in the circumstances described above), carefully consider whether suspension of the individual from contact with children at the school is justified or whether

alternative arrangements such as those outlined above can be put in place. Advice will be sought from the designated officer, police and/or children's social care services, as appropriate

- **If immediate suspension is considered necessary**, agree and record the rationale for this with the designated officer. The record will include information about the alternatives to suspension that have been considered, and why they were rejected. Written confirmation of the suspension will be provided to the individual facing the allegation or concern within 1 working day, and the individual will be given a named contact at the school and their contact details
- **If it is decided that no further action is to be taken** in regard to the subject of the allegation or concern, record this decision and the justification for it and agree with the designated officer what information should be put in writing to the individual and by whom, as well as what action should follow both in respect of the individual and those who made the initial allegation
- **If it is decided that further action is needed**, take steps as agreed with the designated officer to initiate the appropriate action in school and/or liaise with the police and/or children's social care services as appropriate
- Provide effective support for the individual facing the allegation or concern, including appointing a named representative to keep them informed of the progress of the case and consider what other support is appropriate.
- Inform the parents or carers of the child/children involved about the allegation as soon as possible if they do not already know (following agreement with children's social care services and/or the police, if applicable). The case manager will also inform the parents or carers of the requirement to maintain confidentiality about any allegations made against teachers (where this applies) while investigations are ongoing. Any parent or carer who wishes to have the confidentiality restrictions removed in respect of a teacher will be advised to seek legal advice
- Keep the parents or carers of the child/children involved informed of the progress of the case and the outcome, where there is not a criminal prosecution, including the outcome of any disciplinary process (in confidence)
- Make a referral to the DBS where it is thought that the individual facing the allegation or concern has engaged in conduct that harmed or is likely to harm a child, or if the individual otherwise poses a risk of harm to a child

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

If the school is made aware that the secretary of state has made an interim prohibition order in respect of an individual, we will immediately suspend that individual from teaching, pending the findings of the investigation by the National College for Teaching and Leadership.

Where the police are involved, wherever possible the Governing Body will ask the police at the start of the investigation to obtain consent from the individuals involved to share their statements and evidence for use in the school's disciplinary process, should this be required at a later point.

Timescales

- Any cases where it is clear immediately that the allegation is unsubstantiated or malicious will be resolved within 1 week

- If the nature of an allegation does not require formal disciplinary action, we will institute appropriate action within 3 working days
- If a disciplinary hearing is required and can be held without further investigation, we will hold this within 15 working days

Specific actions

Action following a criminal investigation or prosecution

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

Conclusion of a case where the allegation is substantiated

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

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

Individuals returning to work after suspension

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

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

Unsubstantiated or malicious allegations

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

Confidentiality

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

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

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

Record-keeping

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

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

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

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

References

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

Learning lessons

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

This will include consideration of (as applicable):

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

Appendix 5: Family Centre Cluster Working – Dudley Early Help Offer

Background

In 2018, Dudley Children and Young People's Alliance Board endorsed Dudley's Early Help Strategy. This has been reviewed March 2021 and resulted in development of **Children, Young People and Families Threshold Guidance and Framework for Support** document.

This document served to provide the overarching aim of Dudley's threshold guidance enabling effective, well co-ordinated early help for those who need it and a seamless journey of support for children, young people and their families across all levels of need.

A key part of the Early Help operating model highlights cluster based working as the preferred model of delivery for Early Help Services across the Borough. Five clusters operate from 0-19 years (up to 24 years if the young person has a learning difficulty or disability) Family Centre in each of the Cluster areas..

What do we mean by cluster working?

Each Cluster is organised around universal services including schools, with a Family Centre at its heart. Cluster working arrangements are designed to ensure that families are offered the right intervention at the right time, and as early as possible to prevent issues escalating which may result in poor outcomes for the family.

Clusters bring together a range of universal and targeted early help services in each local area, including schools and services provided by the voluntary and community sector. Through clusters, children's services and key partners aim to provide a local model of support for children and families. They link schools and early years provision with targeted early help support for children and their families, to improve outcomes wherever they live in the borough.

Clusters have a range of co-ordinated community services to meet different levels of need, delivered by providers from across the public, voluntary and private sectors to support families and communities in each local area. There are five Clusters across the borough, each with a Family Centre that is easily accessible by the public. Professionals from a range of agencies are co-located, working closely together around a child's or family's needs. This offers the opportunity to consider fuller integration into multi-agency teams at a later stage. Each Cluster works closely with its Early Years, Primary and Secondary Schools.

Cluster working enables local practitioners to build good working relationships in order to provide effective services for the families in their area. This ensures that families receive the right support at the right time at the earliest opportunity. Building effective working relationships helps to facilitate information sharing where appropriate - a key aspect of safeguarding.

Early Help and Universal Services Delivered from the Clusters

Targeted Early Help services are available for children and young people aged 0-19 (24 where the young person has a disability) and their families. Early help is also delivered by universal services, particularly schools, and Clusters ensure close relationships with all universal services. Services include*:

- Local Authority Family Solutions Early Help services

- Childcare
- All education establishments including Early Years, primary, secondary & post 16
- Police
- Volunteer delivered services by (e.g. Breastfeeding Buddies and Helpline)
- Health Visiting Service
- Midwifery Service
- Housing
- Primary Emotional Health & Wellbeing Service (includes School Health Advisor Service)
- Birth Registration Service
- Open access community services delivered by voluntary organisations

*This is not an exhaustive list

The exact composition will vary across the five Clusters, in line with its needs analysis to ensure resources and services are based on an individual profile of local need.

