# Child protection and safeguarding policy (including safer recruitment, allegations against staff and low-level concerns)

# ReFocus



Approved by:	Paula Kerr Executive Headteacher Hayley Perry DSL	Date: 13/09/2024
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Important contacts		
ROLE/ORGANISATION	NAME	CONTACT DETAILS
Designated safeguarding lead (DSL)	Hayley Perry	Hayley@refocus.school
Deputy DSL	Liam Kerr Katie Close	Liam@refocus.school Katie@refocus.school
Local authority designated officer (LADO)	Paula Tucker	Paula@refocus.school
Designated Officer (Local Authority)	Andy Smith	01604362633
Chair of Governors	James Alcock	governor@refocus.school
Nominated Safeguarding governor	Richard Boddy	Richard@refocus.school
Channel helpline		020 7340 7264

### 1. Aims

The school aims to ensure that:

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

### 2. Legislation and statutory guidance

This policy is based on the Department for Education's (DfE's) statutory guidance <u>Keeping Children</u> <u>Safe in Education (2023)</u> and <u>Working Together to Safeguard Children (2018)</u>, and the <u>Governance</u> <u>Handbook</u>. We comply with this guidance and the arrangements agreed and published by our 3 local safeguarding partners (see section 3).

This policy is also based on the following legislation:

- Part 3 of the schedule to the <u>Education (Independent School Standards) Regulations 2014</u>, which places a duty on academies and independent schools to safeguard and promote the welfare of pupils at the school
- <u>The Children Act 1989</u> (and <u>2004 amendment</u>), which provides a framework for the care and protection of children
- Section 5B(11) of the Female Genital Mutilation Act 2003, as inserted by section 74 of the <u>Serious</u> <u>Crime Act 2015</u>, which places a statutory duty on teachers to report to the police where they discover that female genital mutilation (FGM) appears to have been carried out on a girl under 18
- <u>Statutory guidance on FGM</u>, which sets out responsibilities with regards to safeguarding and supporting girls affected by FGM
- <u>The Rehabilitation of Offenders Act 1974</u>, which outlines when people with criminal convictions can work with children
- Schedule 4 of the <u>Safeguarding Vulnerable Groups Act 2006</u>, which defines what 'regulated activity' is in relation to children
- Statutory guidance on the Prevent duty, which explains schools' duties under the CounterTerrorism and Security Act 2015 with respect to protecting people from the risk of radicalisation and extremism
- <u>The Human Rights Act 1998</u>, which explains that being subjected to harassment, violence and/or abuse, including that of a sexual nature, may breach any or all of the rights which apply to individuals under the <u>European Convention on Human Rights</u> (ECHR)
- The Equality Act 2010, which makes it unlawful to discriminate against people regarding particular protected characteristics (including disability, sex, sexual orientation, gender reassignment and race). This means our governors and headteacher should carefully consider how they are supporting their pupils with regard to these characteristics. The Act allows our school to take positive action to deal with particular disadvantages affecting pupils (where we can show it's proportionate). This includes making reasonable adjustments for disabled pupils. For example, it could include taking positive action to support girls where there's evidence that they're being disproportionately subjected to sexual violence or harassment
- <u>The Public Sector Equality Duty (PSED)</u>, which explains that we must have due regard to eliminating unlawful discrimination, harassment and victimisation. The PSED helps us to focus on key issues of concern and how to improve pupil outcomes. Some pupils may be more at risk of harm from issues such as sexual violence; homophobic, biphobic or transphobic bullying; or racial discrimination

# 3. Definitions

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

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

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

**Abuse** is a form of maltreatment of a child, and may involve inflicting harm or failing to act to prevent harm. Appendix 1 explains the different types of abuse.

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

**Sharing of nudes and semi-nudes** (also known as sexting or youth-produced sexual imagery) is where children share nude or semi-nude images, videos or live streams.

Children includes everyone under the age of 18.

