

# Child protection and safeguarding policy and procedures

## Just Learn Independent School



**Approved by:** Samantha Mackenzie

**Date:** Spring Term 2020

**Last reviewed on:** Spring Term 2020

**Next review due by:** Spring Term 2021

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### Designated Safeguarding Staff

- **Designated Safeguarding Lead:** Ms Samantha Mackenzie / Girls Provision Manager ([jlgirls@justlearn.org.uk](mailto:jlgirls@justlearn.org.uk))
- **Deputy Designated Safeguarding Lead (Child Protection Liaison Officer):**  
Mr Munier Proprietor / Centre Director ([centredirector@justlearn.org.uk](mailto:centredirector@justlearn.org.uk))
- **Lead CP Officers:**  
**Representative from Board of Trustees:** Mrs Sandy Waugh ([sandywoff@yahoo.co.uk](mailto:sandywoff@yahoo.co.uk))  
**Responsible person:** Mrs Zarah Gadatara / Deputy Director ([deputy.director@justlearn.org.uk](mailto:deputy.director@justlearn.org.uk))
- **Merton Lado:** ([Lado@merton.gov.uk](mailto:Lado@merton.gov.uk)) Tel: 0208 545 3167
- **Independent Board of Trustees Advisor:** Rosemarie Zaubzer / Virtual School Head LB Bexley ([rosemarie.zaubzer@bexley.gov.uk](mailto:rosemarie.zaubzer@bexley.gov.uk))
- **Contact details of other relevant organisations:**  
**Channel** helpline which school staff and governors can call to raise concerns about extremism with respect to a pupil (020 7340 7264)

## 1. Aims

The school aims to ensure that:

- Appropriate action is taken in a timely manner to safeguard and promote children'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 \(2019\)](#) and [Working Together to Safeguard Children \(2018\)](#), and the [Governance Handbook](#). We comply with this guidance and the arrangements agreed and published by our 3 local safeguarding partners.

This policy is also based on the following legislation:

- Part 3 of the schedule to the [Education \(Independent School Standards\) Regulations 2014](#), which places a duty on academies and independent schools to safeguard and promote the welfare of pupils at the school
- [The Children Act 1989](#) (and [2004 amendment](#)), which provides a framework for the care and protection of children
- Section 5B(11) of the Female Genital Mutilation Act 2003, as inserted by section 74 of the [Serious Crime Act 2015](#), which places a statutory duty on teachers to report to the police where they discover that female genital mutilation (FGM) appears to have been carried out on a girl under 18
- [Statutory guidance on FGM](#), which sets out responsibilities with regards to safeguarding and supporting girls affected by FGM
- [The Rehabilitation of Offenders Act 1974](#), which outlines when people with criminal convictions can work with children
- Schedule 4 of the [Safeguarding Vulnerable Groups Act 2006](#), which defines what 'regulated activity' is in relation to children
- [Statutory guidance on the Prevent duty](#), which explains schools' duties under the Counter-Terrorism and Security Act 2015 with respect to protecting people from the risk of radicalisation and extremism
- [Sexual Offenders Act 2003](#) which now includes the Voyeurism (Offences) Act 2019 – "Upskirting".

Jus'T'Learn Independent School follows the agreed multi-agency procedures that have been put into place by:

- The London Borough of Merton Safeguarding Children Partnership: <https://www.mertonscp.org.uk>  
Tel: 020 8545 4226
- London Safeguarding Children's Board – London Safeguarding Procedures:  
<https://www.londonscb.gov.uk>

### 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.

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

**Children** includes everyone under the age of 18.

The following **3 safeguarding partners** are identified in Keeping Children Safe in Education (and defined in the Children Act 2004, as amended by chapter 2 of the Children and Social Work Act 2017). They will make arrangements to work together to safeguard and promote the welfare of local children, including identifying and responding to their needs:

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

### 4. Equality statement

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

We give special consideration to children who:

- Have special educational needs (SEN) or disabilities (see section 9)
- 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
- Are at risk due to either their own or a family member's mental health needs
- Are looked after or previously looked after

## 5. Roles and responsibilities

Safeguarding and child protection is **everyone's** responsibility. This policy applies to all staff, volunteers and governors in the school and is consistent with the procedures of the 3 safeguarding partners. Our policy and procedures also apply to extended school and off-site activities.

### 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 this child protection and safeguarding policy, the staff code of conduct, the role and identity of the designated safeguarding lead (DSL), Designated Lead Deputy, Representative of Board of Trustees and CP Lead/Responsible Person the behaviour policy, and the safeguarding response to children 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), FGM and radicalisation

Section 13 and appendix 4 of this policy outline in more detail how staff are supported to do this.

### 5.2 The designated safeguarding lead (DSL)

The DSL is a member of the senior leadership team. Our DSL is: **Ms Samantha Mackenzie (Girls Provision Manager)**. The DSL takes lead responsibility for child protection and wider safeguarding.

During term time, the DSL will be available during school hours for staff to discuss any safeguarding concerns. The DSL can be contacted by email [jlgirls@justlearn.org.uk](mailto:jlgirls@justlearn.org.uk).

- When the DSL is absent, the **Deputy Designated Safeguarding Lead (Child Protection Liaison Officer)**:

**Mr Munier Jussab Proprietor/Centre Director:** email: [centredirector@justlearn.org.uk](mailto:centredirector@justlearn.org.uk).

- **Lead CP Officer:**

**Mrs Zarah Jussab-Gadatara (Deputy Director):** email: [deputy.director@justlearn.org.uk](mailto:deputy.director@justlearn.org.uk) will act as cover.

**Mr Munier Jussab Proprietor/Centre Director:** email: [centredirector@justlearn.org.uk](mailto:centredirector@justlearn.org.uk) will act as cover (for example, during out-of-hours/out-of-term activities).

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 children

- 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, Deputy and CP Lead (Responsible Person) are set out in their job description.

### **5.3 The Board of Trustees:**

The Board of Trustees will approve this policy at each review, ensure it complies with the law 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 Board of Trustees. This is always a different person from the DSL.

The chair of governors or the Independent Board of Trustees Advisor (as appropriate) , will act as the 'case manager' in the event that an allegation of abuse is made against the Head of School, where appropriate (see appendix 3).

All Board of Trustee members will read Keeping Children Safe in Education.

Section 13 has information on how governors are supported to fulfil their role.

### **5.4 The Head of School**

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

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

## **6. Confidentiality**

### **Confidentiality and students**

#### **Information Sharing (GDPR)**

Children information sharing is in line with the GDPR Guidelines, May 2018. Children have a legal right to be informed about how our school uses any personal information that we hold about them. To comply with this, we provide a 'privacy notice' to all children where we are processing your personal data. This privacy notice explains how we collect, store and use personal data about you. Reference to schools GDPR Privacy Notice to students.

The designated safeguarding lead should ensure a pupil's child protection file is transferred to their new school or college should they move on. This can be securely transferred via a secure online platform, sent via special recorded delivery signed mail or hand delivered.

- 6.1** We recognise that all matters relating to child protection are confidential subject to overriding legal obligations to disclose information to ensure the safety and well-being of a child.

- 6.2 The Head or DSL will disclose any information about a pupil to other members of staff on a need to know basis only consistent with legal requirements, and in accordance with relevant DFE guidance.
- 6.3 All staff are made aware that they have a professional responsibility to share information with other agencies in order to safeguard children.
- 6.4 All staff are made aware that they cannot promise a child to keep secrets, which might compromise the child's safety or wellbeing. All staff will understand that child protection issues warrant a high level of confidentiality, not only out of respect for the pupil and staff involved but also to ensure that information is not released into the public domain and compromise evidence if taken to court. Staff should only discuss concerns with the designated person, or board of trustees (depending on who is the subject of the concern). That person will then decide who else needs to have the information and they will disseminate it on a 'need-to-know' basis.
- 6.5 Child protection information will be stored and handled in line with Data Protection Act 1998 principles and GDPR regulations, May 2018. Written records are also confidential and subject to Data Protection legislation and must be stored in a locked drawer or desk.

#### 6.6 Confidentiality and staff

Our aim is to enable partners to co-ordinate effort, collate and exchange information to achieve joint objectives co-ordinate resources, support one another in addressing common and locally set priorities and comply with the law. Schools, as data controllers, must abide by the principles of the Data Protection Act 1998.

The Data Protection Act (section 29, [legislation.gov.uk](http://legislation.gov.uk)) contains an exemption which allows for public bodies to disclose personal information where not doing so is likely to inhibit either:

- The prevention or detection of a crime
- The apprehension and prosecution of offenders.

The Information Commissions Office (ICO) guidance explains that it is up to the individual data controller whether to release personal information under the exemption.

#### 6.7 Disclosing information by TELEPHONE

- Always ask the caller to confirm their name, address and other identifying information. Be sure you know who you are talking to.
- If you don't know the caller, be careful about disclosing information. If they are calling from another organisation you should call them back through their organisation's published switchboard number. Do not disclose information when a return telephone number cannot be supplied.
- Only provide the information to the person who has requested it. If they are not there you should leave a message for them to call you back.
- If the fact that someone has contacted your service is confidential, do not leave a message with someone else or on a voicemail unless you have their permission to do so.
- Be aware of who might overhear your call.

#### 6.8 Sending information by EMAIL

- Huge amounts of information are sent by email, within and across agencies.
- Ensure all recipients need to receive the information. Think twice before responding to a group email or copying others in.
- Mark the message 'confidential'.
- Do not include confidential information in the Subject field.

- If you must send personal information to an external recipient, use a password protected file. Make sure you send the password in a separate email.

