

# Child protection and safeguarding policy and procedures

## The Complete Works

Last updated 3<sup>rd</sup> September 2018



<b>Approved by:</b>	Adam Dalton	<b>Date:</b> 03.09.18
<b>Last reviewed on:</b>	03.09.18	
<b>Next review due by:</b>	03.09.19	

## Contents

1. Aims	2
2. Legislation and statutory guidance	2-3
3. Definitions	3
4. Equality statement	3-4
5. Roles and responsibilities	4-6
6. Confidentiality	6
7. Recognising abuse and taking action	6-11
8. Notifying parents	12
9. Mobile phones and cameras	12
10. Complaints and concerns about school safeguarding practices	12-14
11. Record-keeping	14-15
12. Training	16
13. Monitoring arrangements	16
14. Links with other policies	16-17
Appendix 1: types of abuse	17-18
Appendix 2: safer recruitment and DBS checks – policy and procedures	18-20
Appendix 3: allegations of abuse made against staff	20-24
Appendix 4: specific safeguarding issues	24-31
Appendix 5: sexual violence and sexual harassment	31-32

## 1. Aims

The Complete Works school aims to ensure that:

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

## 2. Legislation and statutory guidance

This policy is based on the Department for Education's statutory guidance, [Keeping Children Safe in Education](#) and [Working Together to Safeguard Children](#), and the [Governance Handbook](#). We comply with this guidance and the procedures set out by our local safeguarding children boards.

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 students
- [The School Staffing \(England\) Regulations 2009](#), which set out what must be recorded on the single central record and the requirement for at least one person on a school interview/appointment panel to be trained in safer recruitment techniques
- Part 3 of the schedule to the [Education \(Independent School Standards\) Regulations 2014](#), which places a duty on academies and independent schools to safeguard and promote the welfare of students at the school

- [The Children Act 1989](#) (and [2004 amendment](#)), which provides a framework for the care and protection of young people
- [Statutory guidance on Child Sexual Exploitation \(CSE\)](#), a guide for practitioners, local leaders and decision makers working to protect children from child sexual exploitation
- Section 5B(11) of the Female Genital Mutilation Act 2003, as inserted by section 74 of the [Serious Crime Act 2015](#), which places a statutory duty on teachers to report to the police where they discover that female genital mutilation (FGM) appears to have been carried out on a girl under 18
- [Statutory guidance on FGM](#), which sets out responsibilities with regards to safeguarding and supporting girls affected by FGM
- [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
- [National Counter Terrorist Security Office](#) Crowded places guidance and Stay safe film
- [The Rehabilitation of Offenders Act 1974](#), which outlines when people with criminal convictions can work with young people
- Schedule 4 of the [Safeguarding Vulnerable Groups Act 2006](#), which defines what 'regulated activity' is in relation to young people
- The [Childcare \(Disqualification\) Regulations 2009](#) (and [2018 amendment](#)) and [Childcare Act 2006](#), which set out who is disqualified from working with young people
- [London Safeguarding Children Boards](#)
- [City and Hackney Safeguarding Children Board](#)
- [Haringey Safeguarding Children Board](#)
- [Islington Safeguarding Children Board](#)
- [Lewisham Safeguarding Children Board](#)
- [Southwark Safeguarding Children Board](#)
- [Tower Hamlets Safeguarding Children Board](#)

### 3. Definitions

**Safeguarding and promoting the welfare of children** means:

- Protecting children from maltreatment
- Preventing impairment of children's 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, and may involve inflicting harm or failing to act to prevent harm. Appendix 1 explains the different types of abuse.

**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.

**Child/Children** includes everyone under the age of 18. The term **Young Person** throughout this policy refers to a **child**.

## 4. Equality statement

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

We give special consideration to young people who:

- Have special educational needs or disabilities
- Are looked after children or have been in the past
- 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

## 5. Roles and responsibilities

Safeguarding and child protection is **everyone's** responsibility. This policy applies to all staff, volunteers and Trustees in the school and is consistent with the procedures of the various Local Safeguarding Children's Boards that we work with. Our policy and procedures apply to education within our onsite provisions and off-site education within homes, libraries and other suitable locations that have been risk assessed.

### 5.1 All staff

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

All staff will be aware of:

- Our systems which support safeguarding, including the staff policies (code of conduct, social networking policy, mobile phone usage policy, whistleblowing policy), the role of the designated safeguarding lead (DSL), the behaviour policy, and the safeguarding response to young people who go missing from education
- The early help process (sometimes known as the common assessment framework) 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
- 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 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), Female Genital Mutilation (FGM) and radicalisation

Section 12 and appendix 4 of this policy outline in more detail how staff are supported to do this.

### 5.2 The Designated Safeguarding Lead (DSL)

Our DSL is Sophie Battershall, Designated Safeguarding and PSHE Lead. The DSL takes lead responsibility for child protection and wider safeguarding.

The DSL can be contacted on 020 73770280 ext 926 or [sophie.battershall@tcw.org.uk](mailto:sophie.battershall@tcw.org.uk)

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

If the concern is immediate, please call the emergency services on 999 or the out of hour Duty Line in the location where the young person lives. You will be able to discuss your concern with a social worker.

City of London and Hackney 020 8356 2710 or 07508 697 883 ☐

Haringey 020 8489 0000

Islington 020 7226 0992

Lewisham 020 8314 6000

Tower Hamlets 020 7364 4079

Southwark 020 7525 5000

When the DSL is absent, Dean Phillips, Assistant Head of Personal Development/Behaviour/Welfare and Child Protection/Attendance Officer and Deputy Safeguarding Lead, will act as cover. Dean can be contacted on 020 73 770280 ext 904 or [dean.phillips@tcw.org.uk](mailto:dean.phillips@tcw.org.uk)

If the DSL and Deputy Safeguarding Lead are not available, Adam Dalton, Headteacher, will act as cover. The out of hours Safeguarding Lead is Adam Dalton, Headteacher. Adam can be contacted on 02073770280 Ext 901 or [adam.dalton@tcw.org.uk](mailto:adam.dalton@tcw.org.uk)

The DSL will be given the time, funding, training, resources and support to:

- Provide advice and support to other staff on child welfare and child protection matters
- Take part in strategy discussions and inter-agency meetings and/or support other staff to do so
- Contribute to the assessment of young people
- Refer suspected cases, as appropriate, to the relevant body (local authority children's social care, Channel programme, Disclosure and Barring Service, and/or police), and support staff who make such referrals directly

The DSL will also keep the headteacher informed of any issues, and liaise with local authority case managers and designated officers for child protection concerns as appropriate.