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

- The local authority (LA)
- Integrated care boards (previously known as clinical commissioning groups) for an area within the LA
- The chief officer of police for a police area in the LA area

**Victim** is a widely understood and recognised term, but we understand that not everyone who has been subjected to abuse considers themselves a victim, or would want to be described that way.

When managing an incident, we will be prepared to use any term that the child involved feels most comfortable with.

**Alleged perpetrator(s)** and **perpetrator(s)** are widely used and recognised terms. However, we will think carefully about what terminology we use (especially in front of children) as, in some cases, abusive behaviour can be harmful to the perpetrator too. We will decide what's appropriate and which terms to use on a case-by-case basis.

# See APPENDIX 5 local identified safeguarding issues – curriculum and training strategies

# 4. Equality statement

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

We give special consideration to children who:

Have special educational needs and/or disabilities (SEND) or health conditions (see section 10)

Are young carers

- May experience discrimination due to their race, ethnicity, religion, gender identification or sexuality
- Have English as an additional language
- Are known to be living in difficult situations for example, temporary accommodation or where there are issues such as substance abuse or domestic violence
- Are at risk of FGM, sexual exploitation, forced marriage, or radicalisation
- Are asylum seekers
- Are at risk due to either their own or a family member's mental health needs
- Are looked after or previously looked after (see section 12)
- Are missing or absent from education for prolonged periods and/or repeat occasions
- Whose parent/carer has expressed an intention to remove them from school to be home educated

# 5. Roles and responsibilities

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

The school plays a crucial role in preventative education. This is in the context of a whole-school approach to preparing pupils for life in modern Britain, and a culture of zero tolerance of sexism, misogyny/misandry, homophobia, biphobia, transphobia and sexual violence/harassment. This will be underpinned by our:

- **Behaviour policy**
- >Pastoral support system
- Planned programme of relationships, sex and health education (RSHE), which is inclusive and delivered regularly, tackling issues such as:
  - $\circ$  Healthy and respectful relationships  $\circ$  Boundaries and consent  $\circ$  Stereotyping,

prejudice and equality  $\,\circ\,$  Body confidence and self-esteem  $\,\circ\,$  How to recognise

- an abusive relationship (including coercive and controlling behaviour)
- The concepts of, and laws relating to, sexual consent, sexual exploitation, abuse, grooming, coercion, harassment, rape, domestic abuse, so-called honour-based violence such as forced marriage and FGM and how to access support
- What constitutes sexual harassment and sexual violence and why they're always unacceptable

#### 5.1 All staff

All staff will:

- Read and understand part 1 and annex B of the Department for Education's statutory safeguarding guidance, <u>Keeping Children Safe in Education</u>, and review this guidance at least annually
- Sign a declaration at the beginning of each academic year to say that they have reviewed the guidance

Reinforce the importance of online safety when communicating with parents and carers. This includes making parents and carers aware of what we ask children to do online (e.g. sites they need to visit or who they'll be interacting with online)

Provide a safe space for pupils who are LGBTQ+ to speak out and share their concerns All

staff will be aware of:

Our systems which support safeguarding, including this child protection and safeguarding policy, the staff behaviour policy/code of conduct], the role and identity of the designated safeguarding lead (DSL) and [deputy/deputies], the behaviour policy, online safety policy: and the safeguarding response to children who go missing from education.

The early help assessment process (sometimes known as the common assessment framework) and their role in it, including identifying emerging problems, liaising with the DSL, and sharing information with other professionals to support early identification and assessment. The process for making referrals to local authority children's social care and for statutory assessments that may follow a referral, including the role they might be expected to play

- What to do if they identify a safeguarding issue or a child tells them they are being abused or neglected, including specific issues such as FGM, and how to maintain an appropriate level of confidentiality while liaising with relevant professionals
- The signs of different types of abuse and neglect, as well as specific safeguarding issues, such as child-on-child abuse, child sexual exploitation (CSE), child criminal exploitation (CCE), indicators of being at risk from or involved with serious violent crime, FGM, radicalisation and serious violence (including that linked to county lines)
- The importance of reassuring victims that they are being taken seriously and that they will be supported and kept safe
- The fact that children can be at risk of harm inside and outside of their home, at school and online
- The fact that children who are (or who are perceived to be) lesbian, gay, bi or trans (LGBTQ+) can be targeted by other children
- What to look for to identify children who need help or protection

Section 15 and appendix 4 of this policy outline in more detail how staff are supported to do this.