### 6.9 Transporting personal information securely by hand (only where completely necessary)

- Only where completely necessary, should personal information be taken off site by hand.
- Paper based information should be transported in a sealed file or in a locked briefcase.
- Electronic information must be protected by appropriate security measures
- Information should be kept safe and close to hand. Never leave information unattended unless properly secured.
- When transferring information by car, ensure it is placed in the boot and is kept locked.
- Return the information to your site as soon as possible and file or dispose of it securely.

### 6.10 Sharing personal information securely by post

- Confirm the name, department and address of the recipient.
- Seal the information in a double envelope, ensuring the packaging is sufficient to protect the contents during transit.
- Mark the inner envelope 'Private and Confidential – To be opened by Addressee Only'.

For more information please refer to "Information Sharing: Guidance for practitioners and managers" 2009. DCSF-00807-2008

- It is not possible for a teacher to guarantee confidentiality to a student if they wish to reveal things to them. It is vital that teachers tell students this as soon as it becomes obvious, they are going to reveal sensitive information. A useful phrase is "I'm very happy to listen to what you have to tell me but I cannot promise to keep it a secret. I may have to tell other people to ensure you get the help you need. I cannot keep some things secret".
- All staff are informed of this in the school handbook and are reminded each year, during the start of year staff child protection training. New staff have lengthier training.
- We recognise that staff working in the school who have become involved with a child who has suffered harm or appears to be likely to suffer harm may find the situation stressful and upsetting.

**6.11** We will always undertake to share our intention to refer a child to the MASH with their parents/carers unless this could put the child at greater risk of harm or impede a Criminal investigation. If in doubt, we will consult with the MASH (Multi Agency Support Hub) on this point

#### ***You should note that:***

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

- If staff are in any doubt about sharing information, they should speak to the designated safeguarding lead (or deputy)
- Confidentiality is also addressed in this policy with respect to record-keeping in section 12, and allegations of abuse against staff in appendix 3

## 7. Recognising abuse and taking action

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

Please note – in this and subsequent sections, you should take any references to the DSL to mean “the DSL (or deputy DSL)”.

### 7.1 If a child is suffering or likely to suffer from harm, or in immediate danger

Make a referral to children’s social care and/or the police **immediately** if you believe a child is suffering or likely to suffer from harm, or in immediate danger. **Anyone can make a referral.**

Tell the DSL (see section 5.2) as soon as possible if you make a referral directly.

As Just Learn Independent Schools admits pupils from several different Local Authorities, it is imperative that any Safeguarding issues are reported to the appropriate designated professional contact as follows:

#### LOCAL AUTHORITY KEY PROFESSIONALS/CONTACTS:

**Team Manager Vulnerable Children Team** is able to provide advice and consultancy on Child Protection, Safeguarding Issues effecting Children and the team provides Child Protection Training to Schools. The 3 social workers all have named primary schools they support in Merton.

Contact Number: 0208 545 3179

Email: [lado@merton.gov.uk](mailto:lado@merton.gov.uk)

The Local Authority Designated Officer (LADO) leads on allegations against staff or trusted adults - Merton’s LADO.

Further information relating to the referrals process can be found on the website:

<http://www.merton.gov.uk/health-social-care/children-family-health-social-care/safeguardingchildren/lado.htm>

## **REFERRAL TO CHILDREN SOCIAL CARE SERVICES in Merton**

Where schools have **URGENT** and **IMMEDIATE** concerns for the safety and welfare of a child or young person during office hours telephone

**0208 545 4232/4260/4227**

To make **URGENT** referrals **OUT OF OFFICE HOURS** telephone

**0208 770 5000**

For all **NON – URGENT** referrals and enquiries telephone

**0208 545 4232**

**Referrals to Sutton Children Social Care 0208 770 4243/4263**

**Referrals to Richmond Children Social Care 0208 891 7969**

**Referrals to Croydon Children Social Care 0208 726 6400**

**Referrals to Kingston Children Social Care 0208 547 6587**

**Referrals to Wandsworth Children Social Care 0208 871 6622**

**Referrals to Lambeth Children Social Care 0207 926 6400**

The following contact can also be of use: <https://www.gov.uk/report-child-abuse-to-local-council>

### **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
- 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
- Sign and date the write-up and pass it on to the DSL. Alternatively, if appropriate, make a referral to children's social care and/or the police directly (see 7.1), and tell the DSL as soon as possible that you have done so

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

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

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

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

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

Unless they have good reason not to, they should also discuss the case with the DSL and involve children's social care as appropriate.

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

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

**Any member of staff** who suspects a pupil is *at risk* of FGM or suspects that FGM has been carried out must speak to the DSL and follow our local safeguarding procedures.

**The DSL will immediately contact MASH (if a Merton pupil) ref: 7.1 page 9 or the relevant professional should the pupil live outside Merton Local Authority. Ref: 7.1 page 9.**

### 7.4 If you have concerns about a child (as opposed to believing a child is suffering or likely to suffer from harm, or in immediate danger)

Figure 1 on page 10 illustrates the procedure to follow if you have any concerns about a child's welfare.

Where possible, speak to the DSL first to agree a course of action.

If in exceptional circumstances the DSL is not available, this should not delay appropriate action being taken. Speak to a member of the senior leadership team and/or take advice from local authority children's social care. You can also seek advice at any time from the NSPCC helpline on 0808 800 5000.

Make a referral to local authority children's social care directly, if appropriate (see 'Referral' below). Share any action taken with the DSL as soon as possible.

#### Early help

The school is aware that all students may benefit from early help but the school needs to be aware of the following when a child is in particular need for early help:

- is disabled or has specific additional needs
- has special educational needs (SEN)
- is a young carer
- is frequently missing from education (CME)
- is misusing drugs or alcohol
- is in a family circumstance presenting challenges for the child, such as substance abuse, adult with mental health problems or domestic abuse
- has returned home to their family from care

Any member of staff that considers a child that requires early help must inform the DSL or deputy DSL. If early help is appropriate, the DSL will generally lead on liaising with other agencies and setting up an inter-agency assessment as appropriate. Staff may be required to support other agencies and professionals in an early help assessment, in some cases acting as the lead practitioner.

If in any exceptional circumstance, the DLS or deputy DSL are not available then the procedure of appropriate action to be taken should not be delayed. Staff maybe required to support other agencies and professionals in an early help assessment.

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.

Early help support can be provided within the school with mentoring or pastoral care.

It may be appropriate to instigate the Common Shared Assessment (CASA) model, building a team around the child working below the safeguarding threshold. Families, including those in neighboring boroughs, could be directed to the South West London Young People's Health Website: [www.gettiton.org.uk](http://www.gettiton.org.uk). (Ref: Merton Early Help Guide for Practitioners; What do we mean by Early Help? <https://www2.merton.gov.uk/earlyhelp>).

## 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.

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 follow local escalation procedures to ensure their concerns have been addressed and that the child's situation improves.

**The DSL will immediately contact MASH (if a Merton pupil) ref: 7.1 page 9 or the relevant professional should the pupil live outside Merton Local Authority. Ref: 7.1 page 9.**

## 7.5 If you have concerns about extremism

If a child is not suffering or likely to suffer from harm, or in immediate danger, where possible speak to the DSL first to agree a course of action.

If in exceptional circumstances the DSL is not available, this should not delay appropriate action being taken. Speak to a member of the senior leadership team and/or seek advice from local authority children's social care. Make a referral to local authority children's social care directly, if appropriate (see 'Referral' above).

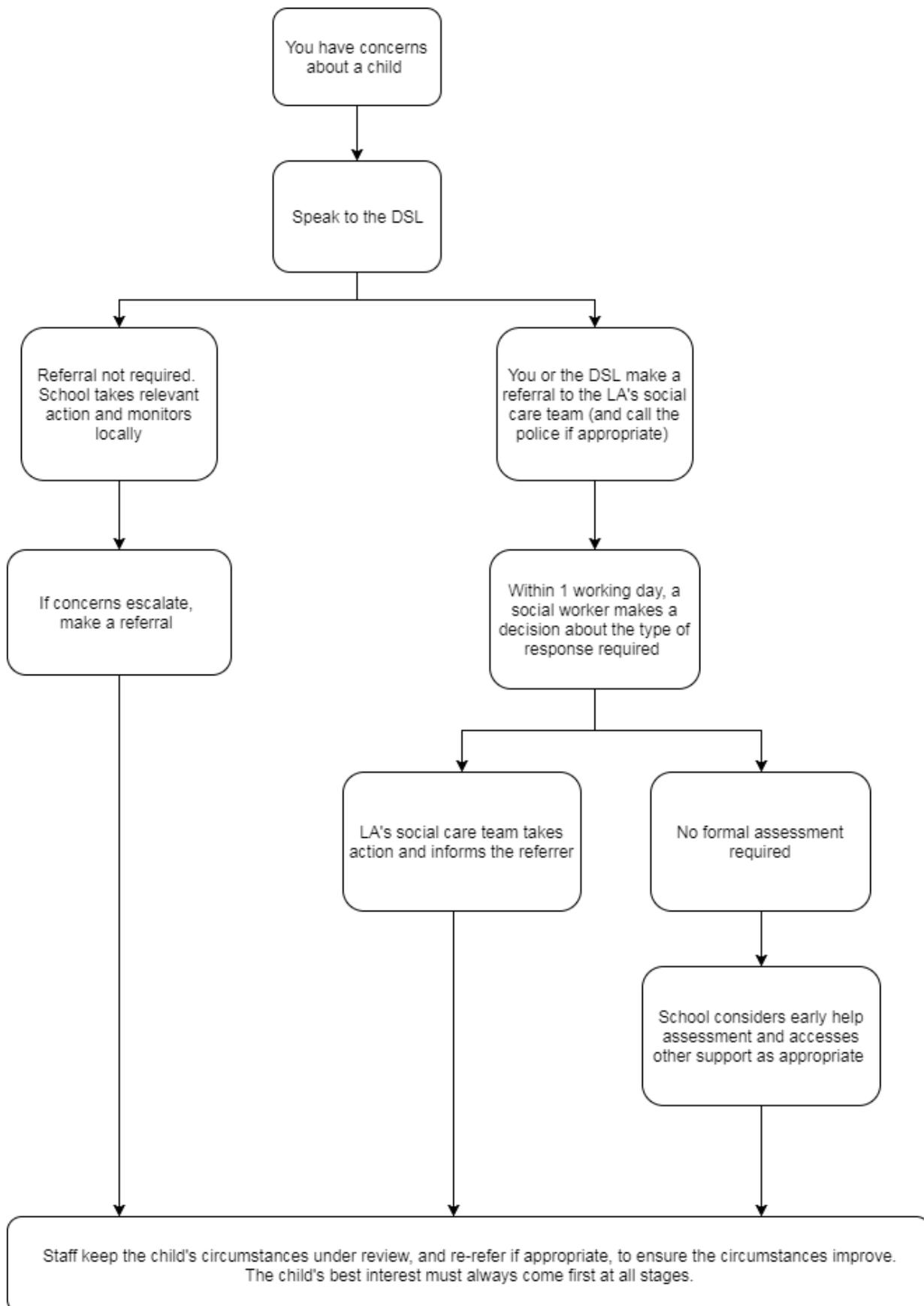
Where there is a concern, the DSL will consider the level of risk and decide which agency to make a referral to. This could include [Channel](#), the government's programme for identifying and supporting individuals at risk of being drawn into terrorism, or the local authority children's social care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