The full responsibilities of the DSL are set out in their job description.

### **5.3 The Trustees**

The board of Trustees will approve this policy at each review, and hold the Headteacher to account for its implementation.

The board of Trustees will appoint a senior board level (or equivalent) lead to monitor the effectiveness of this policy in conjunction with the full governing board. This is always a different person from the DSL.

The Trustee with safeguarding responsibilities is Sue Clark. Sue can be contacted on 020 73 770280.

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

### **5.4 The Headteacher**

The Headteacher 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 parents/carers when their young person 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)

## 5.5 Dual roll main institutions

Under KCSIE guidance, safeguarding responsibility falls to the main school for dual roll students. When working with dual roll students, TCW is usually the subsidiary school, therefore TCW are responsible for providing safeguarding information to the DSL at the main institution to enable them to follow their own institution's safeguarding policies and procedures.

## 6. Confidentiality

As a member of staff, you have a legal duty to report safeguarding concerns. You must ensure that you follow the processes below to effectively safeguard students in our care.

- Timely information sharing is essential to effective safeguarding
- Information must only be shared on a 'need-to-know' basis, but you do not need consent to share information if a child is suffering, or at risk of, serious harm
- Staff should never promise a child that they will not tell anyone about an allegation, as this may not be in the child's best interests
- Confidentiality is also addressed in this policy with respect to record-keeping in section 11, and allegations of abuse against staff in appendix 3

### 6.1 Confidentiality and data protection

We will not normally share personal data with anyone else, but may do so where:

There is an issue with a pupil or parent/carer that puts the safety of our staff at risk

We need to liaise with other agencies – we will seek consent as necessary before doing this

Our suppliers or contractors need data to enable us to provide services to our staff and pupils – for example, IT companies. When doing this, we will:

- Only appoint suppliers or contractors which can provide sufficient guarantees that they comply with data protection law.
- Establish a data sharing agreement with the supplier or contractor, either in the contract or as a standalone agreement, to ensure the fair and lawful processing of any personal data we share.
- Only share data that the supplier or contractor needs to carry out their service, and information necessary to keep them safe while working with us.

We will also share personal data with law enforcement and government bodies where we are legally required to do so, including for:

- The prevention or detection of crime and/or fraud
- The apprehension or prosecution of offenders
- The assessment or collection of tax owed to HMRC
- In connection with legal proceedings
- Where the disclosure is required to satisfy our safeguarding obligations
- Research and statistical purposes, as long as personal data is sufficiently anonymised or consent has been provided

## 7. Recognising abuse and taking action

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

### 7.1 If a child is in immediate danger

Discuss your concerns with the DSL (see section 5.2), Sophie Battershall. Sophie can be contacted on 020 73770280 ext 926 or [sophie.battershall@tcw.org.uk](mailto:sophie.battershall@tcw.org.uk). If the DSL is not available, speak with the Deputy SL, Dean Phillips. Dean can be contacted on 020 73 770280 ext 904 or [dean.phillips@tcw.org.uk](mailto:dean.phillips@tcw.org.uk)

The DSL will make the relevant referral to children's social care and/or the police **immediately** if a child is in immediate danger or at risk of harm.

It is important to note that **anyone can make a referral**.

<https://www.gov.uk/report-child-abuse-to-local-council>

If you make a referral directly without discussing with the DSL, ensure that you speak to the DSL ASAP after you have made the referral. You will also need to report the concerns and referral on TCW's reporting software, [MyConcern](#). <https://www.myconcern.education/Account/Login?ReturnUrl=%2f>

For further information about the referral making process in specific boroughs, please select the below borough where the student lives, you will be directed to their Safeguarding Children's Board.

[City and Hackney](#) <http://www.chscb.org.uk>

[Haringey](#) <http://www.haringeylscb.org/worried-about-child/making-referral-childrens-social-care>

[Islington](#) <http://www.islingtonscb.org.uk/Pages/Are%20you%20worried%20about%20a%20child.aspx>

[Lewisham](#)

<https://www.safeguardinglewisham.org.uk/lscb/lscb/parents-carers/worried-about-the-safety-of-a-child>

[Southwark](#)

<http://safeguarding.southwark.gov.uk/what-to-do-if-you-think-a-child-or-young-person-is-being-abused/>

[Tower Hamlets](#) <http://www.childrenandfamiliestrust.co.uk/report-concerns/>

### 7.2 If a child makes a disclosure to you

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

- Listen to and believe them. Allow them time to talk freely and do not ask leading questions
- Stay calm and do not show that you are shocked or upset
- Tell the child they have done the right thing in telling you. Do not tell them they should have told you sooner
- Explain what will happen next and that you will have to pass this information on. Do not promise to keep it a secret
- Discuss the disclosure with the DSL
- Write up your conversation as soon as possible in the child's own words. Stick to the facts, and do not put your own judgement on it. Log this on MyConcern safeguarding software by the end of that day.
- If you need to make a referral to children's social care and/or the police directly (see 7.1), tell the DSL as soon as possible that you have done so

### 7.3 If you discover that FGM has taken place or a student is at risk of FGM

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

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

Possible indicators that a student has already been subjected to FGM, and factors that suggest a student may be at risk, are set out in appendix 4.

**Any teacher** who discovers that an act of FGM appears to have been carried out on a **student 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. Call 999.

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

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

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

[City and Hackney](http://www.chscb.org.uk) <http://www.chscb.org.uk>

[Haringey](http://www.haringeylscb.org/worried-about-child/making-referral-childrens-social-care) <http://www.haringeylscb.org/worried-about-child/making-referral-childrens-social-care>

[Islington](http://www.islingtonscb.org.uk/Pages/Are%20you%20worried%20about%20a%20child.aspx) <http://www.islingtonscb.org.uk/Pages/Are%20you%20worried%20about%20a%20child.aspx>

[Lewisham](https://www.safeguardinglewisham.org.uk/lscb/lscb/parents-carers/worried-about-the-safety-of-a-child)

<https://www.safeguardinglewisham.org.uk/lscb/lscb/parents-carers/worried-about-the-safety-of-a-child>

[Southwark](http://safeguarding.southwark.gov.uk/what-to-do-if-you-think-a-child-or-young-person-is-being-abused/)

<http://safeguarding.southwark.gov.uk/what-to-do-if-you-think-a-child-or-young-person-is-being-abused/>

[Tower Hamlets](http://www.childrenandfamiliestrust.co.uk/report-concerns/) <http://www.childrenandfamiliestrust.co.uk/report-concerns/>

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

Figure 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.

