



**Midhurst Rother College**

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Part of United Learning

**UNITED LEARNING SAFEGUARDING CHILDREN AND CHILD PROTECTION POLICIES AND PROCEDURES**

Date of last central office review:	July 2021	Review Period:	1 year (minimum)
Date of next central office review:	July 2022	Owner:	Midhurst Rother College
Date of next College level review:	September 2022		
Type of policy:	United Learning Policy	Local Governing Body	Recommends College policy for Group Board approval
		Group Board:	Group Board approves United Learning Policy

**REVIEW TIMETABLE**

The Policy will be reviewed annually, as set out below:	
Policy reviewed centrally	July 2021
Policy tailored by individual Colleges	September 2021
Policy ratified by Local Governing Bodies	September 2021
Policy approved by the Group Board	July 2021
Implementation of Group Policy	September 2021

**UNITED LEARNING TRUST**

**Midhurst Rother College**

**2021-2022**

**CHILD PROTECTION AND SAFEGUARDING  
POLICY**

**KEY EXTERNAL CONTACT DETAILS**

<b>Local Authority Designated Officer</b>	Miriam Williams and Donna Tomlinson Consultation Contact Number: 0330 222 6450 (Available 09.00 – 17.00) LADO Service Contact Number: (Available through the MASH) 01403 229900. EMAIL: LADO@WestSussex.gov.uk
<b>Local Authority Children’s Social Services</b>	TEL: 01403 229900 / 0330 222 7799 EMAIL: <a href="mailto:WSChildrenservices@westsussex.gov.uk">WSChildrenservices@westsussex.gov.uk</a> OUT OF HOURS EMERGENCY DUTY TEAM TEL: 033 022 26664 / 07711 769657
<b>Multi-Agency Safeguarding Hub</b>	TEL: 01403 229900 / 0330 222 7799 EMAIL: WSChildrenservices@westsussex.gov.uk
<b>Support and Advice about Extremism</b>	<b>Police</b> PC David Philips TEL: 07776 490067/01273 470101 EMERGENCY: 999 NON-EMERGENCY NUMBER: 101 EMAIL: <a href="mailto:David.Phillips@sussex.pnn.police.uk">David.Phillips@sussex.pnn.police.uk</a>  <b>Local Authority</b> Beverly Knight EMAIL: <a href="mailto:Beverly.knight@westsussex.gov.uk">Beverly.knight@westsussex.gov.uk</a> PREVENT LEAD: Paul Thompson  <b>Department for Education</b> NON-EMERGENCY NUMBER: 020 7340 7264 EMAIL: <a href="mailto:counter.extremism@education.gsi.gov.uk">counter.extremism@education.gsi.gov.uk</a>
<b>NSPCC’s what you can do to report abuse dedicated helpline</b>	ADDRESS: Weston House, 42 Curtain Road London EC2A 3NH TEL: 0800 028 0285 EMAIL: help@nspcc.org.uk
<b>Disclosure and Barring Service</b>	<b>Disclosure Service</b>

	<p>ADDRESS: DBS customer services, PO Box 3961, Royal Wootton Bassett, SN4 4HF, United Kingdom  TEL: 03000 200 190  EMAIL: <a href="mailto:customerservices@dbs.gov.uk">customerservices@dbs.gov.uk</a></p> <p><b>Barring Service</b></p> <p>ADDRESS: DBS customer services, PO Box 3961, Royal Wootton Bassett, SN4 4HF, United Kingdom  <b>TEL:</b> 03000 200 190</p>
<b>Teaching Regulation Agency</b>	<p>TEL: 0207 593 5393  EMAIL: <a href="mailto:misconduct.teacher@education.gov.uk">misconduct.teacher@education.gov.uk</a></p>
<b>OFSTED Safeguarding Children</b>	<p>TEL: (0300 12344155)  EMAIL: <a href="mailto:Whistleblowing@ofsted.gov.uk">Whistleblowing@ofsted.gov.uk</a></p>

#### KEY COLLEGE CONTACT DETAILS

<b>United Learning Trust (ULT)</b>	<p><b>Chair of ULT</b>  Dame Yasmin Bevan  EMAIL: <a href="mailto:company.secretary@unitedlearning.org.uk">company.secretary@unitedlearning.org.uk</a></p> <p><b>Head of Safeguarding</b>  Darren Ellison-Lee, Director of Primary Education  TEL: [● INSERT]  EMAIL:</p> <p><b>Regional Director (United Learning)</b>  Christine Rayside  EMAIL: Christine.Rayside@unitedlearning.org.uk</p>
<b>Local Governing Body (LGB)</b>	<p><b>Chair of LGB</b>  Mr David Lawes  TEL: 01730 812451  EMAIL: <a href="mailto:sarah.glaze@mrc-academy.org">sarah.glaze@mrc-academy.org</a>  Clerk to the Local Governing Board</p> <p><b>Nominated Safeguarding Governor of LGB</b>  Revd Dave Willis  TEL: 01730 812451</p> <p><b>Nominated E-Safety Governor of LGB</b>  Revd Dave Willis  TEL: 01730 812451</p>

<b>Designated Safeguarding Lead (DSL) and Deputy Designed Safeguarding Leads (DDSLs)</b>	<b>Main DSL for the College</b> Mrs Claire Dickens TEL: 01730 812451 EMAIL: <a href="mailto:Claire.dickens@mrc-academy.org">Claire.dickens@mrc-academy.org</a>  <b>Deputy DSL</b> Mr Paul Thompson TEL: 01730 812451 EMAIL: <a href="mailto:Paul.thompson@mrc-academy.org">Paul.thompson@mrc-academy.org</a>  <b>Designated E-Safety Lead</b> Mr Paul Thompson TEL: 01730 812451 EMAIL: <a href="mailto:Paul.thompson@mrc-academy.org">Paul.thompson@mrc-academy.org</a>  The full Safeguarding team can be found in Appendix 2 of this policy
<b>Designated Teachers for Looked After Children</b>	Mrs Claire Dickens TEL: 01730 812451 EMAIL: <a href="mailto:Claire.dickens@mrc-academy.org">Claire.dickens@mrc-academy.org</a>
<b>Head/Principal</b>	Mr Stuart Edwards TEL: 01730 812451 EMAIL: <a href="mailto:Stuart.edwards@mrc-academy.org">Stuart.edwards@mrc-academy.org</a>

## POLICY STATEMENT

This policy applies to Midhurst Rother College (“the College”). United Learning Trust requires the College’s Local Governing Body to review and update this policy annually (as a minimum). This policy is available on the College website. This policy is ratified annually by the United Learning Group Board.

This policy has regard to the following guidance and advice:

- Keeping Children Safe in Education (September 2021) (*‘KCSIE’*)
  - Disqualification under the Childcare Act 2006 (August 2018)
  - What to do if you're worried a child is being abused: advice for practitioners (March 2015)
  - Sexual violence and sexual harassment between children in Colleges and colleges (September 2021)
  - UKCIS Sharing nudes and semi-nudes: advice for education settings working with children and young people December 2020
  - Mental Health and Behaviour in Colleges (advice for Colleges) November 2018 (noting also Promoting and supporting mental health and wellbeing in Colleges and colleges June 2021, and a range of resources available including from Public Health England)
  - Preventing and Tackling Bullying (advice for Colleges)
- Working Together to Safeguard Children (July 2018)
  - Information sharing: advice for practitioners providing safeguarding services (July 2018)

- Revised Prevent Duty Guidance for England and Wales (April 2021)
  - Protecting children from radicalisation: the prevent duty - Guidance for Colleges and childcare providers on preventing children and young people from being drawn into terrorism. (updated August 2015)
- Relationships education, relationships and sex education (RSE) and health education (DfE, updated July 2019, last updated 2020)

This policy also takes into account the procedures and practice of West Sussex Local Authority and the published safeguarding arrangements set out by the West Sussex safeguarding partners <https://www.westsussexscp.org.uk/>. The Local Governing body, and their senior leadership teams, especially their designated safeguarding leads, will:

- make themselves aware of and follow their local arrangements (including the local criteria for action and the local protocol for assessment)
- ensure this is reflected in their own policies and procedures
- supply information as requested by the three safeguarding partners
- work with social care, the police, health services and other services to promote the welfare of children and protect them from harm

Safeguarding and promoting the welfare of children is **everyone's** responsibility. **Everyone** who comes into contact with children and their families has a role to play. In order to fulfil this responsibility effectively, all practitioners should make sure their approach is child-centred. This means that they should consider, at all times, what is in the **best interests** of the child. If children and families are to receive the right help at the right time, **everyone** who comes into contact with them has a role to play in identifying concerns, sharing information and taking prompt action.

The College will ensure they facilitate a whole College approach to safeguarding. This means ensuring safeguarding and child protection are at the forefront and underpin all relevant aspects of process and policy development. Staff working with children should have an attitude of '**it could happen here**' and no reports in their College it does not mean it is not happening. Ultimately, all systems, processes and policies should operate with the best interests of the child at their heart. Where there is a safeguarding concern the College will ensure the child's wishes and feelings are taken into account when determining what action to take and what services to provide. Systems are in place for children to express their views and give feedback.

## CONCERNS ABOUT A CHILD

The College always has a duty to consider the best interests of the student and take action to enable all students to achieve the best outcomes. Safeguarding and promoting the welfare of children is **everyone's** responsibility. Everyone has a role to play in identifying concerns, sharing information and taking prompt action in accordance with this policy.

The College has arrangements for listening to children and providing early help and processes for children to raise concerns about themselves or their peers. Details of these arrangements are explained to the student in College where they can speak to safeguarding officers or any member of staff. The Safeguarding Team have posters around the College and there is a dedicated safeguarding email that can be used. Students can make self-referrals from the College website via any member of staff or independently and in person.

Staff should expect to support social workers and other agencies following any referral.

## **Definitions of Safeguarding and Types and Signs of Abuse**

Safeguarding and promoting the welfare of children is defined as protecting children from maltreatment; preventing impairment of children's mental and physical health or development; ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and taking action to enable all children to have the best outcomes.

Abuse is a form of maltreatment of a child. Somebody may abuse, exploit, or neglect a child by inflicting harm or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them, by their peers, or, more rarely, by others (e.g. via the internet).

Technology is a significant component in many safeguarding and well-being issues. Abuse can take place wholly online, or technology may be used to facilitate offline abuse. In many cases abuse will take place concurrently via online channels and in daily life. They may be abused by an adult or adults or by another child or children. Abuse can be:

- physical abuse
- emotional abuse
- sexual abuse; and/or
- neglect.

All staff should be aware of indicators of abuse and neglect. Staff are referred to **Appendix 1** of this policy for further detail of the types of abuse and possible signs of abuse. Staff should always be vigilant and raise any concerns with the DSL or DDSL.

## **PROCEDURES FOR DEALING WITH CONCERNS ABOUT A CHILD**

If staff suspect or hear an allegation or concern of abuse or neglect from a child or any third party, they must follow the relevant procedure below. All staff should:

- listen carefully
- avoid asking leading questions
- reassure the individual that the allegation/complaint will be taken seriously
- not guarantee absolute confidentiality (as this may ultimately not be in the best interests of the child) and explain to the child that staff will only share the information with those who need to know to help the child. All staff should explain next steps and who the information will be passed to.}
- a victim should never be given the impression that they are creating a problem by reporting abuse, sexual violence or sexual harassment, nor should a victim ever be made to feel ashamed for making a report.

**All** concerns, discussions and decisions made, and the reasons for those decisions, should be recorded in writing. College recording requirements are conducted through the web package Cura the record should include the date, time and place of the conversation and detail of what was said and done by whom and in whose presence. Where a report includes online elements, staff are reminded not to view or forward any illegal images of a child but note what has been reported. Further guidance can be found in the Sharing nudes and semi-nudes: advice for education settings working with children and young people.

Information should be kept confidential and stored securely. It is good practice to keep concerns and referrals in a separate child protection file for each child.

Where there is a safeguarding concern, the College will ensure the student's wishes and feelings are taken into account wherever possible and will work with them (and their families where appropriate) when determining what action to take and what services to provide. This is particularly important in the context of harmful sexual behaviours, such as sexual harassment and violence. The College manages this by the Student Council and **Do Not Keep It To Yourself!** online form on the College website.

**Information sharing:** Safeguarding information will often be special category personal data and the College will comply with data protection law and have due regard to the Department for Education's guidance 'Information sharing advice for safeguarding practitioners' (2018), and the relevant provisions of KCSIE when sharing such data. Personal information may be shared by the College with a third party (such as the police or local authority) without consent if there is a lawful basis to do so such as where doing so is in order to promote a child's welfare or where their safety may be at risk. This is because the Data Protection Act 2018 includes 'safeguarding children and individuals at risk' as a condition that allows information to be shared without consent in certain circumstances. Any decision to share or withhold information will be recorded together with the reasons for it and who the information has been given to. The College operates its processes with the best interests of the student at its heart.