The Department for Education also has a dedicated telephone helpline, 020 7340 7264, which school staff and governors can call to raise concerns about extremism with respect to a pupil. You can also email [counter.extremism@education.gov.uk](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

Figure 1: procedure if you have concerns about a child's welfare (as opposed to believing a child is suffering or likely to suffer from harm, or in immediate danger) (Note – if the DSL is unavailable, this should not delay action. See section 5.2 for what to do.)



## 7.6 Concerns about a staff member or volunteer

If you have concerns about a member of staff or volunteer, or an allegation is made about a member of staff or volunteer posing a risk of harm to children, speak to the headteacher. If the concerns/allegations are about the headteacher, speak to the chair of governors.

The head of school/chair of governors will then follow the procedures set out in appendix 3, if appropriate.

If you have concerns about a member of staff or volunteer, or an allegation is made about a member of staff or volunteer posing a risk of harm to children, speak to the head of school. The head of school/proprietor will then follow the procedures set out in appendix 3, if appropriate.

If the concerns/allegations are about the head of school or proprietor speak to the Board of Trustees Independent Advisor. ([rosemarie.zauber@bexley.gov.uk](mailto:rosemarie.zauber@bexley.gov.uk))

## 7.7 Allegations of abuse made against other pupils

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

We also recognise the gendered nature of peer-on-peer abuse (i.e. that it is more likely that girls will be victims and boys perpetrators). However, all peer-on-peer abuse is unacceptable and will be taken seriously.

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

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

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

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

**All** staff should be aware that safeguarding issues can manifest themselves via peer on peer abuse. This is most likely to include, but may not be limited to, bullying (including cyberbullying), sexual violence, sexual harassment and sexting. All staff should be clear as to the school or college’s policy and procedures with regards to peer on peer abuse.

“All staff should recognise that children are capable of abusing their peers. All staff should be clear about their school or college’s policy and procedures with regard to peer on peer abuse.”

**7.8** Allegations of abuse by one or more pupil against another pupil are taken very seriously.

**7.9** If such an allegation is made, the member of staff receiving the allegation will immediately inform the head of school and the DSL. The head of school on all such occasions will consult with the

relevant social care referral point and the Proprietor where appropriate.

- 7.10** We would not normally send the alleged victim home, pending such an investigation, unless this advice is given exceptionally, as a result of a Strategy Meeting.
- 7.11** Suspension of the pupil, against whom an allegation has been made, needs careful consideration, and the head of school will seek the advice from the MASH, and any other relevant London Borough of Merton Officer, before deciding on the course of action to be taken.
- 7.12** Pupils alleged to have sexually abused another should be subject to risk assessment for their continuing education on site, in consultation with Social Care.

## **CHILD ON CHILD SEXUAL VIOLENCE AND SEXUAL HARASSMENT**

- Staff will be provided with appropriate training on how to report to such a report involving the above.
- Staff need to ensure to respond appropriately to this on a case-by-case basis, supported by children's social care and the police where appropriate.
- All victims of a report must be taken seriously, supported and kept safe.
- All members of staff dealing with such a report are trained accordingly.
- Following a report of sexual violence, the designated safeguarding lead (or deputy) should make an immediate risk and needs assessment, considering:
  - the victim
  - the alleged perpetrator
  - other children (and if appropriate adult students and staff).
- Risk assessments should be recorded and kept under review. The DSL should ensure they are engaging with children's social care and specialist services as required.

As a school, we are required to consider:

- the wishes of the victim in terms of how they want to proceed
- the nature of the alleged incident
- the ages of the children involved
- the development stages of the children involved
- any power imbalance between the children
- is the incident a one-off or a sustained pattern of abuse
- are there ongoing risks to the victim, other children, school or college staff
- contextual safeguarding issues

All staff must act in the interest of the child and emphasis that sexual violence and sexual harassment will not be accepted by the school or tolerated.

One of four of the scenarios below will be considered by the school:

- Manage internally within the school
- Complete an early help referral
- Referral to children's social care
- Reporting to the police

### **Considering bail conditions**

- It is unlikely that a child will be on police bail with conditions attached. The school will ensure that there is joined up working between the college, children's social care and the police so that the victim, alleged perpetrator and other children involved are supported.

### Managing any delays in the criminal process

- If there are any delays, the school **will not wait** for the outcome before protecting the victim, alleged perpetrator and other children in the school.

### The end of the criminal process

- Regardless of whether a child is convicted of a crime or not, all the children involved will be protected.

### Ongoing response for the victim

- Appropriate support will be available on an ongoing basis to the victim. The guidance includes sources of specific support.

### Safeguarding and supporting the alleged perpetrator

- The school will manage the balance between supporting the victim and ensuring the alleged perpetrator has an education and safeguarding support themselves. The school may consider, the student being taught offsite or at another safe location.

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

- Challenging any form of derogatory or sexualised language or behaviour, including requesting or sending sexual images
- Being vigilant to issues that particularly affect different genders – for example, sexualised or aggressive touching or grabbing towards female pupils, and initiation or hazing type violence with respect to boys
- Ensuring our curriculum helps to educate pupils about appropriate behaviour and consent
- Ensuring pupils know they can talk to staff confidentially by informing the pupil and parent/carer at the initial admissions interview and verbal reinforcement throughout the curriculum and in in general conversations with staff.
- Ensuring staff are trained to understand that a pupil harming a peer could be a sign that the child is being abused themselves, and that this would fall under the scope of this policy

## 7.8 Sexting

### ***Responding to incidents of inappropriate sexualised behaviour by children in a school***

When a member of school staff observes or is made aware of an incident the following guidelines must be followed. The following guidelines will help the school to meet their duties in relation to the school's discipline policy (including exclusions), the child protection procedures and reporting crime.

“Like all forms of child sex abuse, child sexual exploitation:

- can affect any child or young person (male or female) under the age of 18 years, including 16 and 17 year olds who can legally consent to have sex;
- can still be abuse even if the sexual activity appears consensual;
- can include both contact (penetrative and non-penetrative acts) and non-contact sexual activity;
- can take place in person or via technology, or a combination of both;
- can involve force and/or enticement-based methods of compliance and may, or may not, be accompanied by violence or threats of violence;
- may occur without the child or young person's immediate knowledge (e.g.

through others copying videos or images they have created and posted on social media);

- can be perpetrated by individuals or groups, males or females, and children or adults. The abuse can be a one-off occurrence or a series of incidents over time, and range from opportunistic to complex organised abuse; and
- is typified by some form of power imbalance in favour of those perpetrating the abuse. Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, sexual identity, cognitive ability, physical strength, status, and access to economic or other resources”.

### Considerations throughout responding to incidents:

- The welfare of all children is paramount in any decision making.
- Consider the best interests of the victim(s) and the child(ren) causing the harm as to:
  - whether they should continue in school activities. If not make appropriate alternative arrangements
  - whether they should have contact at school and at the end of the school day
- How they should be reintegrated back into school if they have not attended as a result of the incident.
- Consider when is the appropriate time to contact the parents of the victim and the child causing the harm. The general rule regarding contacting parents of the victim is that this should happen at the earliest opportunity after a decision is made to start an initial investigation - unless such action would put the child at risk of significant harm or evidence will be compromised.
- Continually assess the information and the implications of any actions.
- Record all discussions and decisions.

### Your responsibilities when responding to an incident

If you are made aware of an incident involving sexting (also known as ‘youth produced sexual imagery’), you must report it to the DSL immediately.

You must **not**:

- View, download or share the imagery yourself, or ask a pupil to share or download it. If you have already viewed the imagery by accident, you must report this to the DSL
- Delete the imagery or ask the pupil to delete it
- Ask the pupil(s) who are involved in the incident to disclose information regarding the imagery (this is the DSL’s responsibility)
- Share information about the incident with other members of staff, the pupil(s) it involves or their, or other, parents and/or carers
- Say or do anything to blame or shame any young people involved

You should explain that you need to report the incident and reassure the pupil(s) that they will receive support and help from the DSL.