##### **Early help**

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

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

##### **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 7.1), you must tell the DSL as soon as possible and follow up with a report on myconcern safeguarding software, including the referral made.

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.

#### **7.5 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. Follow this up with a concern report on myconcern safeguarding software.

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 student. You can also email [counter.extremism@education.gov.uk](mailto:counter.extremism@education.gov.uk). Note that this is not for use in emergency situations.

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

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

[City and Hackney](http://www.chscb.org.uk) <http://www.chscb.org.uk>

[Haringey](http://www.haringeylscb.org/worried-about-child/making-referral-childrens-social-care) <http://www.haringeylscb.org/worried-about-child/making-referral-childrens-social-care>

[Islington](http://www.islingtonscb.org.uk/Pages/Are%20you%20worried%20about%20a%20child.aspx) <http://www.islingtonscb.org.uk/Pages/Are%20you%20worried%20about%20a%20child.aspx>

[Lewisham](#)

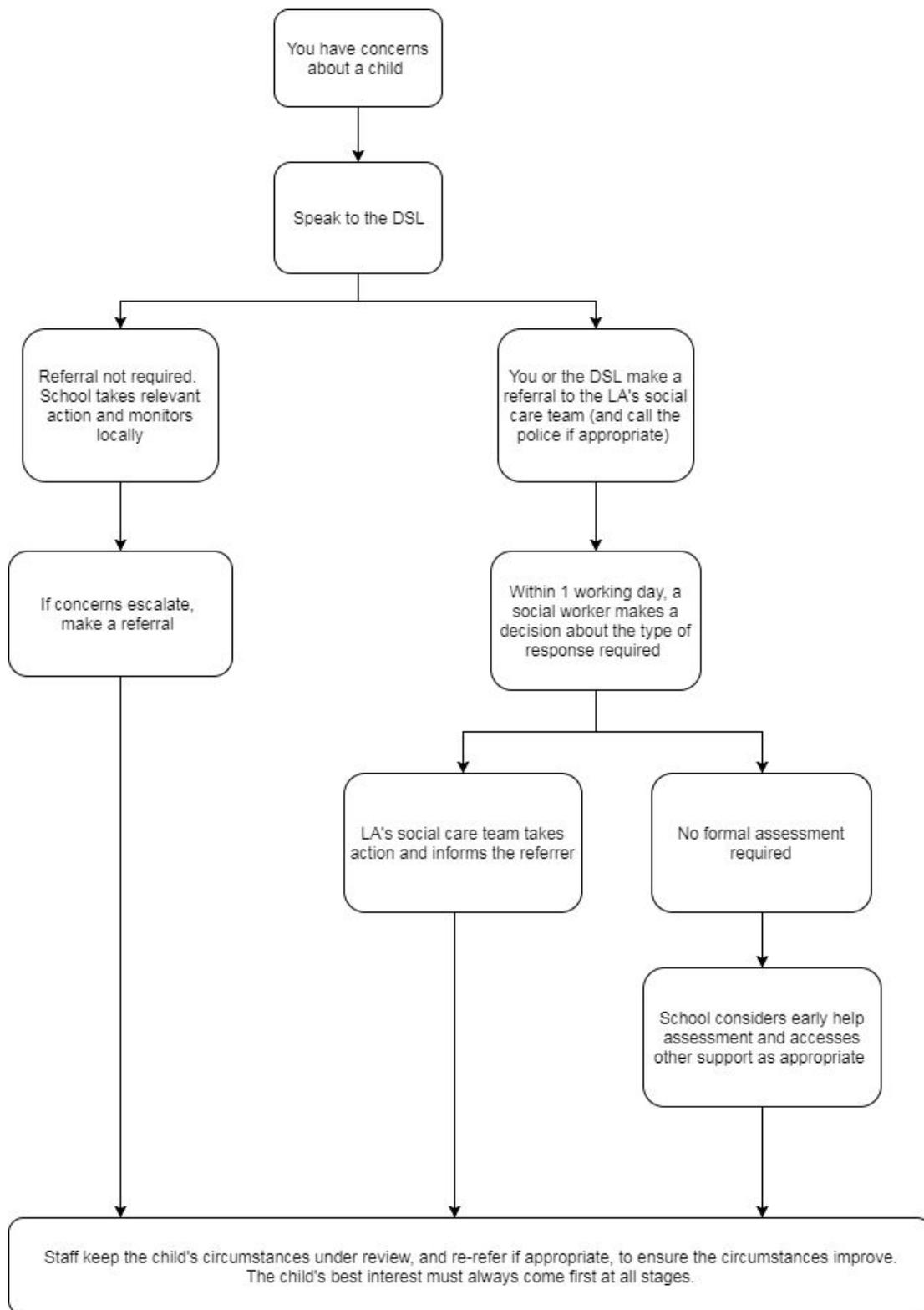
<https://www.safeguardinglewisham.org.uk/lscb/lscb/parents-carers/worried-about-the-safety-of-a-child>

[Southwark](#)

<http://safeguarding.southwark.gov.uk/what-to-do-if-you-think-a-child-or-young-person-is-being-abused/>

[Tower Hamlets](http://www.childrenandfamiliestrust.co.uk/report-concerns/) <http://www.childrenandfamiliestrust.co.uk/report-concerns/>

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



## 7.6 Myconcern reporting system

Any safeguarding concern that a member of staff has in relation to a student should be report via the myconcern safeguarding software. This can be accessed by any member of staff using <https://www.myconcern.education/Account/Login>

Staff are provided with a user guide on how to use the software, when and how to use a body map and how to write reports.

## **7.7 Concerns about a staff member**

If you have concerns about a member of staff, speak to the Headteacher. If you have concerns about the Headteacher, speak to the chair of Trustees.