#### 5.2 The designated safeguarding lead (DSL)

The DSL is a member of the senior leadership team. Our DSL is **Hayley Perry. Deputy DSLs are Liam Kerr and Katie Price**. The DSL takes lead responsibility for child protection and wider safeguarding in the school. This includes online safety, and understanding our filtering and monitoring processes on school devices and school networks to keep pupils safe online.

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

DSL can also be contacted out of school hours if necessary, e.g. email,

Hayley Perry	Hayley@refocus.school
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When the DSL is absent, the deputies will act as cover.

Deputy DSL	Liam Kerr	Liam@refocus.school
	Katie Close	Katie@refocus.school

If the DSL and deputies are not available, Paula Kerr Executive Headteacher will act as cover (for example, during out-of-hours/out-of-term activities).

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

- Provide advice and support to other staff on child welfare and child protection matters
- Take part in strategy discussions and inter-agency meetings and/or support other staff to do so >

Contribute to the assessment of children

- Refer suspected cases, as appropriate, to the relevant body (local authority children's social care, Channel programme, Disclosure and Barring Service, and/or police), and support staff who make such referrals directly
- Have a good understanding of harmful sexual behaviour
- Have a good understanding of the filtering and monitoring systems and processes in place at our school

The DSL will also:

- Keep the headteacher informed of any issues
- >Liaise with local authority case managers and designated officers for child protection concerns as appropriate
- Discuss the local response to sexual violence and sexual harassment with police and local authority children's social care colleagues to prepare the school's policies
- Be confident that they know what local specialist support is available to support all children involved (including victims and alleged perpetrators) in sexual violence and sexual harassment, and be confident as to how to access this support
- Be aware that children must have an 'appropriate adult' to support and help them in the case of a police investigation or search

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

#### 5.3 The governing board

The governing board will:

- Facilitate a whole-school approach to safeguarding, ensuring that safeguarding and child protection are at the forefront of, and underpin, all relevant aspects of process and policy development
- >Evaluate and approve this policy at each review, ensuring it complies with the law, and hold the headteacher to account for its implementation

>Be aware of its obligations under the Human Rights Act 1998, the Equality Act 2010 (including the Public Sector Equality Duty), and our school's local multi-agency safeguarding arrangements > Safeguarding Governor **Richard Boddy appointed** to monitor the effectiveness of this policy in conjunction with the full governing board. This is always a different person from the DSL

>Ensure all staff undergo safeguarding and child protection training, including online safety, and that such training is regularly updated and is in line with advice from the safeguarding partners

Ensure that the school has appropriate filtering and monitoring systems in place, and review their effectiveness. This includes:

 Making sure that the leadership team and staff are aware of the provisions in place, and that they understand their expectations, roles and responsibilities around filtering and monitoring as part of safeguarding training

- Reviewing the <u>DfE's filtering and monitoring standards</u>, and discussing with IT staff and service providers what needs to be done to support the school in meeting these standards Make sure:
- The DSL has the appropriate status and authority to carry out their job, including additional time, funding, training, resources and support
- Online safety is a running and interrelated theme within the whole-school approach to safeguarding and related policies
- The DSL has lead authority for safeguarding, including online safety and understanding the filtering and monitoring systems and processes in place
- The school has procedures to manage any safeguarding concerns (no matter how small) or allegations that do not meet the harm threshold (low-level concerns) about staff members (including supply staff, volunteers and contractors). Appendix 3 of this policy covers this procedure
- That this policy reflects that children with SEND, or certain medical or physical health conditions, can face additional barriers to any abuse or neglect being recognised
- Where another body is providing services or activities (regardless of whether or not the children who attend these services/activities are children on the school roll):
  - Seek assurance that the other body has appropriate safeguarding and child protection policies/procedures in place, and inspect them if needed
  - Make sure there are arrangements for the body to liaise with the school about safeguarding arrangements, where appropriate
  - Make sure that safeguarding requirements are a condition of using the school premises, and that any agreement to use the premises would be terminated if the other body fails to comply

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

All governors will read Keeping Children Safe in Education in its entirety.