### Initial review meeting

Following a report of an incident, the DSL will hold an initial review meeting with appropriate school staff. This meeting will consider the initial evidence and aim to determine:

- Whether there is an immediate risk to pupil(s)
- If a referral needs to be made to the police and/or children’s social care
- If it is necessary to view the imagery in order to safeguard the young person (in most cases, imagery should not be viewed)
- What further information is required to decide on the best response

- Whether the imagery has been shared widely and via what services and/or platforms (this may be unknown)
- Whether immediate action should be taken to delete or remove images from devices or online services
- Any relevant facts about the pupils involved which would influence risk assessment
- If there is a need to contact another school, college, setting or individual
- Whether to contact parents or carers of the pupils involved (in most cases parents should be involved)

Where there are **no vulnerability issues (i.e. no crime or child protection concerns)** follow the school's disciplinary and /or pastoral procedures.

Reminder on good practice:

- Talk to parents and ask permission to talk with child.
- Speak to victim & the child causing the harm, plus any witnesses
- Record an account of what has happened (this may be known as a 'statement' and be recorded on an 'incident form' in some schools). In some situations, this may be the written account of a child.
- Consider what action is required by the school (e.g. school discipline policy, complete Common Assessment Framework (CAF))
- Consider what pastoral care/support is required and provide advice and/or information
- Alert others in school on a 'need-to-know basis' only
- Where needed establish monitoring arrangements and a set time to review.

Where there **are vulnerability issues**, arrange to

- Seek advice from Vulnerable Children's Team Manager (or if not available, the Duty Manager, Access & Assessment)
- The outcome of this discussion will be either for the school to continue to deal with the matter, the matter should be reported to the police (see overleaf) and/or for a referral to be made to Children's Social Care (in which case a Common Assessment Framework (CAF) should be completed).
- Record and follow advice given.
- If the conclusion of the consultation is that no offence has occurred and there are no child protection issues, then follow action for 'no vulnerability' situations.
- Note: Children's Social Care will consider what action to take, which may result in an initial assessment and consider whether the situation meets the threshold for action under the London Child Protection Procedures (e.g. Section 47, child sexual exploitation, strategy meeting).

Where the Vulnerable Children's Team Manager advises on a referral to the Police, this will be to either the

- Sapphire Unit (for situations indicating that a serious sexual offence has been committed) or
- Local police (for non-serious sexual offences) or
- Child Abuse Investigation Team (for situations where the victim or the child causing harm may have been abused or neglected by a family member or someone known to the family)

The DSL will make an immediate referral to police and/or children's social care if:

- The incident involves an adult
- There is reason to believe that a young person has been coerced, blackmailed or groomed, or if there are concerns about their capacity to consent (for example owing to special educational needs)
- What the DSL knows about the imagery suggests the content depicts sexual acts which are unusual for the young person's developmental stage, or are violent
- The imagery involves sexual acts and any pupil in the imagery is under 13
- The DSL has reason to believe a pupil is at immediate risk of harm owing to the sharing of the imagery (for example, the young person is presenting as suicidal or self-harming)

If none of the above apply then the DSL, in consultation with head of school and other members of staff as appropriate, may decide to respond to the incident without involving the police or children's social care.

#### **Further review by the DSL**

If at the initial review stage a decision has been made not to refer to police and/or children's social care, the DSL will conduct a further review.

They will hold interviews with the pupils involved (if appropriate) to establish the facts and assess the risks.

If at any point in the process there is a concern that a pupil has been harmed or is at risk of harm, a referral will be made to children's social care and/or the police immediately.

#### **Referring to the police**

If it is necessary to refer an incident to the police, this will be done through the advice given by the Vulnerable Children's Team Manager (ref. page 18).

#### **Recording incidents**

All sexting incidents and the decisions made in responding to them will be recorded. The record-keeping arrangements set out in section 12 of this policy also apply to recording incidents of sexting.

#### **Curriculum coverage**

Pupils are taught about the issues surrounding sexting as part of our PSHE education and computing programmes and other external support agencies such as Barnardo's; Catch 22 etc. Teaching covers the following in relation to sexting:

- What it is
- How it is most likely to be encountered
- The consequences of requesting, forwarding or providing such images, including when it is and is not abusive
- Issues of legality
- The risk of damage to people's feelings and reputation

Pupils also learn the strategies and skills needed to manage:

- Specific requests or pressure to provide (or forward) such images
- The receipt of such images

This policy on sexting is also shared with pupils so they are aware of the processes the school will follow in the event of an incident.

## 8. Notifying parents

Where appropriate, we will discuss any concerns about a child with the child's parents. 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 children, we will normally notify the parents of all the children involved.

## 9. Pupils with special educational needs and disabilities

We recognise that pupils with special educational needs (SEN) and disabilities can face additional safeguarding challenges. Additional barriers can exist when recognising abuse and neglect in this group, including:

- Assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability without further exploration
- Pupils being more prone to peer group isolation than other pupils
- The potential for pupils with SEN and disabilities being disproportionately impacted by behaviours such as bullying, without outwardly showing any signs
- Communication barriers and difficulties in overcoming these barriers

We offer extra pastoral support for pupils with SEN and disabilities. This includes:

- *Classroom support workers / Specialist staff*
- *1:1 mentoring / 1:1 class lessons*
- *Changes to the learning environment*
- *Differentiation of the curriculum*
- *IEP with smart targets*
- *Use of ICT*
- *Risk assessments*

## 10. Mobile phones and cameras

Staff are allowed to bring their personal phones to school for their own use, but will limit such use to non-contact time when pupils are not present. Staff members' personal phones will remain in their bags or cupboards during contact time with pupils.

Staff will not take pictures or recordings of pupils on their personal phones or cameras.

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.

***Reference to the schools mobile phone / photography policy.***

## 11. Complaints and concerns about school safeguarding policies

### 11.1 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).

### 11.2 Other complaints

#### PEER ON PEER ABUSE

All staff should be aware that safeguarding issues can manifest themselves via peer on peer abuse. This is most likely to include, but may not be limited to, bullying (including cyberbullying), sexual violence, sexual harassment and sexting. All staff should be clear as to the school or college's policy and procedures with regards to peer on peer abuse.

"All staff should recognise that children are capable of abusing their peers. All staff should be clear about their school or college's policy and procedures with regard to peer on peer abuse."

- 11.3 Allegations of abuse by one or more pupil against another pupil are taken very seriously.
- 11.4 If such an allegation is made, the member of staff receiving the allegation will immediately inform the Head and the DSL. The Head on all such occasions will consult with the relevant social care referral point and the Chairman of Governors where appropriate.
- 11.5 We would not normally send the alleged victim home, pending such an investigation, unless this advice is given exceptionally, as a result of a Strategy Meeting.
- 11.6 Suspension of the pupil, against whom an allegation has been made, needs careful consideration, and the Head of School/Proprietor will seek the advice from the MASH, and any other relevant London Borough of Merton Officer, before deciding on the course of action to be taken.
- 11.7 Pupils alleged to have sexually abused another should be subject to risk assessment

#### CHILD ON CHILD SEXUAL VIOLENCE AND SEXUAL HARASSMENT

- Staff will be provided with appropriate training on how to report to such a report involving the above.
- Staff need to ensure to respond appropriately to this on a case-by-case basis, supported by children's social care and the police where appropriate.
- All victims of a report must be taken seriously, supported and kept safe.
- All members of staff dealing with such a report are trained accordingly.
- Following a report of sexual violence, the designated safeguarding lead(or deputy) should make an immediate risk and needs assessment, considering:
  - the victim
  - the alleged perpetrator
  - all other children (and if appropriate adult students and staff).
- Risk assessments should be recorded and kept under review. The DSL should ensure they are engaging with children's social care and specialist services as required.

As a school, we are required to consider:

- the wishes of the victim in terms of how they want to proceed
- the nature of the alleged incident
- the ages of the children involved
- the development stages of the children involved
- any power imbalance between the children
- is the incident a one-off or a sustained pattern of abuse
- are there ongoing risks to the victim, other children, school or college staff
- contextual safeguarding issues

All staff must act in the interest of the child and emphasis that sexual violence and sexual harassment will not be accepted by the school or tolerated.

One of four of the scenarios below will be considered by the school:

- Manage internally within the school
- Complete an early help referral
- Referral to children's social care
- Reporting to the police

#### **Considering bail conditions**

- It is unlikely that a child will be on police bail with conditions attached. The school will ensure that there is joined up working between the college, children's social care and the police so that the victim, alleged perpetrator and other children involved are supported.

#### **Managing any delays in the criminal process:**

- If there are any delays, the school **will not wait** for the outcome before protecting the victim, alleged perpetrator and other children in the school.

#### **The end of the criminal process**

- Regardless of whether a child is convicted of a crime or not, all the children involved will be protected.

#### **Ongoing response for the victim**

- Appropriate support will be available on an ongoing basis to the victim. The guidance includes sources of specific support.

### 11.3 Whistle-blowing

Staff who raise concerns about malpractice within their place of work have statutory protection against victimisation for making such a disclosure, under the Public Interest Disclosure Act 1998, and the subsequent Enterprise and Regulatory Reform Act, which was enacted in June 2013. The worker must reasonably believe the disclosure to be in the public interest, and it must otherwise qualify as a protected act.

### 11.4 Scope

This procedure applies to all teaching and support staff in Just Learn Independent School.

### 11.5 Purpose of the procedure

The purpose of this procedure is to encourage any worker who has a concern that practices in their school do not meet the required standards of probity to raise that concern at an appropriate level and in an appropriate manner.

This procedure is also intended to guide any worker who has a disclosure to make about malpractice in their school in making that disclosure. It sets out to whom malpractice (or suspected malpractice) should be reported, and how it should be reported.