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

The Headteacher/chair of Trustees/DSL will then follow the procedures set out in appendix 3, if appropriate.

As a charity, the Trustees act as the proprietary body, in the case of a concern about the Headteacher or CEO, the Trustee with safeguarding responsibilities will also inform the designated officer for the local authority, also known as the LADO.

## **7.8 Allegations of abuse made against other students- peer on peer abuse**

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

Most cases of students hurting other students 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 students in the school at risk
- Is violent
- Involves students 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 student makes an allegation of abuse against another student:

- You must tell the DSL and record the allegation, but do not investigate it yourself
- 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 young people involved – both the victim(s) and the child(ren) against whom the allegation has been made – with a named person they can talk to if needed
- The DSL will contact the children and adolescent mental health services (CAMHS), if appropriate

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

- Challenging any form of derogatory or sexualised language or behaviour
- Being vigilant to issues that particularly affect different genders – for example, sexualised or aggressive touching or grabbing towards female students, and initiation or hazing type violence with respect to boys
- Ensuring our curriculum helps to educate students about appropriate behaviour and consent. Students will follow tailored PSHE scheme of work that aims to equip them with the key skills to deal with difficult situations independently.
- Ensuring students know they can talk to staff confidentially by providing them with a student safeguarding policy, discussing at their initial meeting about communicating safeguarding concerns with their teacher and confirming that teachers need to discuss with the DSL disclosures, allegations and safeguarding concerns
- Ensuring staff are trained to understand that a student 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

## 8. Notifying parents

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

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

If we believe that notifying the parents 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 young people, we will normally notify the parents of all the young people involved.

## 9. Mobile phones and cameras

If for any reason you need to take a student's photo, please ensure we have permission from them and their parents, and make sure it is done so in context of their work. We often require evidence of student's work to ensure progress and to celebrate their efforts. Keep your student's data safe (photos, documents, videos etc.). Have a robust safety procedure. If you take any visual images of the students with your own devices (camera, phone), make sure you add it to the student's Google drive folder and delete it ASAP. Do not take any visual images of your students if it is not part of their work. Delete any information if no longer needed. Make students are aware of securing their data as well.

There are school cameras available for all staff to use if you know you will need to take photos of your student(s) working for school purposes. Please contact our Creative Development Officer to book out a camera.

It is preferable not to use your mobile phone to take photographs of a student. If, however this is necessary please ensure that the photo is not uploaded to any personal Cloud account. Instead, upload it to the TCW Google drive and delete from the device or send as an email to your work email cc-ing in the Creative Development Officer ([karina.cornwell@tcw.org.uk](mailto:karina.cornwell@tcw.org.uk)). The image should be instantly and fully deleted off your device.

We will follow the General Data Protection Regulation and Data Protection Act 2018 when taking and storing photos and recordings for use in the school.

## 10. Complaints and concerns about school safeguarding practices

### 10.1 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). Please refer to TCW's dealing with allegations policy for further details.

Concerns or allegations may be brought to the attention of a member of staff in various ways. A child might make a disclosure directly about another member of staff; a parent or other adult may report a concern about what they say they have seen or have been told by a child; or the member of staff might observe an event or behaviour that causes them concern. The protection of students from abuse is the responsibility of all staff, and Designated Persons should ensure that staff and students are aware of how to report concerns of abuse and neglect.

Information about how to report concerns of abuse and neglect are given to staff at induction and students and parents at their initial meeting with TCW.

Any allegation or abuse of a student by a teacher must be reported directly to the DSL.

### 10.2 Other complaints

A Partner who is dissatisfied with our services or who has made a comment/asked a question and is not happy with our response may wish to make a complaint. Those wanting to make a complaint may, for instance, raise it by:

- Writing to the manager of the area concerned
- Talking to their Teacher or Education Support Officer
- Talking to a member of the teaching staff
- Writing to the Headteacher or Chief Executive

TCW will treat each of these as acceptable routes for raising concerns and complaints about the experience of our Partners and will treat with equal seriousness any complaint received, regardless of the route chosen.

The procedures for dealing with complaints are designed to ensure that:

- All complaints are treated seriously and with discretion.
- Appropriate investigations are carried out at management level. An investigating officer will be appointed by the Headteacher/ Chief Executive.
- Complainants can be sure that their concerns are being treated in confidence.
- Complainants receive initial and regular feedback about the progress of their complaint.
- Members of staff feel able to pass on complaints about TCW to the appropriate managers.
- All complaints are properly documented and are dealt with as quickly as is possible.
- All records of complaints will be evaluated to identify TCW improvements.
- There are rights of appeal. This includes complainants and any members of staff who may be the subject of a complaint.
- Information about TCW commitment and procedures will be available to staff and service users through a range of documents and locations.

Please refer to TCW's *Compliments, comments and complaints* policy for further details.

### **10.3 Whistle-blowing**

Whistleblowing is when the employee knows, or suspects, that there is some wrongdoing occurring within the organisation and alerts the employer or the relevant authority accordingly.

Although this list is not exhaustive, examples of situations in which it might be appropriate for an employee to report a wrongdoing include:

- A breach, or potential breach, of health and safety legislation
- Financial irregularities
- Harassment of a colleague, client or other individual
- Damage to the environment
- The committing of a criminal offence
- Professional malpractice
- Abuse of a client

Where an incident of serious concern is alleged, the person making the allegation must report this directly to the CEO / Headteacher. You will be assured that appropriate enquiries will be made to establish the nature / reality of the incident and that such enquiries will be carried out discreetly and in confidence.

Wherever possible, the identity of the person reporting the allegation of wrongdoing will be kept anonymous.

The person who has raised the issue of a wrongdoing will be kept informed of any investigation that is taking place. You will also be kept informed of the outcome of the investigation. It might not always be appropriate to tell you the details of any action that is taken, but you will be informed if action is taken.

Where preliminary enquiries show that further investigations need to be made, then the CEO / Headteacher will inform the staff member against whom the allegations have been made.

Where the alleged offence is of a serious nature, the following action will be taken:

- The staff member at the centre of the allegation may be suspended immediately on full pay pending the outcome of the investigation. The staff member will be informed of the necessity for this action and will be assured that, at this point, there is no implication of guilt.