Section 15 of this policy has information on how governors are supported to fulfil their role.

#### 5.4 The headteacher

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

Ensuring that staff (including temporary staff) and volunteers:

- $\circ~$  Are informed of our systems which support safeguarding, including this policy, as part of their induction
- Understand and follow the procedures included in this policy, particularly those concerning referrals of cases of suspected abuse and neglect
- Communicating this policy to parents/carers when their child joins the school and via the school website
- >Ensuring that the DSL has appropriate time, funding, training and resources, and that there is always adequate cover if the DSL is absent
- Acting as the 'case manager' in the event of an allegation of abuse made against another member of staff or volunteer, where appropriate (see appendix 3)
- Making decisions regarding all low-level concerns, though they may wish to collaborate with the DSL on this

# 6. Confidentiality

In this and subsequent sections, when we make any references to the DSL we mean "the DSL (or deputy DSL team)"

REFOCUS will hold records in line with our GDPR policy and Records Retention schedule. Nonconfidential records will be easily accessible and available. Confidential information and records will be held securely and only available to those who have a right or professional need to see them. Therefore, all safeguarding concerns, discussions, decisions made (and the reasons for those decisions) must be recorded onto the secure CPOMS system.

Staff should note.

Timely information sharing is essential to effective safeguarding

Staff should never promise a child that they will not tell anyone about a report of abuse, as this may not be in the child's best interests

Fears about sharing information must not be allowed to stand in the way of the need to promote the welfare, and protect the safety, of children

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

If staff are in any doubt about sharing information, they should speak to the DSL.

If staff need to share 'special category personal data', the DPA 2018 contains 'safeguarding of children and individuals at risk' as a processing condition that allows practitioners to share information without consent if it is not possible to gain consent, it cannot be reasonably expected that a practitioner gains consent, or if to gain consent would place a child at risk .

If a victim asks the school not to tell anyone about the sexual violence or sexual harassment the DSL will have to balance the victim's wishes against their duty to protect the victim and other children The DSL should consider that:

Parents or carers should normally be informed (unless this would put the victim at greater risk)

The basic safeguarding principle is: if a child is at risk of harm, is in immediate danger, or has been harmed, a referral should be made to local authority children's social care.

Rape, assault by penetration and sexual assault are crimes. Where a report of rape, assault by penetration or sexual assault is made, this should be referred to the police. While the age of criminal responsibility is 10, if the alleged perpetrator is under 10, the starting principle of referring to the police remains.

Regarding anonymity, all staff will:

Be aware of anonymity, witness support and the criminal process in general where an allegation of sexual violence or sexual harassment is progressing through the criminal justice system.

Do all they reasonably can to protect the anonymity of any children involved in any report of sexual violence or sexual harassment, for example, carefully considering which staff should know about the report, and any support for children involved.

Consider the potential impact of social media in facilitating the spreading of rumours and exposing victims' identities.

If staff are in any doubt about sharing information, they should speak to the DSL.

The government's information sharing advice for safeguarding practitioners includes 7 'golden rules' for sharing information, and will support staff who have to make decisions about sharing information

If a child for whom the school has, or has had, safeguarding concerns moves to another school, the DSL will ensure that their child protection file is forwarded promptly (within 5 days) securely, and separately from the main student file. In addition, if the concerns are significant or complex, and/or social services are involved, the DSL will speak to the DSL of the receiving school and provide information to enable them to have time to make any necessary preparations to ensure the safety of the child.

### 7. Recognising abuse and acting

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

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

Make a referral to children's social care and/or the police immediately if you believe a child is suffering or likely to suffer from harm, or in immediate danger. Anyone can make a referral Contact details can be found in section 1 Tell the DSL as soon as possible if you make a referral directly.