Early Help Assessments

An Early Help Assessment is recommended when single universal services identify that a child has some additional needs. It becomes a requirement when Universal Plus services are no longer meeting needs and a co-ordinated response from more than one agency is required. This is at the threshold between Level 2 and Level 3 (See below)

Early Help Assessments include the whole family and result in outcome-focused plans. It is essential that parental consent to share information is obtained (where age of child requires this), and this will normally be the responsibility of the referring agency to obtain.

Consent and Information Sharing

The Early Help Assessment is centred on professionals seeking consent to share information with partner agencies.

The Early Help Assessment consent should be signed by all household members who are aged 16 and over. Practitioners should encourage the parent/carer to inform younger children in the household of the family's involvement in the Early Help programme and that data is being shared with other agencies.

Stage 1 – Assessments/Early Help Assessments

Early Help - Where Dudley's Threshold Framework indicates that children's needs are Level 2 or 3 (see below) an Early Help Assessment will be completed by a Lead Professional.

Every completed Early Help Assessment will be sent to the appropriate monitored cluster inbox linked to the child's home address:

MASH - Where there are child and family needs identified through contact via the MASH through organisations who are not ordinarily in a position to undertake an Early Help Assessment (Paramedics, GP, Police, Fire Service etc.) the Early Help Desk will complete an Internal Request form which will be sent to the appropriate monitored cluster inbox linked to the child's home address.

CSE/Missing/DART – The Early Help Assessment process described in this document compliments the existing multi-agency CSE/DART and Missing processes but does not replace any of the existing pathways.

Step Down - The social worker will send the recent assessment and other relevant supporting documents (CP Plan, CIN Plan etc.) to the appropriate monitored cluster inbox linked to the child's home address.

Monitored Inboxes - The Family Solutions monitored inboxes are as follows:

FS.DudleyNorth@dudley.gov.uk

FS.DudleyCentral@dudley.gov.uk

FS.BrierleyHill@dudley.gov.uk

FS.Halesowen@dudley.gov.uk

FS.Stourbridge@dudley.gov.uk

Stage 2 – Cluster Administration

The Early Help Assessment/Assessment will be processed by the relevant Family Centre administration team. This will include initial screening of consent to share information with Early Help Partners, basic demographic information, cluster relevance via the Postcode Checker etc.

The Family Centre Manager/Senior Practice Supervisor will screen every Early Help Assessment and determine whether a resource is required from the Early Help partners across the cluster. Should there be a resource requirement, the child/ren and family will be discussed at the next Multi Agency Action Meetings (MAAM).

Stage 3 – Multi Agency Action Meeting

Multi Agency Action Meetings will take place regularly

The attendance will typically be:

DMBC Family Solutions - Family Centre Manager

DMBC Family Solutions - Senior Practice Supervisor

DMBC Family Solutions - Administrator

Health Representative (Health Visiting and School Nursing)

Housing

Community and Voluntary Sector (Cluster Based)

Education/Childcare/Additional Needs Representative (Cluster Based)

Other relevant cluster Early Help Partners

Step Down Prioritisation - Where cases are part of the social care step-down procedure, family support work will be prioritised and allocated outside of the MAAM to ensure there is no undue delay moving from CIN to Early Help. The details of the information would be shared at the following MAAM with the option of Early Help partners adding to the support plan at the MAAM.

All other cases will be discussed at the MAAM with a multi-professional decision as to whether:

- A resource will be allocated from Early Help services
- What the resource is and who will deliver the resource
- Whether the resource will be delivered as a single or multiple agency response

Following the decision making process, the administrator will record the outcome and following the meeting inform the Lead Professional of the outcome by email.

Escalation Procedures

Should there be disagreement between the Lead Professional and the decision making process, the Lead Professional should follow Resolution and Escalation process.



Appendix 6: the referrals procedure

If you are a child or young person or if you have concerns about a child or young person you should call the Children's Services Referral and Advice service on 0300 555 0050 during office hours (9.00am - 5.00pm).

Out of office hours you can contact the Emergency Duty Team on 0300 555 8574 or in an emergency call 999.

For practitioners and those working with children please complete the Multi-Agency Referral Form on <https://childrensocialcare.dudley.gov.uk/web/portal/pages/home>

Referrals can come from the child themselves, professionals such as teachers, the police, GPs and health visitors as well as family members and members of the public.

Referrals to Children's Social Care Services usually fall in to three categories:

- Requests for information from Children's social care;
- Provision of information such as notifications about a child;
- Requests, for services for a child, which will be in the form of a referral.

Children's social care has the responsibility to clarify with the referrer the nature of the concerns and how and why they have arisen.

The local Threshold Protocol provides guidance about the criteria for making and receiving referrals. Referrals should be confirmed in writing within 24 hours using the Multi Agency Referral Form.

Appendix 7: Cause for concern Form

Form for recording and reporting Safeguarding concerns about a child <small>(to be used only if no access to CPOMS)</small>		
Full name of child:	Class:	Year:
Date of birth (if known):		
Your name:	Position:	
Date and time of incident/disclosure/concern:		
Please provide details of the incident/disclosure/concern, including times, dates, description of injuries and, if applicable, exact words spoken by the child (please continue on the other side if needed):		
Signed:	Time and date of reporting:	
Name of staff member reported to:	Further action taken by staff member:	
Signed:	Date:	
Any other information helpful for referral		
Ensure you have verbally informed the Designated Safeguarding Lead (Michal Pawlowicz)		

Appendix 8: Body Map