You should always, in the first instance, talk to the CEO / Headteacher about a potential wrongdoing. If you are not satisfied with the response you are entitled to contact a relevant external body to express the concerns. In doing this you should:

- Have a reasonable belief that the allegation is based on correct facts
- Not be making any personal gain from the revelations
- Making the disclosure to a relevant body

A “relevant body” is likely to be a regulatory body (e.g. the Health and Safety Executive, Local Safeguarding Board or the Financial Services Authority).

Please refer to TCW's Whistleblowing policy for further details.

## 11. Record-keeping

All safeguarding concerns, discussions, decisions made and the reasons for those decisions, must be recorded in writing. 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.

Safeguarding records relating to individual young people will be retained for a reasonable period of time after they have left the school.

Records kept after September 2018 will be documented and stored on 'MyConcern' Software. The software requires the DSL to invite specific people to view safeguarding information when necessary and only if deemed to be in the best interests of the young person. Information is shared with other agencies when there is a need to share safeguarding information to effectively safeguard. If information needs to be shared with another agency, a secure email would be sent using 'egress' software or shared through 2 password protected logins on 'MyConcern' software.

Records held prior to September 2018 will be held electronically within a confidential safeguarding folder. The DSL, Deputy DSL and Headteacher will be the only people to have access to these files. Records are kept secure through having Google Drive logins that are password protected. Records are kept confidential and are not printed unless necessary. They are then shredded.

### 11.1 Record keeping and data protection

The GDPR is based on data protection principles that our school must comply with.

The principles say that personal data must be:

- Processed lawfully, fairly and in a transparent manner
- Collected for specified, explicit and legitimate purposes
- Adequate, relevant and limited to what is necessary to fulfil the purposes for which it is processed
- Accurate and, where necessary, kept up to date
- Kept for no longer than is necessary for the purposes for which it is processed
- Processed in a way that ensures it is appropriately secure

We will protect personal data and keep it safe from unauthorised or unlawful access, alteration, processing or disclosure, and against accidental or unlawful loss, destruction or damage.

In particular:

- Paper-based records and portable electronic devices, such as laptops and hard drives that contain personal data are kept under lock and key when not in use
- Papers containing confidential personal data must not be left on office and classroom desks, on staff room tables, pinned to notice/display boards, or left anywhere else where there is general access
- Where personal information needs to be taken off site, staff must sign it in and out from the school office
- Passwords that are at least 8 characters long containing letters and numbers are used to access school computers, laptops and other electronic devices. Staff and pupils are reminded to change their passwords at regular intervals
- Encryption software is used to protect all portable devices and removable media, such as laptops and USB devices
- Staff, pupils or trustees who store personal information on their personal devices are expected to follow the same security procedures as for school-owned equipment
- Where we need to share personal data with a third party, we carry out due diligence and take reasonable steps to ensure it is stored securely and adequately protected (see section 8)

## 11.2 Disposal of records

Personal data that is no longer needed will be disposed of securely. Personal data that has become inaccurate or out of date will also be disposed of securely, where we cannot or do not need to rectify or update it.

For example, we will shred or incinerate paper-based records, and overwrite or delete electronic files. We may also use a third party to safely dispose of records on the school's behalf. If we do so, we will require the third party to provide sufficient guarantees that it complies with data protection law.

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

*Figure 2, Safeguarding Data record keeping retention*

5.7 Safeguarding					
Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record	
Child protection files should be passed on to any new school the child attends or retained if they leave education.	Yes		Closure + 35 years	DESTROY unless legal action is pending	
Safeguarding reports, disclosures, medical records of pupils implicated	Yes		Closure + 35 years	DESTROY unless legal action is pending	
Safeguarding concerns involving an adult or concerns of an adult's behaviour around children.	Yes		Closure + 50 years	DESTROY unless legal action is pending	<p>If the adult is a staff worker, volunteer or contractor we retain their personnel file for the same amount of time.</p> <p>We will keep records for the same amount of time regardless of whether the allegations were unfounded. However if you find that allegations are malicious we will destroy the record immediately.</p>

Please refer to TCW's Data Protection Policy for further details.

In addition:

- Appendix 2 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

## 12. Training

### 12.1 All staff

All staff members will 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 will be regularly updated and will be in line with advice from our local safeguarding children board.

All staff will have training on the government's anti-radicalisation strategy, Prevent, to enable them to identify young people 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, the safeguarding section within the newsletter and staff meetings) as required, but at least annually.

Volunteers will receive appropriate training, if applicable.

### 12.2 The DSL and Deputy SL

The DSL and Deputy SL will 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 (for example, through e-bulletins, meeting other DSLs, or taking time to read and digest safeguarding developments).

They will also undertake Prevent awareness training.

### 12.3 Trustees

The Trustee with safeguarding responsibilities receives Designated Safeguarding Lead training through *Safeguarding in Schools* and updates this every 2 years to make sure they have the knowledge and information needed to perform their functions and understand their responsibilities.

Additionally, all Trustees will complete '*Understanding Safeguarding and Governance*' training through *Safeguarding in Schools* to ensure sure they have the knowledge and information needed to perform their functions and understand their responsibilities.

### 12.4 Recruitment – interview/appointment panels

At least one person on any interview/appointment panel for a post at the school will have undertaken safer recruitment training. This will cover, as a minimum, the contents of the Department for Education's statutory guidance, Keeping Children Safe in Education, and be in line with local safeguarding procedures.

### 12.5 Staff who have contact with students and families

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

## 13. Monitoring arrangements

This policy will be reviewed **annually** by Sophie Battershall, DSL with discussion from Chrissie Roberts, CEO, Adam Dalton, Headteacher and Out of hours DSL and Dean Phillips, Deputy Safeguarding Lead and Assistant Head. At every review, it will be approved by the full board of Trustees. Additional policy reviews may be necessary due to changes in statutory guidance.

## 14. Links with other policies

[This policy links to the following policies and procedures that can be accessed on the TCW website:](#)

- Anti- Bullying/ Cyber-Bullying
- Attendance

- Behaviour and Conduct
- British Values
- Complaints
- Data Protection including privacy notice
- Drug Awareness
- E-safety
- Equality and Diversity
- First aid and Medication
- Health and Safety
- Lone Worker
- PSHE- to include sex and relationships
- Risk Assessment
- Special Education Needs and Disability
- Spiritual, Moral and Social Education
- Student Friendly Safeguarding
- Whistleblowing

**These appendices are based on the Department for Education’s statutory guidance, Keeping Children Safe in Education and additional guidance noted in Legislation and statutory guidance**

## **Appendix 1: types of abuse**

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.