You can also follow the following link to the GOV.UK webpage for reporting child abuse to our local council:

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

7.1 Reporting a concern within school if a child makes a disclosure to you.

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

Listen to and believe them. Allow them time to talk freely and do not ask leading questions.

Stay calm and do not show that you are shocked or upset.

Tell the child they have done the right thing in telling you. Do not tell them they should have told you sooner.

Explain what will happen next and that you will have to pass this information on. Do not promise to keep it a secret .

• Then upload this information to the school Bromcom system -- you should type up the details of the conversation as soon as possible in the child's own words, stick to the facts, and avoid judgement opinion or comment. The DSL should be alerted as soon as possible. Bear in mind that some children may:

Not feel ready, or know how to tell someone that they are being abused, exploited or neglected

Not recognise their experiences as harmful

Feel embarrassed, humiliated or threatened. This could be due to their vulnerability, disability, sexual orientation and/or language barriers

None of this should stop you from having a 'professional curiosity' and speaking to the DSL if you have concerns about a child.

If you have concerns about a child (as opposed to believing a child is suffering or likely to suffer from harm or is in immediate danger) log your concerns on CPOMS and where possible, speak to the DSL first to agree a course of action.

The DSL will normally seek to discuss any safeguarding concerns about a student with their parents/carers. This must be handled sensitively. However, if the DSL believes that a student is experiencing or may have experienced abuse or neglect or is at risk of suffering significant harm, they seek advice first from the Local Safeguarding Board.

7.2 Making a referral following a reported concern.

If it is appropriate to refer the case to local authority children's social care or the police, the DSL will make the referral or support you to do so. (If you make a referral directly you must tell the DSL as soon as possible.)

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

If the child's situation does not seem to be improving after the referral, the DSL or person who made the referral must follow local escalation procedures to ensure their concerns have been addressed and that the child's situation improves. The DSL will keep the case under constant review and the school will consider a referral to local authority children's social care if the situation does not seem to be improving. Timelines of interventions will be monitored and reviewed.

7.3 Actions following a referral.

Where the DSL contacts the Local Safeguarding Board or makes a MASH referral the agreed course of action will be followed. The school will be guided by MASH in this respect.

All Child Protection records will be maintained in a confidential file at the school. In light of the ongoing Goddard Inquiry, no records will be destroyed until the Inquiry has been concluded, and only after the child has reached the age of 25

7.4 If you discover that FGM has taken place, or a student is at risk of FGM.

Keeping Children Safe in Education explains that FGM comprises "all procedures involving partial or total removal of the external female genitalia, or other injury to the female genital organs". FGM is illegal in the UK and a form of child abuse with long-lasting, harmful consequences. It is also known as 'female genital cutting', 'circumcision' or 'initiation'. Any teacher who discovers (either through disclosure by the victim or visual evidence) that an act of FGM has been carried out on a student under 18 must immediately report this to the police,

personally. This is a statutory duty, and teachers will face disciplinary sanctions for failing to meet it.

Please note - The mandatory reporting procedures say:

'It is recommended that you make a report orally by calling 101, the single non-emergency number.' 'Where there is a risk to life or likelihood of serious immediate harm, professionals should report the case immediately to police, including dialling 999 if appropriate'. In most cases 'reports under the duty should be made as soon as possible after a case is discovered, and best practice is for reports to be made by the close of the next working day'. ) Unless they have good reason not to, the teacher involved should also discuss the case with the DSL who will involve children's social care as appropriate. Staff should not examine students.

This duty for teachers does not apply in cases where a student is at risk of FGM or FGM is suspected but is not known to have been carried out. (Staff should never examine students.) Where a case of FGM is suspected or there is a risk of FGM being carried out a member of staff should speak to the DSL. Local advice can also be found at local safeguarding procedures.