Information sharing is vital in identifying and tackling all forms of abuse and neglect, and in promoting children's welfare, including their educational outcomes. Colleges have clear powers to share, hold and use information for these purposes. The College will ensure relevant staff comply with the relevant data protection principles when processing and sharing personal information, as provided for in the Data Protection Act 2018 and the UK GDPR. As part of this, the College will ensure that members of staff:

- are confident of the processing conditions which allow them to process and share information for safeguarding purposes, including information which is 'special category personal data'.
- understand that 'safeguarding of children and individuals at risk' is a processing condition that allows practitioners to share special category personal data without consent in certain circumstances.
- Do not provide pupils' personal data where the sharing does not comply with data protection law.

When sharing information staff will ensure they comply with group data protection policies and keep records of disclosures as required by these policies. These are available to staff via [the United Learning Policies Portal](#). For further information about how the College processes pupil personal data, please see the privacy notice on the website <https://www.mrc-academy.org/information/policies>

**What staff should do if they have concerns about a child**

If staff (including governors, agency staff and volunteers) have any concerns about a child's welfare they should act immediately and should speak with the College's DSL or DDSL. If, in exceptional circumstances, the DSL or DDSL is not available, this should not delay appropriate action being taken and staff should consider speaking to a member of the senior leadership team and/or take advice from local children's social care. In these circumstances, any action taken should be shared with the DSL or DDSL as soon as is practically possible.

The DSL will consider the appropriate action to take in accordance with the threshold document published by the College's local safeguarding partners. Options will include:

- managing any support for the child internally via the College's own pastoral support processes;
- making an early help assessment; or
- making a referral for statutory services and / or
- making a referral to the police.

If a child's situation does not appear to be improving, the DSL (or the person that made the referral) should consider following local escalation procedures to ensure their concerns have been addressed and to ensure that the child's situation improves.

Staff should not assume a colleague or another professional will take action and share information that might be critical in keeping children safe. They should be mindful that early information sharing is vital for effective identification, assessment and allocation of appropriate service provision, whether this is when problems are first emerging, or where a child is already known to local authority children's social care (such as on a child in need or child protection plan). Staff should challenge any inaction and follow this up with the DSL and children's social care as appropriate. All concerns, discussions and decisions made and the reasons for those decisions should be recorded in writing (in line with this policy).

## **Early Help**

Any child may benefit from early help but all staff should be particularly alert to the potential need for early help for a child who:

- has a disability or has certain health conditions and has specific additional needs;
- Has special educational needs (whether or not they have a statutory education, health and care plan);
- has a mental health need;
- Is a young carer;
- Is showing signs of being drawn in to anti-social or criminal behaviour, including gang involvement and association with organised crime groups or county lines;
- Is frequently missing/goes missing from care or from home;
- Is misusing drugs or alcohol themselves;
- Is at risk of modern slavery, trafficking, sexual or criminal exploitation;
- Is at risk of being radicalised or exploited;
- Has a family member (carer/guardian) in prison, or is affected by parental offending;
- Is in a family circumstance presenting challenges for the child, such as drug and alcohol misuse, adult mental health issues or domestic abuse;
- Has returned home to their family from care;



- Is at risk of honour-based abuse such as Female Genital Mutilation or Forced Marriage;
- Is a privately fostered child.
- Is persistently absent from education, including persistent absences for part of the College day.

All staff should be aware that behaviours linked to drug taking and/or alcohol misuse, deliberately missing education and consensual and non-consensual sharing of nudes and semi-nudes images and/or videos can be signs that children are at risk.

Early help means providing support as soon as a problem emerges at any point in a child's life, from the foundation years through to the teenage years.

In the first instance, staff who consider that a student may benefit from early help should discuss this with the College's DSL or DDSL. If early help is appropriate, the DSL will generally lead on liaising with relevant agencies and setting up 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 professional. The DSL will support staff in liaising with external agencies and professionals in an inter-agency assessment, as appropriate. If early help is appropriate, the matter will be kept under constant review and consideration given to a referral to children's social care if the student's situation does not appear to be improving or is getting worse.

#### **What staff should do if a child is suffering, or is likely to suffer from harm**

If staff (including governors, agency staff and volunteers) believe that a child is suffering, or is likely to suffer from harm, or is in immediate danger it is important that an **immediate** referral to children's social care (and/or the Police if appropriate) is made in accordance with the West Sussex Local Authority referral process. Anyone can make a referral. If anyone other than the DSL makes a referral, they should inform the DSL as soon as possible that a referral has been made. Children's social care assessments should consider where children are being harmed in contexts outside the home, so it is important to provide as much information as possible as part of the referral process, to enable a contextual approach (see further below re Contextual Safeguarding).

The College's Local 8 Safeguarding Partners are the college's local authority, clinical commissioning group for the local area, and chief officer of police for the police area in the local authority area and the locally agreed Safeguarding arrangements can be found here <https://www.westsussexscp.org.uk/>

#### **What staff should do if a child is seen as at risk of radicalisation**

Staff should follow the College's normal referral processes when there are concerns about children who may be at risk of being drawn into terrorism, as set out above. This may include a referral to Channel or children's social care depending on the level of risk. However, if staff have concerns that there is an immediate/significant risk of a child being drawn into terrorism they must call 999 or speak to the DSL/DDSLS for submitting a referral form to MASH or call them directly. Advice and support can also be sought from children's social care.

The College, in recognition that students may be at risk of being drawn into terrorism or other forms of extremism, carries out appropriate risk assessments (following consultation with local partners, such as the Police) of the potential risk in the local area. Such risk assessments are discussed with the Head, DSL or DDSL and governors responsible for safeguarding to ensure the College's safeguarding

arrangements are sufficiently robust to help prevent and protect children from being drawn into terrorism and are regularly revised.

See further below for more information on radicalisation. Further guidance can be found in the Revised Prevent duty guidance: for England and Wales April 2021.

### **What staff should do if they discover an act of Female Genital Mutilation ('FGM')**

All staff should speak to the DSL or DDSL about any concerns about FGM. Teaching staff have a separate duty to report to the Police cases where they discover that an act of FGM appears to have been carried out on a girl under the age of 18. All staff are referred to Appendix 1 of this policy for the procedure to be followed where they suspect or discover that a student may be at risk of FGM.

### **What staff should do if a child goes missing from education**

Children missing from education, particularly persistently, can act as a vital warning sign to a range of safeguarding issues including neglect, sexual abuse and child sexual and criminal exploitation. The College's procedures for unauthorised absence and for dealing with children who go missing from education are found in the College's Children Missing in Education policy, Further detail can also be found at Appendix 1 of this policy.

The College will report to West Sussex Local Authority a student who fails to attend College regularly or has been absent from College without the College's permission for a continuous period of 10 College days or more.

### **Elective Home Education**

Where a parent/carer has expressed their intention to remove a child from College with a view to educating at home, the College will try to work together with the local authority and key professionals to coordinate a meeting with parents/carers where possible. Ideally, this would be before a final decision has been made, to ensure the parents/carers have considered what is in the best interests of each child. This is particularly important where a child has SEND, is vulnerable, and/or has a social worker. The College will inform the local authority of all deletions from the admissions register when a child is taken off roll.

### **What staff should do if they have concerns about another staff member (including supply staff, volunteers and contractors)**

If staff have safeguarding concerns, or an allegation is made about another staff member posing a risk of harm to children, then this should be referred to the Principal. Where there are concerns/allegations about the Principal, this should be referred to the Chair of the LGB and Head of Safeguarding. In the event of concerns/allegations of abuse being made, staff are referred to the procedures below regarding managing allegations of abuse against staff (including supply staff, volunteers and contractors) and United Learning Guidance on Dealing with Allegations of Abuse against Teachers and Other Staff (available on the United Learning Hub).

### **What staff should do if they have concerns about safeguarding practices in the College**

Where staff have concerns about poor or unsafe practices and potential failures in the College's safeguarding regimes, these should be raised in accordance with the College's whistleblowing procedures which can be found on the Midhurst Rother College website. There will be no disciplinary action taken against a member of staff for making such a report provided that it is done in good faith.

If staff and volunteers feel unable to raise an issue with the College, feel that their genuine concerns are not being (or have not been) addressed or are concerned about the way a concern is being handled, they may use other whistleblowing channels, such as the NSPCC whistleblowing helpline. Contact details for the NSPCC helpline can be found on the Key Contacts page at the start of this policy.

## **ARRANGEMENTS FOR DEALING WITH PEER-ON-PEER ALLEGATIONS**

Safeguarding issues can manifest themselves via peer-on-peer abuse. Peer-on-peer abuse is any form of physical, sexual, emotional and financial abuse, and coercive control, exercised between children and within children's relationships (both intimate and non-intimate).

This is most likely to include, but may not be limited to:

- abuse in intimate personal relationships between peers;
- bullying (including cyberbullying);
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm (this may include an online element which facilitates, threatens and/or encourages physical abuse);
- Sexual violence, such as rape assault by penetration and sexual assault (this may include an online element which facilitates, threatens and/or encourages sexual violence);
- Sexual harassment, such as sexual comments, jokes and online sexual harassment, or misogynistic messages which may be stand alone or part of a broader pattern of abuse;
- The non-consensual sharing of indecent images\*, especially around chat groups, and the sharing of abusive images, nudes, videos and pornography to those who do not want to receive it (see further below);
- Causing someone to engage in sexual activity without consent, such as forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party;
- Initiation/hazing type violence and rituals (this could include activities involving harassment, abuse or humiliation used as a way of initiating a person into a group and may also include an online element); and
- Upskirting, which typically involves taking a picture under a person's clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm.

The College recognises the gendered nature of peer-on-peer abuse (i.e. that it is more likely that girls will be "victims" and boys "perpetrators"). Even if there are no reports in their College it does not mean it is not happening, it may be the case that it is just not being reported. As such, if staff have **any** concerns regarding peer on peer abuse, they should speak to their designated safeguarding lead (or deputy).

Peer-on-peer abuse can be associated with factors outside the College and can occur online and offline and between children of any age or gender. The College therefore takes a contextual safeguarding approach to managing peer-on-peer abuse.

Peer-on-peer abuse is abuse and is never acceptable. The College takes a zero-tolerance approach. It should never be passed off or dismissed as "banter", "part of growing up", "just having a laugh" or "boys being boys".

The College takes the following steps to minimise the risk of peer-on-peer abuse. Students have access to assemblies and tutor time activities which deal directly with these issues. PSHCE programmes and structured around the Real Love Rocks programme of learning (Barnados). Issues of consent, bullying and peer on peer abuse are dealt with in an age-appropriate way throughout the PSHCE programme from Year 7 onwards.

\*Consensual image sharing, especially between older children of the same age, may require a different response. Whilst not abusive, children still need to know it is illegal, whilst non-consensual sharing is illegal and abusive. The College's approach to pupil's sharing nudes and semi-nudes images and or videos (also known as sexting or youth produced sexual imagery) is guided by the advice for schools: responding to and managing sexting incidents published by SWGFL and the UK safer internet centre [READ HERE](#). All incidents are recorded, and the response of the college is decided based on guidance above. Outside agencies including police and social care are involved as appropriate or necessary Staff are also referred to United Learning E-Safety Policy (available on United Learning Hub).

Where an issue of student behaviour or bullying gives 'reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm', staff should follow the procedures below rather than the College's Anti-Bullying and Behaviour policies. Further guidance can be found in the UKCIS Sharing nudes and semi-nudes: advice for education settings guidance.

### **What to do if staff suspect that a child may be at risk or hears a report of peer-on-peer abuse**

For detailed information on what sexual violence and sexual harassment constitutes, important context to be aware of, related legal responsibilities for Colleges and colleges, advice on a whole College or college approach to preventing child on child sexual violence and sexual harassment and more detailed advice on responding to reports see departmental advice: ***Sexual Violence and Sexual Harassment Between Children in Colleges and Colleges and Part 5 KCSIE***.

The procedures set out below have been developed following consultation with students, staff and parents and will be reviewed, at least annually, in light of an assessment of the impact and effectiveness of the policy.

In the event of disclosures about peer-on-peer abuse, all children involved will be treated as being at risk and the safeguarding procedures in accordance with this policy will be followed (see 'Procedures for dealing with concerns about a child'). This means that if a member of staff thinks for whatever reason that a child may be at risk of or experiencing abuse by their peer(s), or that a child may be at risk of abusing or may be abusing their peer(s), they should discuss their concern with the DSL or DDSL without delay so that a course of action can be agreed.

The College's initial response to a report from a child is important. How the College responds to a report can encourage or undermine the confidence of future victims of sexual violence and sexual harassment to report or come forward.

It is essential that **all** victims are reassured that they are being taken seriously, regardless of how long it has taken them to come forward and that they will be supported and kept safe. Abuse that occurs online should not be downplayed and should be treated seriously. All staff should be able to reassure victims that they are being taken seriously and that they will be supported and kept safe. A victim should never be given the impression that they are creating a problem by reporting abuse, sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report.

It is important to note that children may not find it easy to tell staff about their abuse verbally. Children can show signs or act in ways that they hope adults will notice and react to. In some cases, the victim may not make a direct report. For example, a friend may make a report or a member of College staff may overhear a conversation that suggests a child has been harmed or a child's own behaviour might indicate that something is wrong. If staff have **any** concerns about a child's welfare, they should act on them immediately rather than wait to be told.