**Physical abuse** 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** is the persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child’s emotional development. Some level of emotional abuse is involved in all types of maltreatment of a child, although it may occur alone.

Emotional abuse may involve:

- Conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person
- Not giving the child opportunities to express their views, deliberately silencing them or ‘making fun’ of what they say or how they communicate
- Age or developmentally inappropriate expectations being imposed on young people. These may include interactions that are beyond a child’s developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction
- Seeing or hearing the ill-treatment of another
- Serious bullying (including cyber-bullying), causing young people frequently to feel frightened or in danger, or the exploitation or corruption of young people

**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

- Non-contact activities, such as involving young people in looking at, or in the production of, sexual images, watching sexual activities, encouraging young people to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet)

Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other young people.

**Neglect** is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse.

Once a child is born, neglect may involve a parent or carer failing to:

- Provide adequate food, clothing and shelter (including exclusion from home or abandonment)
- Protect a child from physical and emotional harm or danger
- Ensure adequate supervision (including the use of inadequate care-givers)
- Ensure access to appropriate medical care or treatment

It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

### **Indicators of abuse**

The following guidance is intended to help all staff who come into contact with children. It should not be used as a comprehensive guide, nor does the presence of one or more factors prove that a child has been abused, but it may however indicate that further enquiries should be made.

The following factors should be taken into account when assessing risks to a child. This is not an exhaustive list:

- An unexplained delay in seeking treatment that is obviously needed;
- An unawareness or denial of any injury, pain or loss of function;
- Incompatible explanations offered or several different explanations given for a child's illness or injury;
- A child reacting in a way that is inappropriate to his/her age or development;
- Reluctance to give information or failure to mention previous known injuries;
- Frequent attendances at Accident and Emergency Departments or use of different doctors and Accident and Emergency Departments;
- Frequent presentation of minor injuries (which if ignored could lead to a more serious injury);
- Unrealistic expectations/constant complaints about the child;
- Alcohol misuse or other substance misuse;
- A parents request to remove a child from home or indication of difficulties in coping with the child;
- Domestic violence and abuse;
- Parental mental ill health;
- The age of the child and the pressures of caring for a number of children in one household.

## **Appendix 2: safer recruitment and DBS checks – policy and procedures**

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
- As an Independent school, check that candidates taking up a management position are not subject to a prohibition from management (section 128) direction made by the Secretary of State
- Ask for written information about previous employment history and check that information is not contradictory or incomplete

We will seek references on all short-listed candidates, including internal candidates, before interview. We will scrutinise these and resolve any concerns before confirming appointments.

As we work with young people younger than 8 years old, we will ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the Childcare Disqualification (Regulations) 2009 and Childcare Act 2006. Where we take a decision that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment on the individual's personnel file. This will include our evaluation of any risks and control measures put in place, and any advice sought.

**Regulated activity** means a person who will be:

- Responsible, on a regular basis in a school or college, for teaching, training, instructing, caring for or supervising young people
- Carrying out paid, or unsupervised unpaid, work regularly in a school or college where that work provides an opportunity for contact with young people
- 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 young people, 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 young people

We will obtain the DBS check for self-employed contractors.

We will not keep copies of such checks for longer than 6 months.

Contractors who have not had any checks will not be allowed to work unsupervised or engage in regulated activity under any circumstances.

We will check the identity of all contractors and their staff on arrival at the school.

### **Volunteers**

We will:

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

### **Trustees**

- All Trustees will have an enhanced DBS check without barred list information and section 128 check. A 128 check will be done if they have been delegated any management responsibilities.
- They will have an enhanced DBS check with barred list information if working in regulated activity.
- The chair of the board of Trustees will have their DBS check countersigned by the Secretary of State.

All Trustees will also have the following checks:

- Right to work in the UK
- Other checks deemed necessary if they have lived or worked outside the UK

### **Adults who supervise students on work experience**

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

We will also consider whether it is necessary for barred list checks to be carried out on the individuals who supervise a student 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.

## **Appendix 3: allegations of abuse made against staff**

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, or

- Possibly committed a criminal offence against or related to a child, or
- Behaved towards a young person or young people in a way that indicates he or she would pose a risk of harm to young people

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

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

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

## **Suspension**

Suspension will not be the default position, and will only be considered in cases where there is reason to suspect that a young person or other young people 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.

- An employee may be suspended from duty on full pay at any time in cases of gross misconduct or where there is a risk to the safety of colleagues, students or to the employee themselves, or a risk to the contamination of evidence. Suspension is not a disciplinary penalty and is a neutral act. Suspension will not be automatic and consideration will be given to alternatives to remove an individual from the workplace.
- In some cases it may be appropriate for the employee to take a short period of management leave on full pay (i.e. being asked to remain at home with no work having been allocated). Any period of management leave will not be recorded on file as part of any disciplinary record. This may include prior to an investigatory interview being held. In such cases, the company will normally seek advice from the HR Employee Relations team. It is important to understand that management leave and suspension from duty are not disciplinary sanctions.
- The decision to suspend will normally be made following advice provided by the HR Employee Relations team. This decision will be made at the outset, either as a result of the initial exploratory interview, during or following the formal investigation.
- Staff will be notified in writing of any decision to suspend and should be advised to contact their Trade Union representative and be provided with the contact details for a link member of staff to keep contact throughout. The formal letter of suspension should be handed to the employee or sent Recorded Delivery, to ensure proof of receipt.
- The company will nominate a link member of staff to act as a nominated contact following management leave or suspension for the employee. The role of the link member of staff is to advise the employee of developments at their company.
- In cases where it is known that the employee holds similar or equivalent employment(s) with other companies, consideration should be given as to whether the suspension from duty should be extended, for example, when dealing with matters raised under the Allegations policy. In such cases, advice should be sought from the HR Employee Relations Team.
- Where suspension relates to a safeguarding allegation, the guidance in the Dealing with Allegations Policy must take precedence over this policy and procedure.
- Only the CEO may end a period of suspension following advice from the Headteacher and Human Resources.
- **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 Trustees where the Headteacher or CEO 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, the LADO. 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 young people 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 young people 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 young person/young people 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 young people/young person 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

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 Board of Trustees 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 young person or young people 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 student(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 student.