### 11.6 Who do the protections apply to?

Protection is afforded to workers as well as employees; contracts, freelance workers, seconded workers, trainees and agency workers. Protection from detriment also applies to ex-employees making disclosures after termination of their employment.

### 11.7 What should a concern be about, in terms of the criteria for qualifying disclosures?

The term "malpractice" may cover a broad range of acts, omissions, or practices. Workers will usually report specific instance(s) of wrongdoing by individual(s). In certain circumstances, workers may report bad practice which, if it were to continue, would be likely to lead to wrongdoing. The Public Interest Disclosure Act 1998 and Enterprise and Regulatory Reform Act 2013 protect workers who make qualifying disclosures from any detriment as a result of making a disclosure.

A qualifying disclosure must relate to:

- a criminal offence;
- a failure to comply with any legal obligation;
- a miscarriage of justice;
- danger to health and safety of any individual;
- damage to the environment;
- an attempt to cover up any of these.

In a school, concerns may often (but by no means always) centre upon appropriate use of funds. For instance, the following would normally be an inappropriate use of budget:

- disregard of proper tendering procedure for contracts;
- manipulation or falsification of accounting records;
- making decisions for personal gain;
- inappropriate (e.g. private) use of school assets

Other, non-financial, concerns may include inappropriate use of school premises or inappropriate professional relationships which potentially affect the good management of the school.

The Enterprise and Regulatory Reform Act introduces the need for disclosures to be "in the public interest", removing the need for them to have been made in good faith. However, as there is no legal definition of "public interest", it will remain to be decided in individual cases. Disclosures relating to the worker's own contract will usually fall outside of whistleblowing, and should instead be followed up via grievance procedures.

To be afforded protection, workers must also raise their concerns in the proper way (see section 5 for specific guidance for schools on process). Usually, in the first instance, this should be via internal processes. In certain cases the Act also protects disclosure to “prescribed regulators” such as the Audit Commission.

The Act only protects wider disclosure (e.g., to the media, an MP, etc.) if:

- the worker reasonably believed they would be victimised if they had raised the matter internally or with a prescribed regulator;
- there was no prescribed regulator and they reasonably believed the evidence would be concealed;
- the concern had already been raised with the employer or prescribed regulator;
- the concern was exceptionally serious;
- and no payment was accepted for the story.

### **11.7 What kinds of detriment are workers protected from?**

The kinds of detriment that could be suffered by whistleblowers will depend on whether they are job applicants, existing members of staff, or ex-members of staff. Some examples of detriment linked to a protected disclosure are:

- harassment and bullying,
- inappropriate disciplinary action,
- loss of work or pay,
- damage to career prospects,
- providing poor references,
- defamation,
- inappropriately referring them to external organisations for audit or scrutiny,
- not considering them for a role if they re-apply

### **11.7 Lines of reporting**

As a general rule, a worker wishing to make a disclosure should raise the concerns in the first instance with the Proprietor, The Board of Trustees or Independent Advisor. This is appropriate where the concern is about the conduct or practice of colleagues: a concern that the school’s policies and procedures are not being properly or fairly applied. This enables the issue to be addressed at school level.

### **11.8 Process of disclosing**

A disclosure may be made verbally (e.g. by telephone) or in writing. The whistleblower should normally identify him/herself and should make it clear that s/he is making a disclosure within the terms of this procedure.

A whistleblower raising a concern verbally will normally be expected to support and substantiate those concerns in writing, unless there are special circumstances indicating that this is inappropriate. If the whistleblower feels unable to commit their concerns to writing s/he will normally be asked to meet with an appropriate senior officer, who will compile a written note of the disclosure.

The whistleblower may be accompanied by a trade union representative or appropriate workplace colleague at meetings that are held for the purpose of formally discussing or investigating the disclosure.

It is not necessary for a whistleblower to produce conclusive evidence to support his/her disclosure. Suspicion may be valid grounds for raising a concern. However, the whistleblower should normally have direct information about, or knowledge of, the malpractice alleged, or know where such evidence is located. The

whistleblower's concern should be based on more than hearsay, gossip, or the reports of others. The disclosure should usually include specific examples of unacceptable behaviour.

Disclosures should not be made to the press, radio, television or other media. The recommended internal reporting channels should be used. Workers have certain rights to report malpractice to specified external agencies, e.g. a worker who suspects that a criminal act has been committed may inform the police. However, it is expected that whistleblowers make disclosures following the reporting lines set out above.

### **11.9 Responding to a disclosure**

The response to a whistleblower's disclosure will depend on a number of factors such as the seriousness and complexity of the allegations made.

Allegations may be:

- investigated within the school );
- referred to the police;
- referred to another independent form of enquiry;
- or any combination of the above.

The school may wish to consider using external independent investigators, though this will in part depend on the complexity of the case.

Disclosures will be subject to initial enquiries in order to decide whether a full investigation is necessary and, if so, what form it should take, who should conduct it, and whether any reference to another agency is necessary or desirable. Some concerns may be resolved through agreed action without the need for further investigation.

If the whistleblower's concern falls within the scope of an alternative procedure, s/he will be advised to pursue it through that procedure.

A whistleblower who presents his/her disclosures in writing will, wherever possible within ten working days, receive:

- an acknowledgement that the concern has been raised;
- an indication of how the school proposes to deal with the matter;
- an estimate of how long it will take to provide a final response;
- an indication of any initial enquiries that have been made; and
- an indication of whether further investigations will take place and, if not, why not.

The whistleblower will be informed of the outcome of any investigation insofar as this is compatible with any duty of confidentiality on the employer. The extent of the information given to whistleblowers will depend upon a number of factors, e.g. whether the investigation is referred to the police and leads to criminal prosecution. Where an investigation is protracted, it is recommended that the school or relevant officer keep the whistleblower updated on the progress of the investigation, as silence may lead them to become suspicious of inaction and make a disclosure externally.

Where a whistleblower is unwilling to identify him/herself, any person receiving a complaint about malpractice should log the incident and consult the Proprietor to consider whether any investigation should be undertaken.

### **11.10 Safeguards for whistleblowers (see also section 4.3)**

#### **Internal procedures**

The decision to report malpractice can be a difficult one for staff, who may possibly fear subsequent victimisation or harassment. No action will be taken against staff who raise a concern in the proper way, and which they reasonably believe to be in the public interest, even if that concern is subsequently discovered to be unfounded after investigation.

However, whistleblowers who are already the subject of investigation or action under a formal procedure (e.g. discipline, capability or harassment) should not expect the procedure to be discontinued as a result of the disclosure, unless there is good reason for doing so.

### 11.11 Other protections

To harass, bully, or otherwise subject a person to detriment because they have made a whistleblowing disclosure, or assisted in the investigation of one (for example as a witness), will be considered a disciplinary offence.

Where whistleblowers do not wish to be identified to others in the course of an investigation that wish will be respected in so far as it is reasonably practicable. However, anonymity cannot be guaranteed. The process of investigation may reveal the identity of whistleblowers and, especially in serious cases, whistleblowers may be required to give evidence, either by the school, or the police. Any person subject to disciplinary action or prosecution has access to all the evidence.

The school, , will take all reasonable steps to minimise any difficulties whistleblowers may experience as a result of raising a concern. The school will consider sympathetically requests from whistleblowers for special leave, counselling or other support.

### 11.12. Improper disclosures

No action will be taken against a whistleblower if a concern is raised in the proper way, which the whistleblower reasonably believes to be in the public interest. However, if allegations are not raised in the proper way, and/or the whistleblower cannot show that they reasonably believe it to be in the public interest, disciplinary sanctions may occur. This is particularly likely if it is believed that the disclosure was also malicious, vexatious, or made for personal gain.

### 11.13 How the matter can be taken further

This procedure is intended to provide individuals with an avenue to raise concerns with their school and, in some circumstances, Merton Local Authority. If the whistleblower is not satisfied, and feels it is right to take the matter further, the following are possible contact points:

- Recognised Trade Union
- Merton Local Authority
- OFSTED 0300 123 315
- A solicitor
- The Police

If the matter is taken outside Merton Local Authority, the whistleblower must take all reasonable steps to ensure that confidential or privileged information is not disclosed (i.e. confidential information, in whatever format, must not be handed over to a third party).

### 11.14 Advice

For further advice on this procedure, please contact:

- Call our confidential hotline number on: 020 8871 8383
- Email: [SWLFP@wandsworth.gov.uk](mailto:SWLFP@wandsworth.gov.uk)
- Address: SWLFP, Room 205, Town Hall, Wandsworth High Street, London SW18 2PU
- Public concern at work: 020 7404 6609
- Whistleblowing Policy July 2018 – Merton website: <https://www.merton.gov.uk/council-and-local-democracy/plans-and-policies/whistleblowing-policy>

## 12. Record-keeping

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

All safeguarding concerns, discussions, decisions made and the reasons for those decisions, must be recorded in writing. 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 children will be retained for a reasonable period of time after they have left the school.

If a child for whom the school has, or has had, safeguarding concerns moves to another school, the DSL will ensure that their child protection file is forwarded promptly and securely, and separately from the main pupil file. In addition, if the concerns are significant or complex, and/or social services are involved, the DSL will speak to the DSL of the receiving school and provide information to enable them to have time to make any necessary preparations to ensure the safety of the child.

Just Learn records student information electronically and paper-based. All information is securely stored in a lockable cabinet in a lockable room. If the student is not moving onto any FE then the records are kept until the students 24<sup>th</sup> Birthday. If the student moves onto another provision then the documentation is securely forwarded onto that provision.

Conversations between designated personnel at different schools (e.g. sharing concerns or asking for information about sibling groups) are perfectly acceptable. Where possible, consent from parents should be sought before a conversation takes place. **Any** relevant child protection information coming to light should be carefully logged.