Below is a very short summary and must be read in conjunction with the mandatory reporting guidance. (See http://safeguarding.link/fgmreporting

Any other member of staff who discovers that an act of FGM appears to have been carried out on a student under 18 must speak to the DSL and follow

7.5 If you have concerns about extremism

As part of the Counter Terrorism and Security Act 2015, schools have a duty to 'prevent people being drawn into terrorism'. This has become known as the 'Prevent Duty'.

Where staff are concerned that children and young people are developing extremist views or show signs of becoming radicalized, they should discuss this with the Designated Safeguarding Lead. The Designated

Safeguarding Lead has received training about the Prevent Duty and tackling extremism and is able to support staff with any concerns they may have. Where there is a concern, the DSL will consider the level of risk and decide which agency to make a referral to. This could include Channel, the government's programme for identifying and supporting individuals at risk of being drawn into terrorism, or the local authority children's social care team.

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

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

Think someone is in immediate danger

Think someone may be planning to travel to join an extremist group

See or hear something that may be terrorist-related

7.6 If you have a concern about mental health.

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. Staff will be alert to behavioural signs that suggest a

child may be experiencing a mental health problem or be at risk of developing one. You may refer to the Department for Education guidance on mental health and behaviour in schools for more information.

If you have a mental health concern about a child that is also a safeguarding concern, take immediate action by following the steps in section 8.1/8.2

If you have a mental health concern that is not also a safeguarding concern, speak to the Head of Academic Standards to agree a course of action.

7.7 Concerns about a staff member, supply teacher, volunteer, or contractor/whistleblowing

Any staff who are concerned about the conduct of a colleague, temporary/supply teacher or volunteer towards a student must remember that the welfare of the children is paramount.

The school Whistleblowing policy and procedures for Dealing with Allegations of Abuse Against Staff describe the actions that enables staff to raise concerns or allegations in confidence to the headteacher this includes behaviour that is defined as "low-level".

If you have concerns about a member of staff (including a supply teacher, volunteer or contractor), or an allegation is made they must speak to the headteacher as soon as possible. If the concerns/allegations are about the headteacher, they must speak to the chair of governors and report it directly to the local authority designated officer (LADO).

The guidance in KCSIE should be followed where it is alleged that anyone working in the school or college that provides education for children under 18 years of age, including supply teachers and volunteers has:

behaved in a way that has harmed a child, or may have harmed a child;

possibly committed a criminal offence against or related to a child;

behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children.

behaved or may have behaved in a way that indicates they may not be suitable to work with children. This includes behaviour inside and outside of the school.

If you receive an allegation relating to an incident where an individual or organisation was using the school premises for running an activity for children, follow our school safeguarding policies and procedures, informing the LADO, as you would with any safeguarding allegation.

7.8 Allegations of abuse made against other student .

At REFOCUS we recognise that children are capable of abusing other children. Abuse will never be tolerated or passed off as "banter", "just having a laugh" or "part of growing up", all child on child abuse is unacceptable and will be taken seriously. as this can lead to a culture of unacceptable behaviours and an unsafe environment for students. We also recognise there is a generalised view of child-on-child abuse being of a gendered nature, we do not hold this view at REFOCUS where all child-on-child abuse is unacceptable and will be taken seriously.

Most cases of students hurting other students will be dealt with under our school's behaviour policy, but this child protection and safeguarding policy will apply to any allegations that

raise safeguarding concerns. This might include where the alleged behaviour: Is serious, and potentially a criminal offence

Could put students in the school at risk .

Is violent

Involves students being forced to use drugs or alcohol.

Involves sexual exploitation, sexual abuse or sexual harassment, such as indecent exposure, sexual assault, up skirting or sexually inappropriate pictures or videos (including sexting)

At REFOCUS we will minimise the risk of child on child abuse by:

Challenging any form of derogatory or sexualised language or behaviour, including requesting or sending sexual images

Ensuring our curriculum helps to educate students about appropriate behaviour and consent.