### **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 young person/young people 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 4: specific safeguarding issues**

### **Children missing from education**

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

There are many circumstances where a child may become missing from education, but some young people are particularly at risk. These include young people 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 young people who go missing from education, particularly on repeat occasions, to help identify the risk of abuse and neglect, including sexual exploitation, and to help prevent the risks of going missing in future. This includes informing the local authority if a child leaves the school without a new school being named, and adhering to requirements with respect to sharing information with the local authority, when applicable, when removing a child's name from the admission register at non-standard transition points.

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

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

## **Child sexual exploitation (CSE)**

Child sexual exploitation (CSE) is a form of sexual abuse where young people are sexually exploited for money, power or status. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity. 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.

**Child sexual exploitation is never the victim's fault, even if there is some form of exchange.**

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.

We recognise that CSE is a high profile issue both nationally and locally and aim to prevent in the following ways; support children to develop confidence and build resilience, raise awareness and understanding of what CSE is, understand the risks of CSE and to spot the warning signs for themselves and also their friends and peers and by doing so keep safe.

If prevention is not possible we aim to identify young people who are at risk of, or being exploited very early. Early intervention is key to effectively working with the young person to prevent or reduce the level of risk. Once they have been groomed some young people will find it difficult to withdraw from their abusers and we need to contribute to helping to protect them. Some young people feel that they are in a relationship with these people. We commit to working with our inter-agency partners to safeguard and protect young people.

Effective partnership working across statutory and voluntary agencies is crucially important in protecting young people at risk of or who have experience child sexual exploitation. Much of the work will be through scheduled PSHE lessons, including our Sex and Relationship Education (SRE) work. This includes a scheme of work and workshops from Sexpression. We will also seek to tailor specific student needs when identifying risks and connecting young people with relevant partners such as WUSH (wise up to sexual health), Young Hackney, Safer London, NSPCC and others that we may deem suitable.

An important part of educating our young people is focussing on what is a healthy relationship and issues of consent. This will also target potential abusers at an early age with the intention of helping to shape their attitudes to others.

We want to have a culture where the welfare of young people is actively promoted and staff and students are vigilant and in turn will feel listened to and safe.

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.

Sexually exploited young people come from a range of backgrounds and may have no additional risk factors or vulnerabilities, therefore, professionals should always keep an open mind to the possibility that a child may be at risk of exploitation. However, young people may be more vulnerable to sexual exploitation if they do have additional vulnerabilities, including:

- Living in a chaotic or dysfunctional household (including parental substance use, domestic violence, parental mental health issues, parental criminality)
- A history of abuse (including familial child sexual abuse, physical and emotional abuse and neglect)
- Learning disabilities
- Bereavement or loss
- Being black or from an ethnic minority group
- Having temporary leave to remain or being in the UK illegally
- Homelessness, including living in a hostel, bed and breakfast accommodation or a foyer
- Being a young carer
- Living in residential care
- Lacking friends from the same age group
- Having low self-esteem or self-confidence
- Living in a neighbourhood affected by gangs
- Gang association either through relatives, peers or intimate relationships
- Attending school with young people who are sexually exploited
- Friends with young people who are sexually exploited

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 or terminations
- Displaying inappropriate sexualised behaviour
- Suffering from changes in emotional wellbeing
- Having physical injuries
- 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

### **Female Genital Mutilation (FGM)**

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

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

We aim to stop FGM occurring through prevention strategies, these include:

- Maintain a robust attendance policy that does not authorise holidays, extended or otherwise.
- Ensure that FGM training is given for Child Protection leads and disseminated training for all staff at the front line dealing with the children.
- Designated Safeguarding Lead will engage in discussions with parents of children from FGM practicing communities.
- Ensure we deliver comprehensive PSHE lessons throughout the school.

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

Section 7.3 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 student is at risk of FGM.

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

- The girl's family having a history of practising FGM (this is the biggest risk factor to consider)
- FGM being known to be practised in the girl's community or country of origin
- A parent or family member expressing concern that FGM may be carried out
- A family not engaging with professionals (health, education or other) or already being known to social care in relation to other safeguarding issues
- A girl:
  - Having a mother, older sibling or cousin who has undergone FGM
  - Having limited level of integration within UK society
  - Confiding to a professional that she is to have a "special procedure" or to attend a special occasion to "become a woman"
  - Talking about a long holiday to her country of origin or another country where the practice is prevalent, or parents stating that they or a relative will take the girl out of the country for a prolonged period
  - Requesting help from a teacher or another adult because she is aware or suspects that she is at immediate risk of FGM
  - Talking about FGM in conversation – for example, a girl may tell other young people 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

Indicators that FGM has already occurred include:

- A student confiding in a professional that FGM has taken place
- A mother/family member disclosing that FGM has been carried out
- A family/student 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

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

TCW recognises that girls at risk of FGM may not be aware of the practice or that it may be conducted on them, so sensitivity should always be shown when approaching the subject.

To ensure that FGM is not taking place, the school may sensitively and informally ask children and their families about their planned extended holiday.

Questions could include:

- Who is going on the holiday with the child?

- How long do they plan to go for and is there a special celebration planned?
- Where are they going?
- Are they aware that the school cannot keep their child on roll if they are away for a long period?
- Are they aware that FGM including Sunna is illegal in the U.K even if performed abroad?

If the family is originally from a country where girls or women are circumcised and we suspect that a child is a victim of FGM we may ask the child the following:

- Do you think you have gone through this?
- Has anything been done to you down there or on your bottom?
- Do you want to talk to someone who will understand you better?
- Would you like support in contacting other agencies for support, help or advice?

## Honour Based Violence (HBV) and Forced marriage (FM)

The following information is from Government [guidance on forced marriage](#) and [The right to Choose: Multi-agency statutory guidance for dealing with forced marriage](#).

The terms “honour crime” or “honour-based violence” or “izzat” embrace a variety of crimes of violence (mainly but not exclusively against women), including assault, imprisonment and murder where the person is being punished by their family or their community. They are being punished for actually, or allegedly, undermining what the family or community believes to be the correct code of behaviour.