If a child protection file has been started for a child who then moves school, the entire contents of the file should be sent to the receiving school/college.

The information should be sent **under separate cover to the school file**, in a sealed envelope to the Headteacher, marked 'Strictly Confidential'.

### In addition:

- Appendix 2 sets out our policy on record-keeping specifically with respect to recruitment and pre-employment checks
- Appendix 3 sets out our policy on record-keeping with respect to allegations of abuse made against staff

## 13. Training

### 13.1 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 the 3 safeguarding partners.

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

Staff will also receive regular safeguarding and child protection updates (for example, through emails, e-bulletins and staff meetings) as required, but at least annually.

Contractors who are provided through a private finance initiative (PFI) or similar contract will also receive safeguarding training.

Volunteers will receive appropriate training, if applicable.

### 13.2 The DSL Deputy and Lead CP Officers

The DSL, Deputy and Lead CP Officers 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.

### 13.3 Board of Trustees

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

As the chair of governors may be required to act as the 'case manager' in the event that an allegation of abuse is made against the Proprietor, they receive training in managing allegations for this purpose.

### 13.4 Recruitment – interview panels

At least one person conducting any interview 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 will be in line with local safeguarding procedures and training, promote the interests of children and allow for confidential discussions of sensitive issues.

## 14. Monitoring arrangements

This policy will be reviewed **annually** Zarah Jussab- Gadatara (Deputy Director) and Sandy Waugh (Education Consultant). At every review, it will be approved by the full Board of Trustees.

## 15. Links with other policies

This policy links to the following Just Learn policies and procedures:

- Behaviour
- Anti-Bullying
- Staff Handbook
- Staff Conduct
- Complaints
- Health and safety
- Attendance
- Online safety
- Equality
- Sex and relationship education
- First aid
- Curriculum
- Work Experience

#### Other policies and procedures:

- Dealing with allegations of abuse made against teachers and other staff (Part 4): Keeping Children Safe in Education DFE (April 2014)
- Child Exploitation strategy, London Borough of Merton, Safeguarding Children Board 2018-19
- CME – Refer to Attendance Policy
- NSPCC – Briefing on key updated to statutory guidelines for schools in England- Keeping Children Safe in Education 2018
- Safeguarding Disabled Children, GOV.UK  
DfE <https://www.gov.uk/government/publications/safeguarding-disabled-children-practice-guidance>
- DfE Searching, screening and confiscation (Advice for Headteachers, school staff and governing bodies January 2018).
- Whistleblowing Policy July 2018 – Merton website: <https://www.merton.gov.uk/council-and-local-democracy/plans-and-policies/whistleblowing-policy>

These appendices are based on the Department for Education's statutory guidance, **Keeping Children Safe in Education**.

### 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 children. These may include interactions that are beyond a child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction
- Seeing or hearing the ill-treatment of another
- Serious bullying (including cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children

**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 children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet)

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

**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.

**Peer on Peer abuse** - Education settings are an important part of the inter-agency framework not only in terms of evaluating and referring concerns to Children's Services and the Police, but also in the assessment and management of risk that the child or young person may pose to themselves and others in the education setting.

If one child or young person causes harm to another, this should not necessarily be dealt with as abuse. When considering whether behaviour is abusive, it is important to consider:

- Whether there is a large difference in power (for example age, size, ability, development) between the young people concerned; or
- whether the perpetrator has repeatedly tried to harm one or more other children; or
- Whether there are concerns about the intention of the alleged perpetrator.

Peer on peer abuse can manifest itself in many ways and different gender issues can be prevalent. Severe harm may be caused to children by abusive and bullying behaviour of other children, which may be physical, sexual or emotional and can include gender-based violence/ sexual assaults, sexting, teenage relationship abuse, peer-on-peer exploitation, serious youth violence, sexual bullying or harmful sexual behaviour.

Staff should recognise that children are capable of abusing their peers and should not be tolerated or passed off as "banter" or "part of growing up".

In order to minimise the risk of peer on peer abuse the school:

- Provides a developmentally appropriate PSHE curriculum which develops students understanding of acceptable behaviour and keeping themselves safe.
- Has systems in place for any student to raise concerns with staff, knowing that they will be listened to, believed and valued.
- Use robust risk assessments where appropriate
- Has relevant policies in place (e.g. behaviour policy).

**Cyber-bullying** - The rapid development of, and widespread access to, technology has provided a new medium for 'virtual' bullying, which can occur in or outside school. Cyber-bullying is a different form of bullying and can happen at all times of the day, with a potentially bigger audience, and more accessories as people forward on content at a click.

The wider search powers included in the Education Act 2011 give teachers stronger powers to tackle cyber-bullying by providing a specific power to search for and, if necessary, delete inappropriate images (or files) on electronic devices, including mobile phones. Separate advice on teachers' powers to search (including statutory guidance on dealing with electronic devices) is available – see below for a link to this document.

For more information on how to respond to cyber-bullying and how pupils can keep themselves safe, please refer to the Child net International link under 'further resources.'

**E- safety abuse (sexting)** - The definition of **sexting** is someone taking an indecent image of themselves and sending to their friends or boy/girlfriend via a mobile phone or some other form of technology. Young people need to be aware that they could potentially be distributing illegal child images. Staff working at Jus'TLearn Independent School will ensure that students are aware of the risks associated with the use of the internet and how to respond appropriately to a "sexting" incident. We know that this can cause enormous distress to children and young people and may place them at risk of sexual grooming and other risks associated with the internet.

**(Refer to Section 7.8 page 15 for further information)**

### **Further information on Child Sexual Exploitation and Female Genital Mutilation**

**Child sexual exploitation (CSE) involves** exploitative situations, contexts and relationships where young people receive something (for example food, accommodation, drugs, alcohol, gifts, money or in some cases simply affection) as a result of engaging in sexual activities. Sexual exploitation can take many forms ranging from the seemingly 'consensual' relationship where sex is exchanged for affection or gifts, to serious organised crime by gangs and groups. What marks out exploitation is an imbalance of power in the relationship. The perpetrator always holds some kind of power over the victim which increases as the exploitative relationship develops. Sexual exploitation involves varying degrees of coercion, intimidation or enticement, including unwanted pressure from peers to have sex, sexual bullying including cyberbullying and grooming. However, it is also important to recognise that some young people who are being sexually exploited do not exhibit any external signs of this abuse.

Female Genital Mutilation (FGM): professionals in all agencies, and individuals and groups in relevant communities, need to be alert to the possibility of a girl being at risk of FGM, or already having suffered FGM. There is a range of potential indicators that a child or young person may be at risk of FGM, which individually may not indicate risk but if there are two or more indicators present this could signal a risk to the child or young person. Victims of FGM are likely to come from a community that is known to practise FGM. Professionals should note that girls at risk of FGM may not yet be aware of the practice or that it may be conducted on them, so sensitivity should always be shown when approaching the subject. Warning signs that FGM may be about to take place, or may have already taken place, can be found on pages 11-12 of the Multi-Agency Practice Guidelines referred to previously. Staff should activate local safeguarding procedures, using existing national and local protocols for multi-agency liaison with police and children's social care.

## 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.

### New staff

When appointing new staff, we will:

- Verify their identity
- Obtain (via the applicant) an enhanced Disclosure and Barring Service (DBS) certificate, including barred list information for those who will be engaging in regulated activity (see definition below). We will not keep a copy of this for longer than 6 months
- Obtain a separate barred list check if they will start work in regulated activity before the DBS certificate is available
- Verify their mental and physical fitness to carry out their work responsibilities
- Verify their right to work in the UK. We will keep a copy of this verification for the duration of the member of staff's employment and for 2 years afterwards
- Verify their professional qualifications, as appropriate
- Ensure they are not subject to a prohibition order if they are employed to be a teacher
- Carry out further additional checks, as appropriate, on candidates who have lived or worked outside of the UK, including (where relevant) any teacher sanctions or restrictions imposed by a European Economic Area professional regulating authority, and criminal records checks or their equivalent
- Check that candidates taking up a management position are not subject to a prohibition from management (section 128) direction made by the secretary of state

We will 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. The references requested will ask specific questions about the suitability of the applicant to work with children.

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

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

### Existing staff

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

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

- We believe the individual has engaged in [relevant conduct](#); or

- The individual has received a caution or conviction for a relevant offence, or there is reason to believe the individual has committed a listed relevant offence, under the under the [Safeguarding Vulnerable Groups Act 2006 \(Prescribed Criteria and Miscellaneous Provisions\) Regulations 2009](#); or
- The 'harm test' is satisfied in respect of the individual (i.e. they may harm a child or vulnerable adult or put them at risk of harm); and
- 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 includes contractors who are provided through a PFI or similar contract). This will be:

- An enhanced DBS check with barred list information for contractors engaging in regulated activity
- An enhanced DBS check, not including barred list information, for all other contractors who are not in regulated activity but whose work provides them with an opportunity for regular contact with children

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

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

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

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

### **Trainee/student teachers**

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

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

### **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
- Carry out a risk assessment when deciding whether to seek an enhanced DBS check without barred list information for any volunteers not engaging in regulated activity. We will retain a record of this risk assessment

## Board of Trustees

All Board of Trustee members] will have an enhanced DBS check without barred list information.

They will have an enhanced DBS check with barred list information if working in regulated activity.

All proprietors, trustees, local governors and members will also have the following checks:

- A section 128 check (to check prohibition on participation in management under [section 128 of the Education and Skills Act 2008](#)).
- Identity
- Right to work in the UK
- Other checks deemed necessary if they have lived or worked outside the UK

## Staff working in alternative provision settings

Jus'TLearn works with the following Alternative Education Providers in the following areas:

- Merton
- Croydon
- Sutton
- Lambeth
- Wandsworth

Where we place a pupil with an alternative provision provider, we obtain written confirmation from the provider that they have carried out the appropriate safeguarding checks on individuals working there that we would otherwise perform.