All staff are trained to manage a report. Effective safeguarding practice includes:

- if possible, managing reports with two members of staff present, (preferably one of them being the designated safeguarding lead or a deputy). However, this might not always be possible;
- not promising confidentiality at this initial stage as it is very likely a concern will have to be shared further (for example, with the designated safeguarding lead or children's social care) to discuss next steps. Staff should only share the report with those people who are necessary in order to progress it. It is important that the victim understands what the next steps will be and who the report will be passed to;
- recognising that a child is likely to disclose to someone they trust: this could be **anyone** on the College staff. It is important that the person to whom the child discloses recognises that the child has placed them in a position of trust. They should be supportive and respectful of the child;
- recognising that an initial disclosure to a trusted adult may only be the first incident reported, rather than representative of a singular incident and that trauma can memory and so children may not be able to recall all details or timeline of abuse;
- keeping in mind that certain children may face additional barriers to telling someone because of their disability, sex, ethnicity and/or sexual orientation;
- listening carefully to the child, reflecting back, using the child's language, being non-judgmental, being clear about boundaries and how the report will be progressed, not asking leading questions and only prompting the child where necessary with open questions – where, when, what, etc. It is important to note that whilst leading questions should be avoided, staff can ask children if they have been harmed and what the nature of that harm was;
- considering the best way to make a record of the report. Best practice is to wait until the end of the report and immediately write up a thorough summary. This allows the staff member to devote their full attention to the child and to listen to what they are saying. It may be appropriate to make notes during the report (especially if a second member of staff is present). However, if making notes, staff should be conscious of the need to remain engaged with the child and not appear distracted by the note taking. Either way, it is essential a written record is made;
- only recording the facts as the child presents them. The notes should not reflect the personal opinion of the note taker. Colleges should be aware that notes of such reports could become part of a statutory assessment by children's social care and/or part of a criminal investigation;
- where the report includes an online element, being aware of searching screening and confiscation advice (for Colleges) and UKCIS guidance on Sharing nudes and semi-nudes: advice for education settings working with children and young people.
- informing the designated safeguarding lead (or deputy), as soon as practically possible, if the designated safeguarding lead (or deputy) is not involved in the initial report.

If a staff member has a concern that a child may be at risk of or experiencing abuse by their peer(s), or that a child may be at risk of abusing or may be abusing their peer(s), they should discuss their concern with the DSL or DDSL without delay so that a course of action can be agreed.

The College recognises that a child is likely to disclose an allegation to someone they trust: this could be any member of staff. By making such a disclosure the pupil is likely to feel that the member of staff is in a position of trust.

All concerns/allegations of peer-on-peer abuse will be handled sensitively, appropriately and promptly and will be investigated including consideration of the wider context in which it may have occurred (as appropriate). The College treats all children involved as being at potential risk and ensures a safeguarding response is in place for both the child who has allegedly experienced the abuse, and the child who has allegedly been responsible for it. **Immediate** consideration will therefore be given as to how best to support and protect all children involved/impacted.

The College will take into account the views of the child/children affected. Unless it is considered unsafe to do so, the DSL or DDSL should discuss the proposed action with the child/children and their parents following appropriate liaison with children's social care. The College should manage the child/children's expectations about information sharing, and keep them and their parents informed of developments, where appropriate and safe to do so.

All children affected by peer-on-peer abuse will be supported by the Safeguarding and Pastoral teams and support from external agencies will be sought, as appropriate. "Victims" will be reassured that they are being taken seriously and that they will be supported and kept safe. The College recognises that children with special educational needs and disabilities or certain health conditions can be more prone to peer on peer group isolation than other children and will consider extra pastoral support for those children. To address these additional challenges, the College has put in place the following pastoral support measures; tutor reports; pastoral leader interventions; opportunities to use areas of the SEN department for a quiet space with friends; eating lunch with the TA's in the canteen; opportunities to use the library space and the support from the Engagement and Support Unit.

A student against whom an allegation of abuse has been made may be suspended from the College during the investigation. The College will take advice from relevant local safeguarding partners on the investigation of such allegations and will take all appropriate action to ensure the safety and welfare of all students involved including the alleged "victim" and "perpetrator". If it is necessary for a student to be interviewed by the Police in relation to allegations of abuse, the College will ensure that, subject to the advice of the relevant local safeguarding partners, parents are informed as soon as possible and that the students involved are supported during the interview by an appropriate adult and until the investigation is completed. Confidentiality will be an important consideration for the College and advice will be sought as necessary from the relevant local safeguarding partners, such as children's social care and/ or the Police as appropriate.

### **Reports concerning harmful sexual behaviour**

Consideration of safeguarding all those children involved in the safeguarding report will be immediate. Following a report of sexual violence and/or sexual harassment the DSL will therefore consider the appropriate response. This will include:

- The wishes of the victim;
- The nature of the alleged incident;
- The ages of the children involved;

- The developmental stages of the children involved;
- Any power imbalance between the children;
- If the alleged incident is a one-off or sustained pattern;
- Any ongoing risks;
- Other related issues and context.

When there has been a report of sexual violence, the DSL (or a deputy DSL) should make an immediate risk and needs assessment in respect of each child affected by the abuse. Where there has been a report of sexual harassment, the need for a risk assessment should be considered on a case-by-case basis. The risk and needs assessment should consider:

- the “victim”;
- the alleged “perpetrator”; and
- the other children (and, if appropriate, staff) at the College.

The DSL will consider as part of the College’s response, the context within which such incidents and/or behaviours occur and the importance of anonymity. Risk assessments will be recorded (either written or electronic) and kept under review. The DSL will consider the risks posed to all students and put adequate measures in place to protect them and keep them safe. This may include consideration of the proximity of the “victim” and alleged “perpetrator” and considerations regarding shared classes, sharing College premises and College transport. Any professional risk assessment will inform the College’s approach.

The police will be informed of any harmful sexual behaviours including sexual violence and sexual harassment which are potentially criminal in nature, such as grabbing bottoms, breasts and genitalia. Rape, assault by penetration and sexual assaults will be passed to the police. A report to the police will generally be made in parallel with a referral to children’s social care.

If the DSL decides to make a referral to children’s social care and/or a report to the police against a “victim’s” wishes, the reasons should be explained to the student and appropriate specialist support offered. The DSL or DDSL will also work closely with children’s social care and other agencies are required to ensure any action taken under this policy does not jeopardise any statutory investigation and to discuss how the alleged “perpetrator”, staff, parents and others will be informed of the allegations and what information can be disclosed bearing in mind the need to protect those involved and their anonymity.

Regardless of the outcome of any criminal process, including where a child is subject to bail, the DSL will liaise with the police and children’s social care to ensure the welfare and safety of all children and update the risk assessments and ensure relevant protections and measures are in place for all children.

The College will consider whether disciplinary action may be appropriate for any child/children involved. Before deciding on appropriate action the College will always consider its duty to safeguard all children from harm; the underlying reasons for a child's behaviour; any unmet needs, or harm or abuse suffered by the child; the risk that the child may pose to other children; and the severity of the peer-on-peer abuse and the causes of it.

The DSL will ensure that where children move to another educational institution following an incident of peer-on-peer abuse, the new institution is made aware of any ongoing support needs and, where appropriate, any potential risks to other children and staff.

The College recognises that good record-keeping and monitoring of sexual violence and sexual harassment reports is essential and assists the College in meeting its Public Sector Equality Duty.

### **Contextual Safeguarding**

All staff should be aware that safeguarding incidents and/or behaviours can be associated with factors outside the College and/or can occur between children outside of these environments. All staff, but especially the designated safeguarding lead (and deputies) should consider whether children are at risk of abuse or exploitation in situations outside their families. Extra-familial harms take a variety of different forms and children can be vulnerable to multiple harms including (but not limited to) sexual exploitation, criminal exploitation, and serious youth violence.

### **ARRANGEMENTS FOR DEALING WITH CONCERNS/ALLEGATIONS OF ABUSE AGAINST TEACHERS AND OTHER STAFF (INCLUDING THE HEAD, GOVERNORS, SUPPLY STAFF, VOLUNTEERS AND CONTRACTORS)**

The College's procedures for managing concerns/ allegations against staff who are currently working in the College follows Department for Education statutory guidance and local safeguarding partners' arrangements and applies when staff (including supply staff, volunteers and contractors) have (or are alleged to have):

- Behaved in a way that has harmed a student, or may have harmed a student; and/pr
- Possibly committed a criminal offence against or related to a student; and/or
- Behaved towards a student in a way that indicated that they may pose a risk of harm if they were to work regularly or closely with children; and/or
- behaved or may have behaved in a way that indicates they may not be suitable to work with children (including behaviour that may have happened outside College, that might make them unsuitable to work with children "transferable risk". Advice can be sought from the LADO in assessing transferable risk).

### **Non-recent allegations**

Allegations against an adult that is no longer working/volunteering with children should be referred to the Police. Where it is known that the adult is still working/volunteering with children, all allegations (including historical/non-recent allegations of abuse) should be referred to the Police and the LADO in the local authority that the adult is working/volunteering.

Where an adult makes an allegation to a College that they were abused as a child, they should be advised to report the allegation to the police. Non-recent allegations made by a child, should be reported to the LADO in line with the local authority's procedures for dealing with non-recent allegations. Abuse can be reported no matter how long ago it happened.

If an allegation is made against anyone working with children in the College, the College should not undertake their own investigation of allegations without prior consultation with the Local Authority 'designated officer' (LADO) or, in the most serious cases, the Police, so as not to jeopardise statutory investigations. In borderline cases, the College may discuss informally with the Local Authority 'designated officer' (LADO) on a no-names basis (if local safeguarding procedures allow).



All allegations should be investigated as a priority to avoid any delay.

### **Allegations that may meet the harms threshold**

1. All allegations which appear to meet the above reporting criteria are to be **reported straight away to the 'case manager'** who is the Principal. Where the Principal is absent or is the subject of the allegation or concern, reports should be made to Chair of the LGB and Head of Safeguarding. Where the Principal is the subject of the allegation or concern, the Principal must not be informed of the allegation prior to contact with Chair of the LGB, Head of Safeguarding and LADO, and if appropriate, children's social care and the police.
2. **Welfare of the child:** Where the case manager deems that a child has been harmed, or there to be an immediate risk of harm to a child, or if the situation is an emergency, the DSL (or DDSL) should contact Children's Social Care and, as appropriate (e.g. if there is evidence of a possible criminal offence), the Police immediately.
3. **Investigating and supporting the person subject to the allegation:** Before contacting the LADO, Colleges should conduct basic enquiries in line with local procedures to establish the facts and help determine if there is any foundation to the allegation, being careful not to jeopardise any future police investigation, such as:
  - Was the individual in the College at the time of the allegation?
  - Could they have come into contact with the child?Colleges should establish what initial information the LADO will require, and if in doubt check with the LADO before undertaking any initial enquiries, to ensure not to prejudice the position.
4. The case manager should immediately discuss the allegation with the LADO and consider the nature, content and context of the allegation and agree a course of action including any involvement of the Police. The designated officer should be informed within one working day of all allegations that come to the College's attention and appear to meet the criteria or that are made directly to the Police and/or children's social care.
5. All discussions should be recorded in writing, and any communication with both the individual and the parents of the child(ren) agreed with the Police/LADO. The case manager will ensure that the individual who is subject of the allegation is informed as soon as possible and given an explanation of the likely course or action, unless there is an objection by children's social care or the Police. The case manager will appoint a named representative to keep the individual informed of the progress of the case and will consider what other support is appropriate for the individual.
6. **Suspension:** The case manager should give careful consideration as to whether the circumstances of the case warrant suspension or whether alternative arrangements should be put in place until the allegation is resolved. The case manager will give due weight to the views of the LADO, their HR adviser, *KCSIE (paras 361-368)*, as well as the police and children's social care if relevant when making a decision about suspension. Where the individual is suspended, the case manager will ensure they know who their point of contact is in the College and shall provide them with their contact details.
7. **Support for the member of staff:** whilst the welfare of the child is paramount, appropriate welfare support should also be made for the member of staff. Information is confidential, and should not ordinarily be shared with other staff, children or parents not directly involved. See further guidance in *KCSIE (369-371)*.

8. The case manager will ensure that parents are informed as soon as possible and kept informed about progress of the case, subject to any advice from children's social care or the Police.
9. **Further investigation:** where further investigation is required, the LADO and case manager will agree how and by whom the further investigation will be undertaken. (See further paras 352-355 KCSIE).
10. The case manager will discuss with the designated officer whether a referral to the **Disclosure and Barring Service (DBS) and/or Teaching Regulation Agency (TRA)** should be made, noting the requirements of KCSIE. For instance:
  - a. If: 1) the allegation is substantiated; and 2) the person is dismissed (including by an agency) or the College (or agency) ceases to use their services, or the person resigns or otherwise ceases to provide their services, then the employer has a legal duty to make a referral to the DBS for consideration of whether inclusion on the barred lists is required.
  - b. The employer has a legal requirement to make a referral to the DBS where they remove an individual from regulated activity (or would have removed an individual had they not left), and they believe the individual has:
    - i. engaged in relevant conduct in relation to children and/or adults,
    - ii. satisfied the harm test in relation to children and/or vulnerable adults; or
    - iii. been cautioned or convicted of a relevant (automatic barring either with or without the right to make representations) offence.
  - c. In a case involving serious professional misconduct by a teacher, the case manager must consider whether to make a referral to the TRA. In certain cases, the TRA will consider whether to prohibiting the individual from teaching.
11. Where the initial discussion leads to no further action, the case manager and the LADO should record the decision and justification for it; and agree on what information should be put in writing to the individual concerned and by whom.
12. On conclusion of the case, the case manager should review the circumstances of the case with the designated officer to determine whether there are any improvements to be made to the College's safeguarding procedures or practices to help prevent similar events in the future.
13. **Settlement:** Compromise or settlement agreements **should not** be used where there are allegations which indicate the person poses a risk of harm or may not be suitable to work with children and will not prevent a police and/or College investigation, or referral to the DBS or TRA where the criteria are met. Failure to do so is a criminal offence. The College will continue its investigation if the person leaves, resigns or ceases to provide their services. Colleges should check the relevant provisions of KCSIE (391-396).