Ensuring students know they can talk to staff confidentially through the pastoral and PSHE programmes

Ensuring staff are trained to understand that a student harming a peer could be a sign that the child is being abused themselves, and that this would fall under the scope of this policy

More information can also be found in the school Child on Child Abuse Policy

7.9 Sharing of nudes and semi-nudes ('sexting') based on guidance from the UK Council for Internet Safety If you are made aware of an incident involving the consensual or non-consensual sharing of nude or semi-nude images/videos (also known as 'sexting' or 'youth produced sexual imagery'), you must report it to the DSL immediately.

#### You must not:

View, copy, print, share, store or save the imagery yourself, or ask a student to share or download it (if you have already viewed the imagery by accident, you must report this to the DSL)

Delete the imagery or ask the student to delete it

Ask the student(s) who are involved in the incident to disclose information regarding the imagery (this is the DSL's responsibility)

Share information about the incident with other members of staff, the student(s) it involves or their, or other, parents and/or carers.

Say or do anything to blame or shame any young people involved

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

Initial review meeting

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

there is an immediate risk to student(s)

a referral needs to be made to the police and/or children's social care

it is necessary to view the image(s) in order to safeguard the young person (in most cases, images

or videos should not be viewed) further information is required to decide on the best response the

image(s) has been shared widely and via what services and/or platforms (this may be unknown)

immediate action should be taken to delete or remove images or videos from devices or online

services relevant facts about the students involved which would influence risk assessment.

there is a need to contact another school, college, setting or individual

to contact parents or carers of the students involved (in most cases parents/carers should be involved) The DSL will make an immediate referral to police and/or children's social care if:

The incident involves an adult

There is reason to believe that a young person has been coerced, blackmailed or groomed, or if there are concerns about their capacity to consent (for example, owing to SEN)

What the DSL knows about the images or videos suggests the content depicts sexual acts which are unusual for the young person's developmental stage, or are violent

The imagery involves sexual acts and any student in the images or videos is under 13.

The DSL has reason to believe a student is at immediate risk of harm owing to the sharing of nudes and semi-nudes (for example, the young person is presenting as suicidal or self-harming)

If none of the above apply then the DSL, in consultation with the headteacher and other members of staff as appropriate, may decide to respond to the incident without involving the police or children's social care. The decision will be made and recorded in line with the procedures set out in this policy

If none of the above apply then the DSL, in consultation with the Headteacher will review the risks and may decide to respond to the incident without involving the police or children's social care. All incidents of this nature will be recorded in CPOMS.

In line with updates in KSCIE (2023) the above actions may include making referrals against the wishes of the young person; and considering the potential impact of social media breaching confidentiality.

Teaching students about the issues surrounding sexting as part of the PSHE education and computing programmes, and ensuring our curriculum helps to educate students about appropriate behaviour and consent. Teaching covers the following in relation to the sharing of nudes and seminudes:

What it is

How it is most likely to be encountered

How to report an incident whether they have sent, received, or are made aware that one of their peers has been involved in sending or receiving such images. (Students are always encouraged to speak to their safe person and/or their Tutor, Pastoral Mentor or Head of Academic Standards)

The consequences of requesting, forwarding, or providing such images, including when it is and is not abusive and when it may be deemed as online sexual harassment.

Issues of legality

The risk of damage to people's feelings and reputation

Students also learn the strategies and skills needed to manage:

Specific requests or pressure to provide (or forward) such images.

The receipt of such images

Students are made aware of the school procedures around this issue so they are aware of the processes the school will follow in the event of an incident.

Where there is a safeguarding concern, we will take the child's wishes and feelings into account when determining what action to take and what services to provide. We recognise the importance of ensuring students feel safe and comfortable to come forward and report any concerns and/or allegations.

To achieve this, we will:

Put systems in place for students to confidently report abuse are easily understood and easily accessible for students. Ensure that students are familiar with these systems, including the context of every child identifying s safe space and a safe person within school. Ensure our reporting systems are well promoted through Tutor time activities PSHE/RSE curriculum and the assembly programme.

Make it clear to students that their concerns will be taken seriously, and that they can safely express their views and give feedback.

Ensure that students are aware that any issues regarding student safety, well-being and safeguarding are recorded in Bromcom and reported to the DSL.