Progress is monitored by daily/weekly attendance feedback, weekly review conversations, monthly visits and half termly progress reports.

All Alternative Education Providers used have been Quality Assured by the Local Authority: this process includes a rigorous inspection of the provider's safeguarding procedures. In addition to this, all providers sign an annual service level agreement, agreeing to comply with all statutory requirements relating to child protection, having due regard for the Jus'TLearn's Safeguarding Policy. A copy of Jus'TLearn's Safeguarding policy is included with the Service Level Agreement.

"Where a school places a pupil with an alternative provision provider, the school continues to be responsible for the safeguarding of that pupil and should be satisfied that the provider meets the needs of the pupil. Schools should obtain written confirmation from the alternative provider that appropriate safeguarding checks have been carried out on individuals working at the establishment, i.e. those checks that the school would otherwise perform in respect of its own staff".

## Adults who supervise pupils on work experience

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

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

**1.1** Employers are asked, when preparing a programme of work experience for a young person, to take responsibility for their social welfare as well as their physical welfare.

**1.2** Employers should do all they can to ensure their employee's relationships with young people on work experience are appropriate to their age and gender, and do not give rise to comment and speculation. Attitude, behaviour and language all require care and thought. Employers must read and sign a Principles of Child

Protection Document or provide evidence that they have a Child Protection Policy in place. Schools providing work experience placements are exempt from this.

**1.3** All parties involved in setting up and monitoring of work experience placements should be familiar with child protection procedures. All schools are provided with a copy of Merton Child Protection and Safeguarding Procedures and have a designated Child Protection Teacher.

1.4 For more specific guidance, please refer to the DCSF's guidance 'Safeguarding Children and Safer Recruitment in Education', section on Students in Work placements, p.68-69. This sets out the very specific responsibilities of schools for child protection and work experience.

### **Pupils staying with host families**

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

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

JusTLearn

## 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 child or children in a way that indicates he or she would pose a risk of harm to children

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

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

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

### Suspension

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

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

- Redeployment within the school so that the individual does not have direct contact with the child or children concerned
- Providing an assistant to be present when the individual has contact with children
- Redeploying the individual to alternative work in the school so that they do not have unsupervised access to children
- Moving the child or children to classes where they will not come into contact with the individual, making it clear that this is not a punishment and parents have been consulted
- Temporarily redeploying the individual to another role in a different location, for example Just Learn's satellite provision.
- **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)
- **Unfounded:** to reflect cases where there is no evidence or proper basis which supports the allegation being made

### Procedure for dealing with allegations

In the event of an allegation that meets the criteria above, the proprietor where the headteacher is the subject of the allegation) – the 'case manager' – will take the following steps:

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

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 Teaching Regulation Agency.

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

## Timescales

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

## Specific actions

### Action following a criminal investigation or prosecution

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

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

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

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

### Individuals returning to work after suspension

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

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

### Unsubstantiated or malicious allegations

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

## Confidentiality

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

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

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

## Record-keeping

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

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

If an allegation or concern is not found to have been malicious, the school will retain the records of the case on the individual's confidential personnel file and provide a copy to the individual.

Where records contain information about allegations of sexual abuse, we will preserve these for the Independent Inquiry into Child Sexual Abuse (IICSA), for the term of the inquiry. We will retain all other 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, particularly repeatedly, can be a warning sign of a range of safeguarding issues. This might include abuse or neglect, such as sexual abuse or exploitation or child criminal exploitation, or issues such as mental health problems, substance abuse, radicalisation, FGM or forced marriage.

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

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

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

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

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

### Child sexual exploitation

Child sexual exploitation (CSE) is a form of child sexual abuse that occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child into sexual activity in exchange for something the victim needs or wants, and/or for the financial advantage or increased status of the perpetrator or facilitator.

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

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

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

Indicators of sexual exploitation can include a child:

- Appearing with unexplained gifts or new possessions

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

### **Homelessness**

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

The DSL, Deputy and CP Lead, will be aware of contact details and referral routes in to the local housing authority so they can raise/progress concerns at the earliest opportunity (where appropriate and in accordance with local procedures).

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

### **So-called 'honour-based' violence (including FGM and forced marriage)**

So-called 'honour-based' violence (HBV) encompasses incidents or crimes committed to protect or defend the honour of the family and/or community, including FGM, forced marriage, and practices such as breast ironing.

Abuse committed in this context often involves a wider network of family or community pressure and can include multiple perpetrators.

All forms of HBV are abuse and will be handled and escalated as such. All staff will be alert to the possibility of a child being at risk of HBV or already having suffered it. If staff have a concern, they will speak to the DSL, who will activate local safeguarding procedures.

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

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

Section 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 pupil is at risk of FGM.

Indicators that FGM has already occurred include:

- A pupil confiding in a professional that FGM has taken place
- A mother/family member disclosing that FGM has been carried out
- A family/pupil already being known to social services in relation to other safeguarding issues
- A girl:
  - Having difficulty walking, sitting or standing, or looking uncomfortable
  - Finding it hard to sit still for long periods of time (where this was not a problem previously)
  - Spending longer than normal in the bathroom or toilet due to difficulties urinating
  - Having frequent urinary, menstrual or stomach problems
  - Avoiding physical exercise or missing PE
  - Being repeatedly absent from school, or absent for a prolonged period

- Demonstrating increased emotional and psychological needs – for example, withdrawal or depression, or significant change in behaviour
- Being reluctant to undergo any medical examinations
- Asking for help, but not being explicit about the problem
- Talking about pain or discomfort between her legs

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

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

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

### **Forced marriage**

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

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

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

The DSL will:

- Speak to the pupil about the concerns in a secure and private place
- Activate the local safeguarding procedures and refer the case to the local authority's designated officer
- Seek advice from the Forced Marriage Unit on 020 7008 0151 or [fm@fco.gov.uk](mailto:fm@fco.gov.uk)
- Refer the pupil to an education welfare officer, pastoral tutor, learning mentor, or school counsellor, as appropriate

## Preventing radicalisation

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

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

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

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

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

Staff will be alert to changes in pupils' behaviour.

The government website [Educate Against Hate](http://www.educate-against-hate.org.uk) and charity [NSPCC](http://www.nspcc.org.uk) say that signs that a pupil is being radicalised can include:

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

## Information and Advice to All Staff teaching at Just Learn Independent School Regarding the Government's Counter Terrorism Strategy – Prevent Strategy

Prevent is 1 of the 4 elements of [CONTEST, the government's counter-terrorism strategy](#). It aims to stop people becoming terrorists or supporting terrorism.

### What is the Prevent strategy?

Prevent is the Government's strategy to stop people becoming terrorists or supporting terrorism, in all its forms.

Prevent works at the pre-criminal stage by using early intervention to encourage individuals and communities to challenge extremist and terrorist ideology and behaviour.

The strategy makes clear the important role that schools have to play in achieving these aims. It is an extension of the safeguarding process in the same ways that schools help to safeguard children from drugs, gang violence or alcohol.

This site will provide schools with resources and information they need to carry out this role and support them in responding to the new OFSTED inspection framework which sets out expectations for schools to have an appropriate response to preventing extremism.

### The Prevent strategy:

- responds to the ideological challenge we face from terrorism and aspects of extremism, and the threat we face from those who promote these views
- provides practical help to prevent people from being drawn into terrorism and ensure they are given appropriate advice and support
- works with a wide range of sectors (including education, criminal justice, faith, charities, online and health) where there are risks of radicalisation that we need to deal with

The strategy covers all forms of terrorism, including far right extremism and some aspects of non-violent extremism. However, we prioritise our work according to the risks we face. For instance, following the death of soldier Lee Rigby in Woolwich, the Prime Minister is leading a task force on tackling extremism and radicalisation. The special committee, which includes senior members of the cabinet and security chiefs, builds on the Prevent strategy.

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

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

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

### What are individual schools expected to do?

The details are not spelled out in the strategy, but it is promised that the DfE will “ensure that teachers and other school staff know what to do when they see signs that a child is at risk of radicalisation and continue to collaborate and encourage collaboration with policing and the development of products for teachers.” Schools will also be working with children's services and other agencies to “identify children at risk of radicalisation and take necessary steps to protect them from harm.” The Prevent strategy makes clear that this is not about spying on particular communities.

Further information on the school's measures to prevent radicalisation are set out in other school policies and procedures, including our safeguarding students who are vulnerable to extremism (prevent) policy, Autumn Term 2018.

### **Checking the identity and suitability of visitors**

All visitors will be required to verify their identity to the satisfaction of staff and to leave their belongings, including their mobile phone(s), in a safe place 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 badge.

Visitors to the school who are visiting for a professional purpose, such as educational psychologists and school improvement officers, will be asked to show photo ID and:

- Will be asked to show their DBS certificate, which will be checked alongside their photo ID; or
- The organisation sending the professional, such as the LA or educational psychology service, will provide prior written confirmation that an enhanced DBS check with barred list information has been carried out

All other visitors, 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 pupils or staff.