### Information sharing

Staff should be mindful of the guidance set out at paragraphs 372-380 KCSIE in relation to sharing information between safeguarding partners during the course of the process of managing allegations against staff.

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

### **Allegation outcomes**

Allegations found to be malicious will be removed from the individual's personnel records. In all other circumstances a written record will be made of the decision and retained on the individual's personnel file in accordance with *KCSIE* and a copy will only be provided to the individual concerned.

Allegations proven to be false, unsubstantiated, unfounded or malicious will not be included in employer references. Substantiated allegations should be included in references, provided that the information is factual and does not include opinions (*KCSIE* 401). Low level concerns (see below) should not be included in references unless they relate to issues which would normally be included in a reference such as misconduct or poor performance (*KCSIE* 423).

If an allegation is determined to be unsubstantiated, unfounded, false or malicious, the LADO and case manager should consider whether the child and/or person who made the allegation is in need of help or may have been abused by someone else, in which case a referral to children's social care may be appropriate.

If an allegation is shown to be deliberately invented or malicious, the Head will consider whether any disciplinary action is appropriate against a student who made it in accordance with the College's behaviour policy; or whether the Police should be asked to consider if action might be appropriate against the person responsible even if they are not a student.

### **Supply teachers and all contracted staff**

Where the College has to consider an allegation against an individual not directly employed by them, where its disciplinary procedures do not fully apply, for example, supply teachers provided by an employment agency or business (referred to in this section as 'the agency'), they will ensure allegations are dealt with properly. They will liaise with the local authority designated officer (LADO) to determine a suitable outcome and discuss with the agency whether it is appropriate to suspend the supply teacher or redeploy them to another part.

Agencies should be fully involved and cooperate with any enquiries from the LADO, police and/or children's social care. The College will usually take the lead because agencies do not have direct access to children or other College staff, so they will not be able to collect the facts when an allegation is made, nor do they have all the relevant information required by the LADO as part of the referral process.

When using an agency, the Colleges will inform the agency of its process for managing allegations but also take account of the agency's policies and their duty to refer to the DBS as personnel suppliers. This should include inviting the agency's human resource manager or equivalent to meetings and keeping them up to date with information about its policies.

## **Governors**

If an allegation is made against a governor, Colleges should follow their own local procedures. Where an allegation is substantiated, they should follow the procedures to consider removing them from office.

## **CONCERNS THAT DO NOT MEET THE HARM THRESHOLD/LOW – LEVEL CONCERNS POLICY**

As part of their whole College approach to safeguarding, the College will ensure that they promote an open and transparent culture in which **all** concerns about all adults working in or on behalf of the College (including supply teachers, volunteers (including governors) and contractors) are dealt with promptly and appropriately.

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

- is inconsistent with the staff code of conduct, including inappropriate conduct outside of work, and
- relates to their conduct outside of work which, even if not linked to a particular act or omission, has caused a sense of unease about that adult's suitability to work with children.
- does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the LADO.

Examples of such behaviour could include, but are not limited to:

- being over friendly with children;
- having favourites;
- taking photographs of children on their mobile phone;
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door; or,
- using inappropriate sexualised, intimidating or offensive language.

It is crucial that any such concerns, including those which do not meet the allegation/harm threshold, are shared responsibly and with the right person, and recorded and dealt with appropriately.

## **Sharing/reporting a concern**

Low-level concerns about a member of staff should be reported to the Principal. Where a low-level concern is raised about the Principal, it should be shared with the chair of governors. If someone is unclear who they should share their concern with, they should share it with the United Learning Safeguarding Lead, who is part of the Central Office Team. Staff do not need to be able to determine in each case whether their concern is a low-level concern, or if it is in fact serious enough

to consider a referral to the LADO or meets the threshold of an allegation. Once staff share what they believe to be a low-level concern, that determination should be made by the Principal.

Where a low-level concern relates to a person employed by a supply agency or a contractor to work in a College, that concern should be shared with the Principal, and recorded and their employer notified about the concern, so that any potential patterns of inappropriate behaviour can be identified.

If the staff member sharing the concern does not wish to be named the College will respect this person's wishes as far as possible. However, there may be circumstances where the staff member will need to be named (for example where it is necessary in order to carry out a fair disciplinary investigation) and, for this reason, anonymity can never be promised to members of staff who share low-level concerns.

### **Self-Reporting**

Occasionally an adult may find themselves in a situation which could be misinterpreted or might appear compromising to others. Equally, an adult may, for whatever reason, have behaved in a manner which, on reflection, they consider falls below the standard set out in the Code of Conduct. Self-reporting in these circumstances can be positive for a number of reasons: it is self-protective, in that it enables a potentially difficult issue to be addressed at the earliest opportunity; it demonstrates awareness of the expected behavioural standards and self-awareness as to the individual's own actions or how they could be perceived; and, crucially, it is an important means of maintaining a culture where everyone aspires to the highest standards of conduct and behaviour.

### **How should a low-level concern be responded to**

The Principal should:

- speak to the person who raised the concern (unless it has been raised anonymously), regardless of whether a written summary, or completed low-level concerns form has been provided;
- review the information and determine whether the behaviour (i) is entirely consistent with the College's Code of Conduct and the law, (ii) constitutes a low-level concern, (iii) is serious enough to consider a referral to the LADO, or (iv) when considered with any other low-level concerns that have previously been raised about the same individual, should be reclassified as an allegation and referred to the LADO/other relevant external agencies;
- where the DSL is in any doubt whatsoever, they should seek advice from the LADO;
- speak to the individual about whom the low-level concern has been raised (unless advised not to do so by the LADO/other relevant external agencies, where they have been contacted);

Any investigation of low-level concerns should be done discreetly and, on a need-to-know basis.

Advice should be sought from Human Resources and legal services (where necessary) about next steps.

There are a number of potential outcomes e.g.

- If it is decided that the low-level concern in fact amounts to behaviour which is entirely consistent with the organisation's Code of Conduct and the law it will still be important for the Principal to inform the individual in question what was shared about their behaviour, and to give them an opportunity to respond to it; In addition, the Principal should speak to the person who shared the low-level concern to provide them with feedback about how and why the behaviour is consistent with the organisation's Code of Conduct and the law.
- Some will not give rise to any ongoing concern and, accordingly, will not require any further action;
- Others may be most appropriately dealt with by means of management guidance and/or training;
- A low-level concern may require a conversation with the individual about whom the concern has been raised. This should include being clear with the individual as to why their behaviour is concerning, problematic or inappropriate, what change is required in their behaviour, enquiring what, if any, support they might need in order to achieve and maintain that, and being clear about the consequences if they fail to reach the required standard or repeat the behaviour in question. Ongoing and transparent monitoring of the individual's behaviour may be appropriate. An action plan or risk assessment which is agreed with the individual, and regularly reviewed with them, may also be appropriate;
- Some low-level concerns may also raise issues of misconduct or poor performance;
- Some concerns may trigger the organisation's disciplinary, grievance or whistleblowing procedures, which should be followed where appropriate;
- A referral to the LADO as the College believes the threshold has been met.
- The College should exercise their professional judgement and, if in any doubt, they should seek advice from other external agencies including the LADO.

The Principal should review the central low-level concerns file periodically to ensure that all such concerns are being dealt with promptly and appropriately, and that any potential patterns of concerning, problematic or inappropriate behaviour are identified. A record of these reviews should be made.

### **Recording concerns**

All procedures for recording and storing of records should comply with United Learning's Data Protection Policies.

All low-level concerns should be recorded in writing by the Principal. The record should include details of the concern, the context in which the concern arose, and action taken. The name of the individual sharing their concerns should also be noted, if the individual wishes to remain anonymous then that should be respected as far as reasonably possible.

The name of the individual sharing the low-level concern, and their role, should be stated, as should the name of the individual about whom the concern is being raised, and their role within the organisation at the time the concern is raised. If the latter individual has an opposing factual view of the incident, this should be fairly recorded alongside the concern. The record should include brief context in which the low-level concern arose, and concise details (which are chronological and as precise and accurate as possible) of any such concern and relevant incident(s). The record should be signed, timed and dated.

There should be appropriate records of:

- all internal conversations – including with the person who initially shared the low-level concern (where this has been possible), the adult about whom the concern has been shared (subject to the above), and any relevant witnesses;
- all external conversations – for example, with the LADO/other external agencies;
- the rationale for decisions;
- any action taken.

Records should be reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified. Where a pattern of such behaviour is identified, the College will decide on a course of action, either through its disciplinary procedures or where a pattern of behaviour moves from a concern to meeting the harms threshold, in which case it should be referred to the LADO. Consideration will also be given to whether there are wider cultural issues within the College that enabled the behaviour to occur and where appropriate policies could be revised or extra training delivered to minimise the risk of it happening again.

Adults about whom a low-level concern has been raised may have rights of access to such records, provided of course that this would not also unreasonably disclose information of children concerned.

The College should retain the record consistent with comply with group data protection policies. The College should retain all records of low-level concerns (including those which are subsequently deemed by the Principal to relate to behaviour which is entirely consistent with the Code of Conduct) in a central low-level concerns file (either electronic or hard copy). Where multiple low-level concerns have been shared regarding the same individual these should be kept in chronological order as a running record. These records should be kept confidential and held securely, with access afforded only to a limited number of individuals such as the Principal and the individual they report to (e.g. Regional Director); and senior HR officer, and the individual they report to (e.g. Head of HR). The Principal may store the central low level concerns file with his/her other safeguarding and child protection records.

Some low-level concerns may also involve issues of misconduct or poor performance, or they may trigger the disciplinary, grievance or whistleblowing procedures. Where these issues would ordinarily require records to be made and retained on the staff member's personnel file, this should be done in the normal way, in addition to the records of the low-level concern(s) being retained in a central low-level concerns file.

If a low-level concern in and of itself is deemed to be serious enough to consider a referral to the LADO and, perhaps following consultation, a referral is made to them, then records relating to the low-level concern should be placed and retained on the staff member's personnel file.

If a low-level concern (or group of concerns) is reclassified as an allegation, all previous records of low-level concerns relating to the same individual should be moved from the central low-level concerns file to the staff member's personnel file and retained in accordance with Part 4 of KCSIE.

When a staff member leaves and/or takes up new employment, that creates a natural point at which the content of the file may be reviewed to ensure it still has value (either as a safeguarding measure or because of its possible relevance to future claims) and is therefore necessary to keep.

Low-level concerns should not be referred to in references unless they relate to issues which would ordinarily be included in a reference, for example, misconduct or consistent poor performance. It follows that a low-level concern which relates exclusively to safeguarding (and not to misconduct or poor performance) should not be referred to in a reference. Where a low-level concern (or group of concerns) has met the threshold for referral to LADO and found to be substantiated, it should be referred to in a reference. A history of repeated concerns or allegations which have all been found to be false, unsubstantiated or malicious should also not be included in any reference.

The College will refer to Part Four, Section Two of Keeping Children Safe in Education (DfE, 2021) for further advice and guidance.

## **STAFF BEHAVIOUR POLICY / CODE OF CONDUCT**

The College uses the United Learning's "Guidance for Staff-Student relationships 2021" which can be found on the United Learning Hub. The aim of this document is to provide clear guidance about behaviour and actions and responses to low level concerns in order not to place students or staff at risk of harm or of allegation of harm to a student.

## **SAFER RECRUITMENT**

The College is committed to safer recruitment processes and ongoing safer working practices. Members of the teaching and non-teaching staff at the College including part-time staff, temporary and supply staff, and visiting staff, such as musicians and sports coaches are subject to the necessary statutory child protection checks before starting work, for example, right to work checks, additional overseas checks (if necessary), verifying identity, taking up references, checking work history and confirming medical fitness for the role.

For most appointments, an enhanced DBS check with 'barred list' information will be appropriate. Under no circumstances will an individual commence work unsupervised in sole charge of, or in unaccompanied contact with, children without a cleared DBS check. In this case, the individual will have a separate Barred List check and the College will undertake a written Risk Assessment exercise in relation to the proposed work. All other safeguarding checks will be completed and the individual will be appropriately supervised. Please refer to Section C and Appendix 5 of the 'Safeguarding Children – HR Procedural Guidance' available on the United Learning Hub for further guidance.