In transgressing this correct code of behaviour, the person shows that they have not been properly controlled to conform by their family and this is to the “shame” or “dishonour” of the family. It can be distinguished from other forms of abuse, as it is often committed with some degree of approval and/or collusion from family and community members. Victims will have multiple perpetrators not only in the UK; Honour-Based Violence can be a trigger for a 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.

Many young people will be living through their entire childhoods with the expectation that they will marry someone of their parents or other family members choosing. What needs to be communicated to all of those at risk is that forced marriage is a **CRIME** and that they have a fundamental human right to be able to choose their future spouse.

Some of the key motives that have been identified are:

- Controlling unwanted sexuality (including perceived promiscuity, or being lesbian, gay, bisexual or transgender) - particularly the behaviour and sexuality of women
- Controlling unwanted behaviour, for example, alcohol and drug use, wearing make-up or behaving in, what is perceived to be, a “westernised manner”
- Preventing "unsuitable" relationships, e.g. outside the ethnic, cultural, religious or caste group
- Protecting “family honour” or “izzat”
- Responding to peer group or family pressure
- Attempting to strengthen family links
- Achieving financial gain
- Ensuring land, property and wealth remain within the family
- Protecting perceived cultural ideals
- Protecting perceived religious ideals which are misguided
- Ensuring care for a child or adult with special needs when parents or existing carers are unable to fulfil that role
- Assisting claims for UK residence and citizenship
- Long-standing family commitments.

TCW Staff will receive training around forced marriage and the possible presenting symptoms/indicators which can also be found below.



Figure 3: Warning signs

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

The DSL will:

- Speak to the student 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 (LADO)
- Seek advice from the Forced Marriage Unit on 020 7008 0151 or [fm@fco.gov.uk](mailto:fm@fco.gov.uk)
- Refer the student to an education welfare officer, pastoral teacher 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.

TCW have a duty to prevent young people 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 young people at risk.

We will assess the risk of young people 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 the multiple local safeguarding young people boards we work with and local police forces.

We will ensure that suitable internet filtering is in place, and equip our students 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 students' behaviour.

The government website [Educate Against Hate](#) and charity [NSPCC](#) say that signs that a student 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

Young people 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 student, 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, Curriculum policy, E-Safety policy, Preventing Extremism and Radicalisation policy, British Values policy and PSHE policy.

## Checking the identity and suitability of visitors

All visitors will be required to verify their identity to the satisfaction of staff and to turn off their mobile phone(s) during their visit.

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 lanyard which details school expectations on the back of the card. These expectations can be found in the document 'visitor expectations'.

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

## Non-collection of students

If a child is not collected at the end of the day and they cannot make their own way home, we will call all the relevant people connected to the young person. If we cannot get hold of the parent/ carer or alternative guardian within 1 hour of expected collection time, the DSL or Deputy SL will call the out of hours duty line for the relevant location for further advice. The incident may need to be recorded in terms of a referral to Children's Social Care.

## Missing students

Our procedures are designed to ensure that a missing child is found and returned to effective supervision as soon as possible.

If a child goes missing, we will, attempt to contact the parent, carer or alternative guardian to confirm that the student has either absconded or is missing from the location that are expected to be in.

If the parent, carer or alternative guardian cannot be contacted, we will attempt to make contact with any connected professionals, such as a social worker, YOT worker or CAMHS worker to advise them of the current situation and also ask for them to attempt to contact the young person directly.

If there is a concern for the young person's safety, mental health, known safeguarding issue or any other safeguarding concern at the time of the young person going missing, the DSL or Deputy SL will report the young person missing immediately to the police and update other necessary emergency services. If there is no immediate risk when the young person has gone missing or absconded, the DSL or Deputy SL will report the young person missing to emergency services if necessary after risk assessments and conversations with appropriate adults have taken place.

## Appendix 5: [Sexual Violence and Sexual Harassment](#)

Sexual violence and sexual harassment between young people can occur between 2 young of any sex. It can also occur through a group of young people sexually assaulting or sexually harassing a single young person or group of young people.

The guidance defines the following terms:

Sexual violence includes:

- rape
- assault by penetration
- sexual assault - intentionally touching another person in a way that is sexual.

The guidance defines sexual harassment as 'unwanted conduct of a sexual nature' that can occur online and offline.

Sexual harassment is likely to:

- violate a young person's dignity, and/or
- make them feel intimidated, degraded or humiliated and/or
- create a hostile, offensive or sexualised environment.

Sexual Violence and Sexual Harassment guidance describes [harmful sexual behaviours](#) as problematic, abusive and violent sexual behaviours that are developmentally inappropriate and may cause developmental damage. Sexual behaviour between young people can be considered harmful if 1 of the young people is much older, particularly if there is more than 2 years' difference in age or if one of the young people is pre-pubescent and the other is not.

Young people displaying harmful sexual behaviours have often experienced their own abuse and trauma.

When there has been a report of sexual violence, the designated safeguarding lead or a deputy will make an immediate risk and needs assessment. Where there has been a report of sexual harassment, the need for a risk assessment should be considered on a case-by-case basis.

The risk and needs assessment will consider the:

- victim
- alleged perpetrator
- both other children and, if appropriate, staff at the school or college.

Risk assessments will be recorded, either written or electronically, and are kept under review. The designated safeguarding lead or a deputy will ensure they are engaging with children's social care and specialist services as required. Where there has been a report of sexual violence it is likely that professional risk assessments by social workers and or sexual violence specialists will be required.

Important considerations will include:

- the wishes of the victim in terms of how they want to proceed. Victims should be given as much control as is reasonably possible over decisions regarding how any investigation will be progressed and any support that they will be offered
- the nature of the alleged incident(s), including might a crime have been committed and consideration of harmful sexual behaviour
- the ages of the children involved
- the developmental stages of the children involved
- any power imbalance between the children, for example if the alleged perpetrator is significantly older
- if the alleged incident is an isolated incident or a sustained pattern of abuse.

The starting point regarding any report will always be that sexual violence and sexual harassment are not acceptable and will not be tolerated at TCW.

Additional consideration will be given to:

- the age and the developmental stage of the alleged perpetrator and nature of the allegations. Any young person will likely experience stress as a result of being the subject of allegations and/or negative reactions by their peers to the allegations against them
- the proportionality of the response. Support and sanctions should be considered on a case-by-case basis.