### **Non-collection of children**

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

- *The school will make every attempt to make contact with the parent / carer*
- *If the school is unable to get in contact with the parent / carer, the school will make contact with the emergency contact.*
- *If this fails and the parent has not arrived after an hour of the school closing time, then Merton Social Care will be contacted.*

### **Missing pupils**

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:

- *Inform the schools designated safeguarding lead.*
- *The designated safeguarding lead will assess the students vulnerability*
- *School staff should make every attempt to locate the learner and establish their whereabouts*
- *School staff will make contact with the parent/carer or make contact with the student by calling their mobile phone (if known).*

## Further information on child criminal exploitation: county lines

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

- can affect any child or young person (male or female) under the age of 18 years;
- can affect any vulnerable adult over the age of 18 years;
- can still be exploitation even if the activity appears consensual;
- can involve force and/or enticement-based methods of compliance and is often accompanied by violence or threats of violence;
- can be perpetrated by individuals or groups, males or females, and young people or adults; and
- is typified by some form of power imbalance in favour of those perpetrating the exploitation. Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, cognitive ability, physical strength, status, and access to economic or other resources”.
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## Further information on domestic abuse

“The cross-government definition of domestic violence and abuse is:

Any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can encompass, but is not limited to:

- psychological
- physical
- sexual
- financial
- emotional

Exposure to domestic abuse and/or violence can have a serious, long lasting emotional and psychological impact on children. In some cases, a child may blame themselves for the abuse or may have had to leave the family home as a result. Advice on identifying children who are affected by domestic abuse and how they can be helped is available at: [NSPCC- UK domestic-abuse signs symptoms effects Refuge what is domestic violence/effects of domestic violence on children](#)”

## New information on homelessness

The number of children that are homeless is increasing. Many of them are with their families or are 16/17 years old who are living independently from their parents or guardians.

## Further information on so-called “honour-based” violence

“Abuse committed in the context of preserving “honour” often involves a wider network of family or community pressure and can include multiple perpetrators. It is important to be aware of this dynamic and additional risk factors when deciding what form of safeguarding action to take”.

## Further information on preventing radicalisation

“Extremism goes beyond terrorism and is defined in the Government’s Counter Extremism Strategy as vocal or active opposition to our fundamental values, including the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs. We also regard calls for the death of members of armed forces as extremism. Extremists often target the vulnerable – including the young – by seeking to sow divisions between communities on the basis of race, faith or denomination; justifying discrimination towards women and girls; seeking to persuade others that minorities are inferior; or arguing against the primacy of democracy and the rule of law in our society”.

### Reasonable Force

There are certain circumstances when it is appropriate for staff in the school to use reasonable force. This is to safeguard the learner, especially those with SEN or disabilities. However, the school’s behaviour policy requires to be proactive to avoid have to use reasonable force.

### Screening, Searching and Confiscation

4.1 This guidance follows the requirements of the Education Act 1996, the Education and Inspections Act 2006, the Health and Safety at Work Act 1974. DfE Searching, screening and confiscation (Advice for headteachers, school staff and governing bodies. January 202018)

#### Prohibited items are:

- knives or weapons
- alcohol
- illegal drugs
- stolen items
- tobacco and cigarette papers
- fireworks
- pornographic images
- any article that the member of staff suspects has been, or is likely to be used:
  - to commit an offence or
  - to cause personal injury to, damage to the property of, any person (including the pupil)
- the Head of School and authorized staff can also search for any item that has been banned by the school rules which has been identified in the rules as an item which may be searched for or which they consider harmful or detrimental to school discipline.

4.2 Jus'T'Learn staff can search a pupil for any prohibited item or banned under the school rules, if the pupil agrees.

Head teachers and staff authorized by them have a statutory power to search pupils or their possessions, without consent, where they suspect the pupil has certain prohibited items or items banned under the school rules. Jus'T'Learn staff can seize any banned or prohibited item found as a result of a search.

The Head of School and staff authorized by the Proprietor can use reasonable force when searching a pupil without consent.

4.3 Jus'T'Learn can require pupils to undergo screening by a walk-through or hand-held metal detector. Any member of staff can screen pupils.

If a pupil refuses to be screened, the school may refuse to have the pupil on the premises. In this case, the pupil’s absence should be treated as unauthorized as the school has not excluded the pupil.

#### **4.4 Searching with consent:**

School staff can search pupils with their consent for any item which is banned by the school rules.

If a member of staff suspects a pupil has a banned item in his/her possession, they can instruct the pupil to turn out on his or her pockets or bag and if the pupil refuses the teacher can apply any appropriate sanction as set out in the school's behaviour policy.

#### **4.4 Searching without consent:**

The Head of School or a member of staff authorized by the Proprietor can search a pupil if:

- the member of staff is of the same sex as the pupil being searched;
- there must be a witness (also a staff member), preferably of the same gender as the pupil.
- The Proprietor decides on whom to authorize and what items will that member of staff be allowed to search. There is no requirement to provide authorization in writing.
- School staff can view CCTV footage to make a decision as to whether to conduct a search for an item.
- Searches without consent can only be carried out on school premises or, if elsewhere, where the member of staff has lawful control or charge of the pupil, for example on school trips.

#### **4.6 Under what circumstances?**

The person conducting the search may not require the pupil to remove any clothing other than outer clothing.

- You must be the same sex as the pupil being searched; and there must be a witness (also a staff member) and, if possible, they should be the same sex as the pupil being searched.
- There is a limited exception to this rule. You can carry out a search of a pupil of the opposite sex to you and / or without a witness present, but only where you reasonably believe that there is a risk that serious harm will be caused to a person if you do not conduct the search immediately and where it is not reasonably practicable to summon another member of staff.

#### **4.7 Lockers and desks:**

Schools are able to search lockers and desks for any item provided the pupil agrees.

**4.8** Jus'T'Learn is not required to inform parents before a search takes place or to seek their consent to search their child. There is no legal requirement to make or keep a record of a search.

Jus'T'Learn should inform the pupils' parents/carers where alcohol, illegal drugs or potentially harmful items are found, though there is no legal requirement to do so.

### **Schools' obligations under the European Convention on Human Rights (ECHR)**

- Under article 8 of the European Convention on Human Rights pupils have a right to respect for their private life. In the context of these particular powers, this means that pupils have the right to expect a reasonable level of personal privacy.
- The right under Article 8 is not absolute, it can be interfered with but any interference with this right by a school (or any public body) must be justified and proportionate.
- The powers to search in the Education Act 1996 are compatible with Article 8. A school exercising those powers lawfully should have no difficulty in demonstrating that it has also acted in accordance with Article 8. This advice will assist schools in deciding how to exercise the searching powers in a lawful way.

## Bullying

Our policy on bullying is set out in a separate document (The Anti-Bullying Policy) and acknowledges that to allow or condone bullying may lead to consideration under child protection procedures, including homophobic, cyber bullying and gender related bullying.

## Racist Incidents

The School adheres to the London Borough of Merton's Equal Opportunities Policy. The School acknowledges that repeated racist incidents or a single serious incident may lead to consideration under child protection procedures.

## Health & Safety

Our Health & Safety policy, set out in a separate document, details the measures being taken by the School to promote the health and safety of all children and staff within the School's environment. Other aspects, such as the procedures for the use of mobile technology; internet use and School trips are set out in this and/or other School policies.

## Homestay & Private Fostering

Staff and volunteers require to stay alert for any students changes in living circumstances. The LA must be informed if a child has moved to homestay or is being privately fostered.

"Private fostering occurs when a child under the age of 16 (under 18, if disabled) is provided with care and accommodation by a person who is not a parent, person with parental responsibility for them or a relative in their own home. A child is not privately fostered if the person caring for and accommodating them has done so for less than 28 days and does not intend to do so for longer. Such arrangements may come to the attention of school staff through the normal course of their interaction, and promotion of learning activities, with children."

## Upskirting

Upskirting is a term to describe the act of taking a sexually intrusive photograph up someone's skirt without their permission.

**Upskirting becomes the Voyeurism (Offenders) Act 2019 and comes into force on 12<sup>th</sup> April 2019. The offence is added to the Sexual Offenders Act 2003.**

## What does the law mean?

The offence applies when:

- Without consent, an individual operates equipment or records an image beneath a person's clothing
- The offender has a motive of either obtaining sexual gratification or causing humiliation, distress or alarm to the victim.

**Upskirting is now a criminal offence punishable by up to two years in prison.**

## Types of Meeting associated with Safeguarding

### Network meetings

The designated teachers can call network meetings for all professionals involved with the student if concerns are emerging and if strategies are not working. Such meetings are chaired by the school and full minutes are circulated to all who attend. They frequently lead to new strategies being identified and an increased understanding of the situation.

### Child in Need meetings

If concerns about vulnerable children are persistent and strategies employed appear not to be working, the student will move to level 3 in the Merton "Child Concern Model". At this point a Child in Need Meeting will be called by the Designated Teacher. The school will then be responsible for inviting all the relevant professionals, preparing a CASA if needed and chairing the meeting. The lead professional to co-ordinate and monitor the action plan will be decided at the meeting.

### Case Conferences, Core Group meetings and Strategy meetings

These are organised by the Social Care and the school is usually asked to attend and provide a report about the students. The school always tries to be represented at these meetings and to provide the necessary reports and information. The teacher in charge will attend the meetings.

**Case Conferences** are a statutory part of the process of placing students on the Child Protection register. **Core Group meetings** must be organised for students on the Child Protection register. The school is usually part of the small team of professionals who plan and monitor interventions with the family. It is now expected that all members of the group take turns in writing minutes and circulating them.

**Strategy meetings** fulfil the same function as network meetings in school and provide professionals involved with a student an opportunity to share concerns and information before deciding on strategies to deal with the situation including moving towards registration.

### Training

**"All members of staff** are able to understand the unique risks associated with online safety and be confident that they have the relevant knowledge and up to date capability required to keep children safe whilst they are online at school or college;

- can recognise the additional risks that children with SEN and disabilities (SEND) face online, for example, from online bullying, grooming and radicalisation and are confident they have the capability to support SEND children to stay safe online;"

Just Learn