Full details of the College's safer recruitment procedures for checking the suitability of staff, members of the College LGB and Trustees of ULT and volunteers to work with children and young people is set out in

- United Learning / the College's Recruitment and Selection Policy;
- United Learning's Safeguarding Children – HR Procedural Guidance;
- United Learning's LGB Handbook; and
- United Learning's guidance: Trustees - Recruitment, Appointment, and Removal Process

These documents are available on the United Learning Hub.

The College's protocols for ensuring that any visiting speakers, whether invited by staff or students themselves, are suitable and appropriately supervised is set out in the College's Recruitment and Selection Policy.



## **MANAGEMENT OF SAFEGUARDING**

The College's DSL is **Mrs Claire Dickens** who is a member of the leadership team.

Mr Paul Thompson is the DDSL and the person to whom reports should be made in the absence of the DSL. This ensures there is always the required cover for the role.

The DSL and DDSL's contact details can be found on the Key Contacts page at the start of this policy.

The DSL's role is to take lead responsibility for safeguarding and child protection matters in the College. The DSL's responsibility is to maintain an overview of safeguarding within the College, to open channels of communication with local statutory agencies, to liaise closely with safeguarding partners (such as children's social care and the police), support staff in carrying out their safeguarding duties (such as children's social care and the police), support staff in carrying out their safeguarding duties and to monitor the effectiveness of the College's policies and procedures in practice. The DSL (and DDSL) are most likely to have a complete safeguarding picture and be the most appropriate person to advise on a response to a safeguarding concern.

The DSL works with the College's LGB to review and update the College's safeguarding policy. Where a student leaves the College, the DSL will also ensure their child protection file is transferred to the new College (separately from the main student file) as soon as possible. The DSL will ensure secure transit and obtain confirmation of receipt. The DSL will also consider if it would be appropriate to share any information with the new College in advance of a child leaving. For example, information that would allow the new College to continue supporting victims of abuse, who have a social worker, or who are receiving support through the Channel programme, and have that support in place for when the child arrives. The College will ensure that key staff, such as the SENCO, are also aware of these arrangements, as required.

The DSL will inform the safeguarding partners of any incident which they think should be considered for a child safeguarding practice review.

The DSL regularly reviews the College's and their own practices and concerns about welfare and safeguarding matters. This includes the personal and professional duty of all staff to report welfare and safeguarding concerns to the DSL, or in their absence, to a member of the senior management team or directly to local children's services.

The DSL or Deputy DSL will always be available to discuss safeguarding concerns. During term time, the DSL and DDSL will always be available (during College hours) for staff in the College to discuss any safeguarding concerns. For out of hours/out of term activities, the College's arrangements are to direct the colleague to the LCSB if guidance and support is required and if it is an urgent matter of child safety to contact the police directly on 999.

Full details of the DSL's role can be found at Annex C of *KCSIE*.

Ultimate lead responsibility for safeguarding and child protection remains with the DSL and this responsibility should not be delegated.

## **TRAINING**

Induction and training (including online safety) are in line with advice from local safeguarding partners.

## All Staff

All new staff will be provided with induction training that includes:

- Safeguarding and child protection, including online safety
- the child protection policy, including information about the identity and role of the DSL() and DDSL
- the behaviour policy (which should include measures to prevent bullying, including cyberbullying, prejudice-based and discriminatory bullying)
- the safeguarding response to children who go missing from education
- the staff United Learning “Guidance for Staff-Student relationships 2021” including the College’s whistleblowing procedure and the acceptable use of technologies policy, staff/student relationships and communications including the use of social media
- a copy of Part 1 of *KCSIE 2021*
- College leaders and staff who work directly with children will also be required to read Annex A of *KCSIE*

Induction training usually takes place within seven (7) working days of staff commencing work. Copies of the above documents are provided to all ‘staff’ during induction. On appointment and as part of United Learning Annual Declaration, all staff will receive and sign the up to date versions of the Staff Student Relationship Letter and Acceptable Use Declaration. The staff “Guidance for Staff-Student relationships 2021” can be found on the United Learning Hub as well as an electronic version is provided to all staff at the start of each year.

Temporary staff and volunteers are provided with safeguarding training from either the DSL the business manager who is DSL trained or the DDSLs.

As part of the whole College safeguarding approach, all staff are also required to:

- Read Part One of *KCSIE* and confirm that they have done so via electronic return on the Annual Declarations return sent to all staff at the start of the year. Each time Part One of *KCSIE* is updated by the Department for Education, staff will be updated on the changes via INSET and Staff training sessions.
- Understand key information contained in Part One of *KCSIE*. The College will ensure staff understanding by ensuring all staff complete online EduCare training; this can be tracked for completion and certification..
- Receive training in safeguarding and child protection regularly, in line with advice from the local safeguarding partners. Training will include online safety and harmful sexual behaviours including sexual violence and sexual harassment between children. It will also include Prevent awareness training to equip staff to raise concerns appropriately by ensuring all staff have the knowledge and confidence to identify children at risk of being drawn into terrorism; are able to challenge extremist ideas; and know how to refer children and young people for further help. All staff will also be made aware of the local early help process and understand their role in it.
- Undertake regular informal updates, at least annually, to provide them with relevant skills and knowledge to safeguard children effectively. The College provides these via, for example, INSET, staff meetings, email communications and all colleagues must complete a child protection module at level 2 provided by EduCare..

## **DSL(s) - Designated Safeguarding Lead (s)**

The DSL receives updated child protection training at least every two years to provide them with the knowledge and skills required to carry out the role. This includes local inter-agency working protocols, participation in child protection case conferences, supporting children in need, identifying children at risk of radicalisation, supporting SEND children particularly when online, overseeing online safety in College, record keeping and promoting a culture of listening to children, training in the LCSB (until such time as they are replaced with local safeguarding partners) OR local safeguarding partners approach to *Prevent* duties [and harmful sexual behaviours]. Further details of the required training content for the DSL are set out in Annex C of *KCSIE*.

In addition to their formal training, the DSL's knowledge and skills are updated at least annually to keep up with any developments relevant to their role.

The DDSL is trained to the same level as the DSL.

## **OVERSIGHT OF SAFEGUARDING, INCLUDING ARRANGEMENTS FOR REVIEWING POLICIES AND PROCEDURES**

Reena Keeble is the board-level lead designated to take a lead in relation to responsibility for the Trust's safeguarding arrangements. Revd Dave Willis is the LGB lead designated to take a lead in relation to responsibility for the safeguarding arrangements in the College. He is a member of the College's LGB.

A review of the College's child protection policies takes place at least annually, including an update and review of the effectiveness of procedures and their implementation. The College had an external review by United Learning's Safeguarding Leads for the past three years and this will continue this academic year. The College draws on the expertise of staff, including the DSL(s), in shaping the College's safeguarding arrangements and policies.

If there has been a substantiated allegation against a member of staff, the College will work with the Local Authority designated officer to determine whether there are any improvements to be made to the College's procedures or practice to help prevent similar events in the future.

## **THE COLLEGE'S ARRANGEMENTS TO FULFIL OTHER SAFEGUARDING RESPONSIBILITIES**

### **Teaching children how to keep safe**

The local governing body OR United Learning Trust ensures that all students are taught about safeguarding, including online, through the curriculum, Relationships and Sex Education and Health Education and PSHE to help children to adjust their behaviours to reduce risks and build resilience, including to radicalisation. This includes teaching students about the safe use of electronic equipment and the internet and the risks posed by adults or young people, who use the internet and social media to bully, groom, abuse or radicalise other people, especially children, young people and vulnerable adults. It will also include teaching students, for example, about healthy relationships, consent and that sexual violence and sexual harassment is always wrong.

The College recognises the additional risks that children with SEND face online and works with the Head of ICT and SENCO to ensure that additional support and measures are in place to support these children. Online safety is an integral part of the College's ICT curriculum for all pupils and is taught in an age-appropriate way relevant to pupils' lives. It is also embedded in PSHE and Relationships and Sex Education. Pupils will be taught what positive, healthy and respectful online relationships look

like; the effects of their online actions on others; how to recognise and display respectful behaviour online; how to use technology safely, responsibly and securely; and where to go for help and support when they have concerns. It is essential that children are safeguarded from potentially harmful and inappropriate online material. A whole College approach is taken to online safety in the United Learning E-Safety Policy that empowers the College to protect and educate pupils, students, and staff in their use of technology and establishes mechanisms to identify, intervene in, and escalate any concerns where appropriate.

The College has appropriate filters and monitoring systems in place to safeguard children from potentially harmful and inappropriate material online. The College's systems are Baracuda web filtering, Lanschool web filters/VNC/Student login monitoring systems. Such systems aim to reduce the risk of children being exposed to illegal, inappropriate and harmful materials online; reduce the risk of children being subjected to harmful online interaction with others; and help manage online behaviour that can increase a child's likelihood of, or causes, harm. Further detail of the School's approach to online safety can be found in United Learning E-Safety Policy (available on the United Learning Hub) and in the School's E-Safety Policy which also includes detail on the use of mobile technology in school (and accessing 3G and 4G technology on school premises) and the School's IT arrangements to ensure that children are safe from terrorist and extremist material when accessing the internet through the College's systems. Further detail of the College's approach to online safety can be found within our Mobile Device Policy on our website.

### **Looked after children (and previously looked after children)**

Looked after children (and previously looked after children) are a particularly vulnerable group. The College will ensure that prompt action is taken when necessary to safeguard these children and the local governing body OR United Learning Trust ensures that staff have the skills, knowledge and understanding necessary to keep safe any children on roll who are looked after (and previously looked after) by a local authority.

Mrs Claire Dickens is the designated member of teaching staff who has responsibility for their welfare and progress and to ensure that the needs identified in personal education plans are met. The College ensures that the designated member of staff receives appropriate training to carry out their role and has the information they need in relation to any child's looked after status, their care arrangements (including contact arrangements with birth parents and those with parental responsibility) and details of the child's social worker and virtual College head.

The designated member of staff will also have responsibility for promoting the educational achievement of children who have left care through adoption, special guardianship or child arrangement orders or who were adopted from state care and will work closely with virtual College heads to promote their educational achievement. The DSL will ensure they have details of the local authority Personal Advisor appointed to guide and support any care leavers and will liaise with them as necessary regarding any issues of concern affecting them.

## **Children potentially at greater risk of harm (Children who need a social worker - Child in Need and Child Protection Plans)**

Children may need a social worker due to safeguarding or welfare needs. Children may need this help due to abuse, neglect and complex family circumstances. A child's experiences of adversity and trauma can leave them vulnerable to further harm, as well as educationally disadvantaged in facing barriers to attendance, learning, behaviour and mental health.

Where the local authority has made the College aware a child has a social worker, the designated safeguarding lead will hold and use this information so that decisions can be made in the best interests of the child's safety, welfare and educational outcomes.

This information will inform decisions about safeguarding (for example, responding to unauthorised absence or missing education where there are known safeguarding risks) and about promoting welfare (for example, considering the provision of pastoral and/or academic support, alongside action by statutory services).

### **Use of 'reasonable force'**

There are circumstances when it is appropriate for staff to use reasonable force to safeguard children. The College recognises the additional vulnerability when using reasonable force in response to risks presented by incidents involving children with SEND, mental health or with medical conditions. The College will consider its duties under the Equality Act 2010 and their Public Sector Equality Duty. Positive and proactive behaviour support, for instance through drawing up individual behaviour plans for more vulnerable children and agreeing them with parents and carers can reduce the occurrence of challenging behaviour and the need to use reasonable force.

The College has a Physical Restraint, Contact and Intervention policy [here](#)

### **Arrangements for Visiting Speakers**

The College has clear protocols for ensuring that any visiting speakers are appropriately supervised and suitable. The College's responsibility to students is to ensure that they can critically assess the information they receive as to its value to themselves, and that the information is aligned to the ethos and values of the College and British values.

The College is required to undertake a risk assessment before agreeing to a Visiting Speaker being allowed to attend the College. This will take into account any vetting requirements considered appropriate in the circumstances and may include a DBS check if relevant.

Visiting speakers will be expected to understand that, where appropriate, their session should actively promote the British values of democracy, the rule of law, individual liberty and mutual respect and tolerance of those with different faiths and beliefs and at no point undermine these. In some cases, the College may request a copy of the Visiting Speaker's presentation and/or footage in advance of the session being provided.

Visiting Speakers, whilst on the College site, will be supervised by a College employee. On attending the College, Visiting Speakers will be required to show original current identification documents including a photograph such as a passport or photo card driving licence. The College shall also keep a formal register of visiting speakers retained in line with its Data Protection Policy.

Students placed in College will have the educational establishments safeguarding process reviewed as an additional measure taken to safeguard students and for off-site tuition and performances away from the College.

All Sixth Form students in peer mentoring positions have adequate staff supervision, training and measures to counter possible abuses of the role and received appropriate training on managing any concerns about their peers. All Students have safeguarding training from the DSL

### **Use of mobile phones and cameras**

The College's policy on the use of mobile phones and cameras in the setting can be found in the Mobile Device policy [here](#) and Social Media policy [here](#). Staff are not permitted to use their personal mobile devices or cameras in College. Staff who wish to use or take photographs or video of students (whether on a personal or College device) must first speak with the Principal to obtain their approval before using or taking any image of a student. Staff who wish to use their personal mobile devices or cameras in College for any other reason must first speak with the Principal. Staff who act in breach of this may be subject to disciplinary action.

### **Waiver from Disqualification**

In certain circumstances, a person who is disqualified from registration by Ofsted may apply to Ofsted for a waiver of disqualification unless, for example, they are barred from working with children.

## APPENDIX 1 –FURTHER INFORMATION

All staff should be aware of indicators of abuse and neglect, as well as specific safeguarding issues such as child criminal exploitation and child sexual exploitation. Staff should always be vigilant, and if unsure, should **always** speak to the DSL or DDSL.

All College staff should be aware that abuse, neglect and safeguarding issues are rarely standalone events that can be covered by one definition or label. They can occur from within or outside families, in or out of College, from within peer groups or the wider community and/or online. In most cases, multiple issues will overlap with one another and children can therefore be vulnerable to multiple threats.

All staff should be aware that behaviours linked to drug taking and/or alcohol misuse, deliberately missing education and consensual and non-consensual sharing of nudes and semi-nudes images and/or videos can be signs that children are at risk.

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

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

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

**Neglect:** the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to: provide adequate food, clothing and shelter (including exclusion from home or abandonment); protect a child from physical and emotional harm or danger; ensure adequate

supervision (including the use of inadequate care-givers); or ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

**Specific safeguarding issues:** behaviours linked to drug taking, alcohol abuse, truanting and sexting put children in danger. Safeguarding issues can also manifest themselves via peer-on-peer abuse, such as bullying (including cyberbullying), gender-based violence/sexual assaults and sexting. Safeguarding issues can also be linked to, for example, children missing education; child sexual exploitation; domestic violence; fabricated or induced illness; faith abuse; female genital mutilation; forced marriage; gangs and youth violence; gender-based violence / violence against women and girls; hate; mental health; preventing radicalisation; relationship abuse; sexting; and trafficking.

**Child Criminal Exploitation (CCE) and Child Sexual Exploitations** are forms of abuse and both occur where an individual or group takes advantage of an imbalance in power to coerce, manipulate or deceive a child into sexual or criminal activity. 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. In some cases, the abuse will be in exchange for something the victim needs or wants and/or will be to the financial benefit or other advantage (such as increased status) of the perpetrator or facilitator. The abuse can be perpetrated by individuals or groups, males or females, and children or adults. CSE and CCE can affect children, both male and female, and can include children who have been moved (commonly referred to as trafficking) for the purpose of exploitation. The abuse can be a one-off occurrence or a series of incidents over time and range from opportunistic to complex organised abuse. It can involve force and/or enticement-based methods of compliance and may, or may not, be accompanied by violence or threats of violence. Victims can be exploited even when activity appears consensual and it should be noted exploitation as well as being physical can be facilitated and/or take place online.

**Child Criminal Exploitation (CCE)** Some specific forms of CCE can include children being forced or manipulated into transporting drugs or money through county lines, working in cannabis factories, shoplifting or pickpocketing. They can also be forced or manipulated into committing vehicle crime or threatening/committing serious violence to others.

Children can become trapped by this type of exploitation as perpetrators can threaten victims (and their families) with violence, or entrap and coerce them into debt. They may be coerced into carrying weapons such as knives or begin to carry a knife for a sense of protection from harm from others. As children involved in criminal exploitation often commit crimes themselves, their vulnerability as victims is not always recognised by adults and professionals, (particularly older children), and they are not treated as victims despite the harm they have experienced. They may still have been criminally exploited even if the activity appears to be something they have agreed or consented to.

It is important to note that the experience of girls who are criminally exploited can be very different to that of boys. The indicators may not be the same, however professionals should be aware that girls are at risk of criminal exploitation too. It is also important to note that both boys and girls being criminally exploited may be at higher risk of sexual exploitation.

**Child Sexual Exploitation (CSE):** CSE is a form of sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. CSE does not always involve physical contact: it can also occur through the use of technology.



CSE 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 e.g. rape and oral sex and non-penetrative acts such as masturbation, kissing, rubbing, and touching outside clothing) and non-contact sexual activity (such as involving children in the production of sexual images, forcing children to look at sexual images or watch sexual activities, encouraging children to behave in sexually inappropriate ways or grooming a child in preparation for abuse including via the internet. It 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. Some of the following signs may be indicators of sexual exploitation:

- Children who appear with unexplained gifts or new possessions;
- Children who associate with other young people involved in exploitation;
- Children who have older boyfriends or girlfriends;
- Children who suffer from sexually transmitted infections or become pregnant;
- Children who suffer from changes in emotional well-being;
- Children who misuse drugs and alcohol;
- Children who go missing for periods of time or regularly come home late; and
- Children who regularly miss College or education or do not take part in education.

CSE 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 drugs trafficking. The DSL or DDSL will consider a referral to the National Referral Mechanism as soon as possible if there are county line concerns, such as a child being a potential victim of modern slavery or human trafficking.

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

All staff should be aware of the range of risk factors which increase the likelihood of involvement in serious violence, such as being male, having been frequently absent or permanently excluded from College, having experienced child maltreatment and having been involved in offending, such as theft or robbery.

If staff have a concern about a child or a child makes a report to a member of staff, staff should follow the referral process in this policy. If staff are in any doubt about what to do, they should speak to the DSL or DDSL.

### **County lines**

County lines is a term used to describe gangs and organised criminal networks involved in exporting illegal drugs (primarily crack cocaine and heroin) into one or more importing areas [within the UK], using dedicated mobile phone lines or other form of “deal line”.

Exploitation is an integral part of the county lines offending model with children and vulnerable adults exploited to move [and store] drugs and money. Offenders will often use coercion, intimidation, violence (including sexual violence) and weapons to ensure compliance of victims. Children can be targeted and recruited into county lines in a number of locations including Colleges (mainstream and special), further and higher educational institutions, pupil referral units, children’s homes and care homes. Children are often recruited to move drugs and money between locations and are known to be exposed to techniques such as ‘plugging’, where drugs are concealed internally to avoid detection. Children can easily become trapped by this type of exploitation as county lines gangs create drug debts and can threaten serious violence and kidnap towards victims (and their families) if they attempt to leave the county lines network.

One of the ways of identifying potential involvement in county lines are missing episodes (both from home and College), when the victim may have been trafficked for the purpose of transporting drugs and a referral to the National Referral Mechanism should be considered. If a child is suspected to be at risk of or involved in county lines, a safeguarding referral should be considered alongside consideration of availability of local services/third sector providers who offer support to victims of county lines exploitation.

**So called ‘Honour Based’ Abuse:** encompasses crimes which have been committed to protect or defend the honour of the family and/or the community, including Female Genital Mutilation (FGM)], forced marriage, and practices such as breast ironing. It can include multiple perpetrators.

FGM comprises all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs. Guidance on the warning signs that FGM may be about to take place, or may have already taken place, can also be found on pages 38-41 of the multi-agency statutory guidance on FGM.

If staff have a concern that a student may be at risk of HBA or has suffered HBA, they should speak to the DSL (or DDSL). As appropriate they will activate local safeguarding procedures, using existing national and local protocols for multi-agency liaison with Police and Children’s Social Care.

There is a statutory duty on teachers to personally report to the Police where they **discover** (either through disclosure by the victim or visual evidence) that FGM appears to have been carried out on a girl under 18. Unless the teacher has a good reason not to, they should still consider and discuss any such case with the DSL and involve children’s social care as appropriate. If the teacher is unsure whether this reporting duty applies, they should discuss their concerns with the DSL in accordance with this policy. Where a teacher suspects that a student is at risk (i.e. where the teacher does not discover that an act of FGM appears to have been carried out, either through disclosure by the victim or visual evidence) or it involves a student over 18], teachers should follow the College’s local safeguarding procedures.

**Forced Marriage:** Forcing a person into a marriage is a crime in England and Wales. 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. A lack of full and free consent can be where a person does not consent or where they cannot consent (if they have learning disabilities, for example). Nevertheless, some communities use religion and culture as a way to coerce a person into marriage. Colleges can play an important role in safeguarding children from forced marriage. There are a range of potential indicators that a child may be at risk of forced marriage, details of which can be found on pages 13-14 of the multi-agency guidelines: Handling cases of forced marriage. College staff can also contact the Forced Marriage Unit if they need advice or information: Contact: 020 7008 0151 or email [fm@fco.gov.uk](mailto:fm@fco.gov.uk).

**Preventing Radicalisation:** Children are vulnerable to extremist ideology and radicalisation. Similar to protecting children from other forms of harms and abuse, protecting children from this risk should be a part of a Colleges' safeguarding approach.

- **Extremism** is the vocal or active opposition to our fundamental values, including democracy, the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs. This also includes calling for the death of members of the armed forces.
- **Radicalisation** refers to the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups.
- **Terrorism** is an action that endangers or causes serious violence to a person/people; causes serious damage to property; or seriously interferes or disrupts an electronic system. The use or threat **must** be designed to influence the government or to intimidate the public and is made for the purpose of advancing a political, religious or ideological cause.

There is no single way of identifying whether a child is likely to be susceptible to an extremist ideology. Background factors combined with specific influences such as family and friends may contribute to a child's vulnerability. Similarly, radicalisation can occur through many different methods (such as social media or the internet) and settings (such as within the home).

However, it is possible to protect vulnerable people from extremist ideology and intervene to prevent those at risk of radicalisation being radicalised. As with other safeguarding risks, staff should be alert to changes in children's behaviour, which could indicate that they may be in need of help or protection. Staff should use their judgement in identifying children who might be at risk of radicalisation and act proportionately which may include the designated safeguarding lead (or deputy) making a Prevent referral.

The College's designated safeguarding lead (and any deputies) should be aware of local procedures for making a Prevent referral.

**Special Educational Needs and/or Disabilities or physical health issues:** Students with SEND or certain health conditions can face additional safeguarding challenges. They may not outwardly show signs of abuse and/or may have difficulties in communication about abuse or neglect. Students with SEND are more likely to be abused by their peers. The barriers to recognising abuse and neglect of this group of children can include:

- assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability or health condition without further exploration;
- being more prone to peer group isolation than other children
- the potential for children with SEN and disabilities being disproportionately impacted by behaviours such as bullying, including prejudice-based bullying, without outwardly showing any signs; and
- communication barriers and difficulties in managing or reporting these challenges.

To address these additional challenges, the College has put in place the following pastoral support measures: pastoral leader interventions; opportunities to use areas of the SEN department for a quiet space with friends; eating lunch with the TA's in the canteen; opportunities to use the library space and the support from the Engagement and Support Unit.

Further guidance can be found in the DfE guidance Supporting pupils at College with medical conditions, and where applicable in the SEND Code of Practice.

Staff will support such students in expressing any concerns they may have and will be particularly vigilant to any signs or indicators of abuse, discussing this with the DSL as appropriate. Any reports of abuse involving children with SEND will entail close liaison with the DSL or DDSL and named person with oversight for SEN.

**Lesbian, Gay, Bi or Trans (LGBT):** Children who are LGBT can be targeted by their peers. In some cases, a student who is perceived by their peers to be LGBT (whether they are or not) can be just as vulnerable as children who identify as LGBT.

**Children and the court system:** Children are sometimes required to give evidence in criminal courts, either for crimes committed against them or for crimes they have witnessed, and this will be stressful for them. Making child arrangements following separation can also be stressful and entrench conflict in families. Staff should be alert to the needs of such students and report any concerns to the DSL or DDSL in accordance with this policy.

**Children who go missing from education or College:** A child going missing is a potential indicator of a range of safeguarding possibilities, such as abuse or neglect. The College holds more than one emergency contact number for each student so additional options are available to contact a responsible adult when a child goes missing is also identified as a welfare and/or safety concern.

Staff must follow the College's procedures for dealing with children who go missing, particularly on repeat occasions. The College's procedure for dealing with children who go missing can be found in the College's Missing Children Policy]. All unexplained or unauthorised absences will be followed up in accordance with this policy.

The College shall inform the local authority of any student who is going to be added to or deleted from the College's admission register at non-standard transition points in accordance with the requirements of the Education (Pupil Registration) (England) Regulations 2006 (as amended). This will assist the local authority to:

- a) fulfil its duty to identify children of compulsory College age who are missing from education; and
- b) follow up with any child who might be in danger of not receiving an education and who might be at risk of abuse, neglect or radicalisation.

College attendance registers are carefully monitored to identify any trends. The College will inform the local authority (and the local authority where the child is normally resident) of any student who fails to attend College regularly or has been absent without the College's permission for a continuous period of 10 College days or more, at such intervals as are agreed between the College and the local authority. These intervals are agreed between the College and the local authority.

Action should be taken in accordance with this policy if any absence of a student from the College gives rise to a concern about their welfare.

**Children with family members in prison:** Children who have a parent in prison are at risk of poor outcomes including poverty, stigma, isolation and poor mental health. Staff should be alert to the needs of such students and report any concerns to the DSL or DDSL in accordance with this policy.

**Child abduction and community safety incidents:** Child abduction is the unauthorised removal or retention of a minor from a parent or anyone with legal responsibility for the child. Child abduction can be committed by parents or other family members; by people known but not related to the victim (such as neighbours, friends and acquaintances); and by strangers.

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

As children get older and are granted more independence (for example, as they start walking to College on their own) it is important they are given practical advice on how to keep themselves safe. Many Colleges provide outdoor-safety lessons run by teachers or by local police staff.

It is important that lessons focus on building children's confidence and abilities rather than simply warning them about all strangers. Further information is available at:

[www.actionagainstabduction.org](http://www.actionagainstabduction.org)  
and [www.clevernevergoes.org](http://www.clevernevergoes.org).

Children in need: defined under the Children Act 1989 as a child who is unlikely to achieve or maintain a reasonable level of health or development, or whose health or development is likely to be significantly or further impaired, without the provision of services; or a child with a disability. Local authorities are required to provide services to safeguard or promote the welfare of children in need, and they may be assessed under s17 Children Act 1989.

**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 sex or sexuality. The abuse can encompass but is not limited to: psychological; physical; sexual; financial; and emotional.

All children can witness and be adversely affected by domestic abuse in the context of their home life where domestic abuse occurs between family members. 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.

**Homelessness:** Indicators that a family may be at risk of homelessness include household debt, rent arrears, domestic abuse and anti-social behaviour, as well as the family being asked to leave a property. The DSL or DDSL will raise/progress any concerns about homelessness with the Local

Housing Authority although this does not replace a referral into children's social care where a child has been harmed or is at risk of harm.

### **Peer on peer/ child on child abuse**

Children can abuse other children. This is generally referred to as peer on peer abuse and can take many forms. This can include (but is not limited to):

- abuse within intimate partner relationships between peers;
- bullying (including cyberbullying) prejudice-based and discriminatory bullying;
- sexual violence such as rape, assault by penetration and sexual assault (this may include an online element which facilitates, threatens and/or encourages sexual violence);
- sexual harassment such as sexual comments, remarks, jokes and online sexual harassment, which may be standalone or part of a broader pattern of abuse;
- Causing someone to engage in sexual activity without consent, such as forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party;
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm (this may include an online element which facilitates, threatens and/or encourages physical abuse);
- consensual and non-consensual sharing nudes and semi-nudes images and videos (also known as sexting or youth produced sexual imagery);
- upskirting (see below);
- initiation/hazing type violence and rituals (this could include abuse or humiliation used as a way of initiating a person into a group or event including online).

It can happen both inside and outside College and online. It is important that all staff recognise the indicators and signs of peer on peer abuse, how to identify it and respond to reports. **Even if there are no reports in the College, this does not mean that it is not happening. Any concerns regarding peer on peer abuse must be referred to the DSL or DDSL.**

### **Sexual violence and sexual harassment between children in Colleges and colleges**

#### **Context**

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

Children who are victims of sexual violence and sexual harassment will likely find the experience stressful and distressing. This will, in all likelihood, adversely affect their educational attainment. Sexual violence and sexual harassment exist on a continuum and may overlap, they can occur online and offline (both physical and verbal) and are never acceptable.

It is important that **all** victims are taken seriously and offered appropriate support. Staff should be aware that some groups are potentially more at risk. Evidence shows girls, children with special educational needs and disabilities (SEND) and LGBT children are at greater risk.

Staff should be aware of the importance of:

- challenging inappropriate behaviours;
- making clear that sexual violence and sexual harassment is not acceptable, will never be tolerated and is not an inevitable part of growing up;

- not tolerating or dismissing sexual violence or sexual harassment as “banter”, “part of growing up”, “just having a laugh” or “boys being boys”; and
- challenging physical behaviours (potentially criminal in nature), such as grabbing bottoms, breasts and genitalia, pulling down trousers, flicking bras and lifting up skirts. Dismissing or tolerating such behaviours risks normalising them.

## What is sexual violence and sexual harassment?

### Sexual violence

It is important that College staff are aware of sexual violence and the fact children can, and sometimes do, abuse their peers in this way. When referring to sexual violence we are referring to sexual violence offences under the Sexual Offences Act 2003 as described below:

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

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

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

**Causing someone to engage in sexual activity without consent:** A person (A) commits an offence if: s/he intentionally causes another person (B) to engage in an activity, the activity is sexual, B does not consent to engaging in the activity, and A does not reasonably believe that B consents. This could be forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party.

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

a child under the age of 13 can never consent to any sexual activity;

- the age of consent is 16;
- sexual intercourse without consent is rape.

### Sexual harassment

When referring to sexual harassment we mean ‘unwanted conduct of a sexual nature’ that can occur online and offline. When we reference sexual harassment, we do so in the context of child on child sexual harassment. Sexual harassment is likely to: violate a child’s dignity, and/or make them feel intimidated, degraded or humiliated and/or create a hostile, offensive or sexualised environment. Whilst not intended to be an exhaustive list, sexual harassment can include:

- sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance and calling someone sexualised names;
- sexual “jokes” or taunting;

- physical behaviour, such as: deliberately brushing against someone, interfering with someone's clothes (Colleges should be considering when any of this crosses a line into sexual violence - it is important to talk to and consider the experience of the victim) and displaying pictures, photos or drawings of a sexual nature; and
- online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence. It may include:
  - o non-consensual sharing of nudes and semi-nudes images and videos;
  - o sexualised online bullying;
  - o unwanted sexual comments and messages, including, on social media;
  - o sexual exploitation; coercion and threats; and
  - o upskirting.

### **Upskirting**

The Voyeurism (Offences) Act 2019, which is commonly known as the Upskirting Act, came into force on 12 April 2019. 'Upskirting' is where someone takes a picture under a person's clothing (not necessarily a skirt) without their permission and or knowledge, with the intention of viewing their genitals or buttocks (with or without underwear) to obtain sexual gratification, or cause the victim humiliation, distress or alarm. It is a criminal offence. Anyone of any sex, can be a victim.

### **The response to a report of sexual violence or sexual harassment**

The initial response to a report from a child is important. It is essential that all victims are reassured that they are being taken seriously and that they will be supported and kept safe. A victim should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report.

If staff have a concern about a child or a child makes a report to them, they should follow the referral process. As is always the case, if staff are in any doubt as to what to do, they should speak to the designated safeguarding lead (or a deputy).

**Mental Health:** All staff should also be aware that mental health problems can, in some cases, be an indicator that a child has suffered or is at risk of suffering abuse, neglect or exploitation. Only appropriately trained professionals should attempt to make a diagnosis of a mental health problem. Staff are well placed to observe children day-to-day and identify those whose behaviour suggests that they may be experiencing a mental health problem or be at risk of developing one. Where children have suffered abuse and neglect, or other potentially traumatic adverse childhood experiences, this can have a lasting impact throughout childhood, adolescence and into adulthood. It is key that staff are aware of how these children's experiences, can impact on their mental health, behaviour and education.

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

Reference should be made to:

Mental Health and Behaviour in Colleges DfE guidance (November 2018);



DfE guidance 'promoting and supporting mental health and wellbeing in Colleges, which details numerous resources available to Colleges; and

Public Health England: Promoting children and young people's emotional health and wellbeing a whole College and college approach

If staff (including governors, agency staff and volunteers) have any concerns about a child's welfare they should act immediately and should speak with the School's DSL Mrs Claire Dickens or DDSL Mr Paul Thompson. If, in exceptional circumstances, the DSL or DDSL is not available, this should not delay appropriate action being taken and staff should consider speaking to a member of the senior leadership team and/or take advice from local children's social care. In these circumstances, any action taken should be shared with the DSL or DDSL as soon as is practically possible.

The DSL will consider the appropriate action to take in accordance with the threshold document published by the College's local safeguarding partners Options will include:

- managing any support for the child internally via the School's own pastoral support processes;
- making an early help assessment; or
- making a referral for statutory services.

If a child's situation does not appear to be improving, the DSL (or the person that made the referral) should consider following local escalation procedures to ensure their concerns have been addressed and to ensure that the child's situation improves.

### **Modern Slavery and the National Referral Mechanism**

Modern slavery encompasses human trafficking and slavery, servitude and forced or compulsory labour. Exploitation can take many forms, including: sexual exploitation, forced labour, slavery, servitude, forced criminality and the removal of organs.

Further information on the signs that someone may be a victim of modern slavery, the support available to victims and how to refer them to the NRM is available in the Modern Slavery Statutory Guidance. Modern slavery: how to identify and support victims - GOV.UK ([www.gov.uk](http://www.gov.uk))

### **Cybercrime**

Cybercrime is criminal activity committed using computers and/or the internet. It is broadly categorised as either 'cyber-enabled' (crimes that can happen off-line but are enabled at scale and at speed on-line) or 'cyber dependent' (crimes that can be committed only by using a computer). Cyber-dependent crimes include;

- unauthorised access to computers (illegal 'hacking'), for example accessing a College's computer network to look for test paper answers or change grades awarded;
- denial of Service (Dos or DDoS) attacks or 'booting'. These are attempts to make a computer, network or website unavailable by overwhelming it with internet traffic from multiple sources; and,

- making, supplying or obtaining malware (malicious software) such as viruses, spyware, ransomware, botnets and Remote Access Trojans with the intent to commit further offence, including those above.

Children with particular skill and interest in computing and technology may inadvertently or deliberately stray into cyber-dependent crime.

If there are concerns about a child in this area, the designated safeguarding lead (or a deputy), should consider referring into the **Cyber Choices** programme. This is a nationwide police programme supported by the Home Office and led by the National Crime Agency, working with regional and local policing. It aims to intervene where young people are at risk of committing, or being drawn into, low level cyber-dependent offences and divert them to a more positive use of their skills and interests.

Note that **Cyber Choices** does not currently cover 'cyber-enabled' crime such as fraud, purchasing of illegal drugs on-line and child sexual abuse and exploitation, nor other areas of concern such as on-line bullying or general on-line safety.

Additional advice can be found at: Cyber Choices, 'NPCC- When to call the Police' and National Cyber Security Centre - [NCSC.GOV.UK](https://www.ncsc.gov.uk)



**Midhurst Rother College**

The best in everyone™

Part of United Learning

## Meet the Safeguarding Team:

### The Designated Safeguarding Lead is:

**CLAIRE DICKENS**



CLAIRE DICKENS  
Assistant Principal  
located at K028

### The Deputy Designated Safeguarding Leads are:

**PAUL THOMPSON**



PAUL THOMPSON  
Director of Welfare  
located at K029

**KATH CHARD**



KATH CHARD  
Business Manager  
located at A107

**CLAIRE MITCHELL**



CLAIRE MITCHELL  
Pastoral: Year 8  
located at K026

**JAYNE BEESLEY**



JAYNE BEESLEY  
Pastoral: Year 11  
located at A205

### Other people in the Safeguarding Team are:

**CAROLINE BELL**



CAROLINE BELL  
Pastoral: Year 7  
located at K025

**VIV SILVERTHORNE**



VIV SILVERTHORNE  
Pastoral: Year 9  
located at W117

**JACK CLEMENTS**



JACK CLEMENTS  
Pastoral: Year 10  
located at G109

**TINA HUMPHREY**



TINA HUMPHREY  
Pastoral: Year 11  
located at A205

**LISA SHADBOLT**



LISA SHADBOLT  
Pastoral: Year 12/13  
located at G205

### APPENDIX 3 – Safeguarding Training Log

Safeguarding Training Log – Academic Year 2021-22		
Attendees	Type of training provided	Date undertaken
<b>Principal</b> Stuart Edwards	INSET/Child Protection Training Level 2 Educare Package	September 2021
<b>DSL</b> Claire Dickens	Designated Safeguarding Lead Level 3	
<b>DDSLs</b> Paul Thompson Kath Chard Jayne Beesley Claire Mitchell	Designated Safeguarding Lead Level 3	
Senior Leadership Team	INSET/ Child Protection Training Level 2 Educare Package	September 2021
Pastoral Leads	INSET/Child Protection Training Level 2 Educare Package	September 2021
Whole College	INSET/Child Protection Training Level 2 Educare Package	September 2021
<b>e-safety Lead</b> Paul Thompson	CEOP Lead Training	June 2019
<b>P.E. staff</b>  Richard Bentley Caroline Reid Aaron Hancock Stephanie Madden Simon Hills Claire Dickens Paul Thompson	INSET/Child Protection Training Level 2 Educare Package	September 2021 for all PE staff
<b>Medical Needs Officer</b> Sue Fowler	INSET/Child Protection Training Level 2 Educare Package	September 2021
Paediatric First Aiders		
<b>Health &amp; Safety /COSH</b>  <b>Premises Manager</b> Hugh McClarnon  <b>Assistant Premises Manager</b> Adrain Banbury		
EVC Heide Evans	INSET/Child Protection Training Level 2 Educare Package	September 2021
Chair of Governors of LGB David Lawes	DSL Safeguarding Training	September 2021

<b>Nominated Safeguarding Governor of LGB</b> Revd Dave Willis	DSL Safeguarding Training	September 2021
<b>Local Governing Body</b> (whole board)	DSL Safeguarding Training	September 2021
Agency Staff /Peripatetic		As required
Volunteers		As required
Contractors		As required
Other		

## APPENDIX 4 – STAFF/STUDENT RELATIONSHIP LETTER AND GUIDANCE NOTES

*Midhurst Rother College*  
*United Learning*

September 2021

Dear Colleague,

Every one of us working within United Learning, whatever our role, is acutely aware that the protection of children is of the highest possible importance. Trust underpins everything that we do in schools. The parents of our pupils entrust the care of their children to us and together we are all responsible for their wellbeing. United Learning also has a responsibility to ensure that those working in our schools are themselves protected - against putting themselves in a vulnerable position and against the possibility of false accusation. The continuing COVID-19 pandemic has created an unprecedented situation. The provision of home learning and partial opening of schools has presented us all with new safeguarding challenges which should be considered within the wider context of safeguarding and continue to be relevant as schools begin to return to normality.

This letter has also been prompted by the isolated actions of a small number of employees who have acted improperly or who have found/put themselves in a vulnerable position. The focus on appropriate use of social media remains a priority for us. Instances where inappropriate usage has been identified has led to disciplinary action including in the most serious cases dismissal for gross misconduct. I am writing to every person employed by United Learning to remind us all just how serious these matters are but also to offer some advice as to how to respond in potentially difficult situations.

Heads will discuss this issue with their staff at appropriate times during the school year. This letter reinforces those statements and ensures that no-one associated with our schools is in any doubt that child protection is an issue that must be treated with the utmost seriousness. Acts of child abuse may be blatant and incontrovertible. However, they may also be more subtle.

It must be understood that the following are almost always inappropriate within the professional context of schools and can easily be construed as child abuse in some circumstances:

- touching and physical contact, other than for staff working with very young children in primary or nursery settings, where it is expected that they will have necessary physical contact and display affection to properly fulfil their role to nurture, support and care for those children;
- contact through electronic or digital communications using personal accounts.

Against this background, we must ensure that no situation could arise which is or could reasonably be construed as acting against the safety of each child. This is not always an easy line to draw but crossing that line or being in a position where it appears that the line has been crossed, is unacceptable. Some adults within the school undertake roles where this is even more important because of the ease with which the proper execution of their duties might be misinterpreted or because the vulnerability of the young people in their care might be more easily exploited. These might include those:

- working in boarding houses or residential situations, including, for example, school trips and excursions;
- whose work requires them to interact in a one-to-one situation, particularly when that work takes place behind closed doors as is often the case with peripatetic music lessons;
- whose work by its nature requires some physical contact with children, for example, those working with very young children and those involved in the coaching of sport or other practical subjects where a correct technique may need to be demonstrated;
- who have high levels of access to ICT systems and, indeed, all who use the internet, email, text messaging and other forms of electronic communication;
- young employees and workers whose duties require them to work with older pupils (e.g., sixth formers) where the age differential is quite small;
- who work with especially vulnerable children for example those with special educational needs, disabilities, mental illness or those that require intimate care.

Within each school, Headteachers will issue both verbal and written guidance from time to time and will make available appropriate training to help everyone deal with this difficult issue. A statement of guidance follows this letter. The DfE has published updated guidance for all schools on their duties to safeguard and promote the wellbeing of children, [Keeping children safe in education - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/441222/Keeping_children_safe_in_education_-_GOV.UK_(www.gov.uk).pdf). It is important that you are familiar with this guidance and, as a statutory minimum, have read and can demonstrate your understanding of your responsibilities in relation to Keeping Children Safe in Education Part 1.

Finally, having said all this, it is still important for all of us to retain an appropriate balance. United Learning greatly appreciates the devotion and commitment of all of you who work in our schools. We know that your work is effective because every day you respect and care for children, enjoy their company and celebrate their achievements. The trust placed in us as we guide young people through their formative years is huge; we all need to help each other shoulder this responsibility to the very best of our ability. Thank you again for all you have done and continue to do for children and young people through this particularly difficult time.

Yours sincerely



Sir Jon Coles  
Chief Executive  
United Learning



Mr Stuart Edwards  
Principal  
Midhurst Rother College

## UNITED LEARNING NOTES OF GUIDANCE FOR STAFF-STUDENT RELATIONSHIPS 2021

This guidance is not exhaustive and is designed to set out principles rather than to give detailed and specific advice. Clearly, the circumstances in which staff work vary (e.g. working with very young children, boarding staff, sports staff, etc.); this guidance is meant to give general principles only. Indeed, for staff working with very young children in primary or nursery settings it is expected that they will have necessary physical contact and display affection to properly fulfil their role to nurture, support and care for those children. Although this advice applies primarily to teachers and to other adults with educational roles, all adults working within schools relate to students during the course of their duties; again, the general principles apply equally to all who are involved in the school. Staff should be aware that departure from this guidance could result in disciplinary action.

1. The relationship between staff and students is a professional one. It is fully expected – and, indeed, hoped – that staff in the school have a friendly and caring relationship with students; nevertheless, the basis of that relationship is professional not personal. It is suggested that a good test to apply is to reflect on whether the child’s parents would be happy with the relationship if they were standing with you.
2. A personal relationship between staff and a student is inappropriate unless it is with the full knowledge and consent of the student’s parents or guardians. Circumstances in which such a personal relationship may arise might be when your own children are friends with those in the school or when you have a personal relationship with parents of children in the school. It is not normally appropriate for a member of staff to meet with a student out of school hours or off school premises except with the prior knowledge and consent of parents and the school.
3. In general, unnecessary physical contact with students must be avoided. In some circumstances, physical contact between a member of staff and a student is necessary and beneficial; it might be, for example, that a Reception teacher might need to pick up a 5 year old who has fallen over in the playground, a sports coach may need to demonstrate to a student how to hold a racket or a secondary teacher may give a student a gentle pat on the back as encouragement. In rare circumstances it may be appropriate for members of staff to use reasonable restraint in circumstances where a student is behaving in a manner which endangers him or herself or other people. In these situations, staff are advised to be very sensitive to the student’s likely reaction and to watch out for signs that the student is apprehensive or uncomfortable. We all have our own personal space that needs to be protected.
4. Over-familiar words and actions, displays of affection, discussion of one’s personal life or the personal life of the student are almost always inappropriate. Sexual innuendo is wrong in all circumstances. Staff must avoid actions, words or expressions that could be interpreted as suggesting that they have an emotional relationship with any student. In the professional staff-student relationship it is not appropriate to single a student out for favours or to suggest to a student that he or she is a special friend.
5. Occasionally it is necessary for professional academic reasons for staff to communicate with students out of school. Except where absolutely necessary, personal email addresses, home, mobile phone numbers, social media contact details, online aliases or text based messaging aliases must not be given, asked for or used. A staff mobile phone number might be given to students for use during an educational visit; where possible, the school’s mobile phone (if there is one) should be used for this purpose. Pastoral matters should not normally be dealt with by personal email or using personal phone contacts. Only in the most exceptional circumstances, for instance, where there is well-founded concern for the unexplained whereabouts of a student, should pastoral matters be dealt with by personal email, using personal phone contact or other personal communication tools. In any event, records of all contacts must be kept on the student file so that if it is necessary to use email or personal contact, the reason why will be specified in the written record. It is very difficult to envisage circumstances under which individual contact is appropriate except through official school channels.
6. It is not normally appropriate for students to visit a member of staff in their own home. Such a visit might be more likely within a boarding context where staff live on site and so might invite a group of students—say, a tutorial group – to their house for a meeting or for a celebration. Where such a visit does take place, it must be with the full knowledge and consent of the School and parents/guardians. If possible, more than one adult should be present on such an occasion.
7. With older students, where a gathering is held as part of a celebration, it is generally advisable if that is held on school premises. It is essential that professional criteria (e.g. all the students in a particular teaching



or tutorial group) rather than personal criteria (e.g. selected students only) are used for inviting students, that the event is held openly, and that senior colleagues are aware of it. Staff on such an occasion have a particular duty to ensure that the supply and consumption of alcohol is appropriate, is responsible and falls within the law and the school's guidelines on alcohol. As a rule, staff should not consume alcohol whilst in the company of children. This includes educational visits and celebratory functions. There will be occasional situations where alcohol is served either at a meal or school function and in these instances should be approved by the Head Teacher in advance.

8. Wherever possible when working with students, other people (adults, colleagues or students) should be present or the door should be open. All members of staff who, in the course of their professional duties, need to work on a one-to-one basis with a student (e.g. a piano lesson, a maths tutorial, etc.), must take care to ensure that the circumstances of the meeting or lesson are always entirely professional. Staff are advised to use a room which has vision panels in the door or keep the door open and ensure that colleagues know that the meeting or lesson is taking place. It is helpful if the meeting or lesson can be arranged during normal school hours or immediately before or after school when there are plenty of other people about. Similarly, where it is necessary for staff to drive students in their own cars, e.g. to sporting fixtures, drivers should ensure they are not alone with just one student, written parental consent should be obtained and a central dropping off point arranged rather than home drops.

9. Staff must avoid threatening words, raised voices and any aggressive contact such as holding, pushing, pulling or hitting, which could amount to or which could be interpreted as a criminal assault.

10. There are circumstances when it is appropriate for staff to use reasonable force to safeguard children and young people. The term 'reasonable force' covers a broad range of actions that involve a degree of physical contact to control or restrain children. This can range from guiding a child to safety by the arm, to more extreme circumstances such as breaking up a fight or where a young person needs to be restrained to prevent injury or violence. 'Reasonable' in these circumstances means 'using no more force than is needed'. This may involve either passive physical contact, such as standing between pupils, or active physical contact such as leading the pupil by the arm. Current DfE guidance is contained in ['Using Reasonable Force: Advice for head teachers, staff and governing bodies'](#) which can be found on United Hub. Members of staff must also ensure they are familiar with the Independent School's/Academy's physical restraint policy and procedures document.

11. Social networking sites used for personal use, such as Facebook, Twitter, Instagram, WhatsApp, online games, digital communication/online services and other digital media, pose risks for all staff in terms of professional integrity and the welfare of students.

a. Staff must not use these sites to contact or communicate with current students, students who have recently left, or ex-students under the age of 18 or who are still in full time education. Employees wishing to befriend students who are over 18 and who have left school should do so with extreme caution and with the knowledge that any content posted on either ex-students' or their own social network, may not only compromise their own position but that of any colleagues with whom they are also friends and who may not want their content to be seen by any ex-student. Unfortunately, some students post information on their social networking sites which is inappropriate in language or visuals. To view such pages may alter your judgement of students, to be known to be viewing them may alter a student's view of you, and to comment to students about what you have seen is likely to have an impact on your professional reputation, as well as possibly causing distress to students concerned.

b. Social media should not be used to address concerns regarding a student's welfare, which should instead be raised with an appropriate member of the school's SLT or safeguarding team.

c. Caution should also be taken when staff become friends with parents of children at the school, or staff with children at the school, when posting or commenting on posts within social media and ensure that they do not put themselves at risk of any accusations or bring their school into disrepute.

d. Should you become aware of material about yourself, the school, a student, a colleague or the Group, which is inappropriate, the Senior Leadership Team must be informed and they will instruct a member of staff to check the allegations and inform the appropriate authorities. You must not check it out yourself.

12. Social networking sites used for professional use, such as LinkedIn, Twitter, YouTube, and other social media, also pose risks for all staff in terms of professional integrity and the welfare of pupils.

a. Before using social media for professional purposes, or as part of their teaching, staff should seek guidance and training on the risks associated with using social media.

- b. Staff should not follow students' personal social media feeds even though it is likely that students will be following them. It may be appropriate to follow students if done as part of an educational activity but this should be properly risk assessed and not using students' personal accounts.
  - c. Staff are advised not to accept connection requests on sites such as LinkedIn from students. Accepting requests from ex-pupils post 16 or 18 should be used with care and thought given to how much information is visible to connections – phone numbers, email addresses etc.
  - d. When uploading images or posting content on social media platforms, you should not link to children's online personas through tagging or mentions as this will increase the risk to them from online threats. You should also ensure you comply with the school image use policy; such as not including names with pictures and ensuring parental permission has been given before posting a child's image.
  - e. All content posted will be linked to you and your employer. Should you become aware of material about yourself, the school, a pupil, a colleague or the Group, which is inappropriate, the Senior Leadership Team must be informed and they will instruct a member of staff to check the allegations and inform the appropriate authorities. You must not check it out yourself.
13. If you are at all concerned about anything which has occurred or which has made you uncomfortable, you must discuss the matter with a senior colleague at the earliest opportunity, even if it turns out that nothing untoward has happened. You must make a written record, dated and signed, of any such incident.
14. Where any allegation of abuse is made against a teacher, other member of staff or volunteer, the Group is committed to dealing with the allegation fairly, quickly and consistently, in a way that provides effective protection for the child and at the same time supports the person who is the subject of the allegation.
15. Staff will also find information relevant to staff-student relationships in the policies and procedures in their school or academy which they should make themselves familiar with and cover the following:
- a. Safeguarding Policy and Child Protection Policy and Procedures;
  - b. Behaviour and Discipline;
  - c. Physical Restraint;
  - d. Email and Internet Acceptable Use Policy;
  - e. Social Media Policy.

### **COVID-19 Addendum**

During the COVID-19 period, additional guidance will apply to support safe working practice in areas where staff have had to adapt working arrangements.

16. **Physical Contact with children and social distancing**

There may be occasions where physical contact takes place (e.g. positive handling/physical intervention to keep a child or others safe) despite current social distancing requirements. DfE guidance should be followed before and after such incidents to ensure any health risks are minimised. Any physical contact should be consistent with the content set out in this document.