- Timely information sharing is essential to effective safeguarding
- Fears about sharing information must not be allowed to stand in the way of the need to promote the welfare, and protect the safety, of children
- The Data Protection Act (DPA) 2018 and UK GDPR do not prevent, or limit, the sharing of information for the purposes of keeping children safe

If staff need to share 'special category personal data', the DPA 2018 contains 'safeguarding of children and individuals at risk' as a processing condition that allows practitioners to share information without consent if: it is not possible to gain consent; it cannot be reasonably expected that a practitioner gains consent; or if to gain consent would place a child at risk

Staff should never promise a child that they will not tell anyone about a report of abuse, as this may not be in the child's best interests

If a victim asks the school not to tell anyone about the sexual violence or sexual harassment: There's no definitive answer, because even if a victim doesn't consent to sharing information, staff may still lawfully share it if there's another legal basis under the UK GDPR that applies The DSL will have to balance the victim's wishes against their duty to protect the victim and other children The DSL should consider that:

Parents or carers should normally be informed (unless this would put the victim at greater risk)

The basic safeguarding principle is: if a child is at risk of harm, is in immediate danger, or has been harmed, a referral should be made to local authority children's social care

Rape, assault by penetration and sexual assault are crimes. Where a report of rape, assault by penetration or sexual assault is made, this should be referred to the police. While the age of criminal responsibility is 10, if the alleged perpetrator is under 10, the starting principle of referring to the police remains

Regarding anonymity, all staff will:

Be aware of anonymity, witness support and the criminal process in general where an allegation of sexual violence or sexual harassment is progressing through the criminal justice system

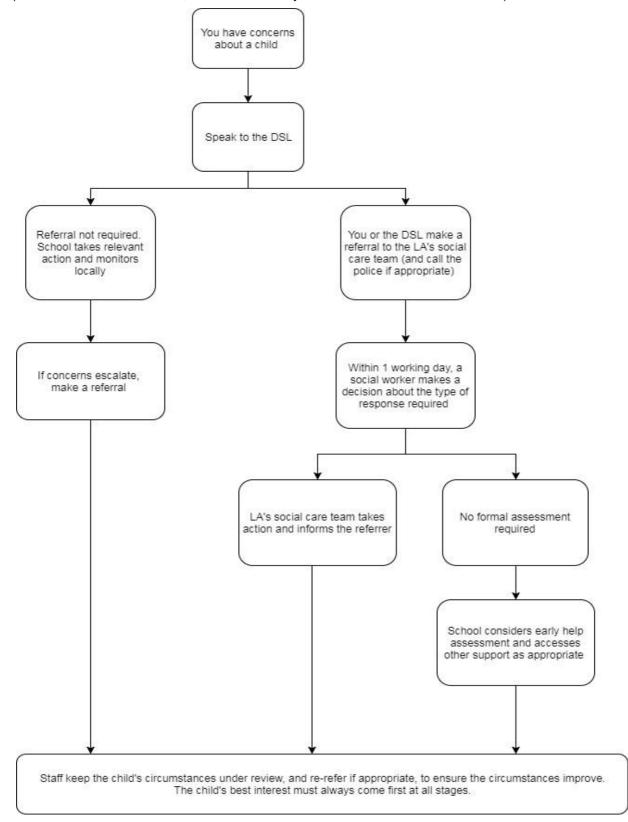
Do all they reasonably can to protect the anonymity of any children involved in any report of sexual violence or sexual harassment, for example, carefully considering which staff should know about the report, and any support for children involved

Consider the potential impact of social media in facilitating the spreading of rumours and exposing victims' identities

- The government's information sharing advice for safeguarding practitioners includes 7 'golden rules' for sharing information, and will support staff who have to make decisions about sharing information
- If staff are in any doubt about sharing information, they should speak to the DSL (or deputy)
- Confidentiality is also addressed in this policy with respect to record-keeping in section 14, and allegations of abuse against staff in appendix 3

# Figure 1: procedure if you have concerns about a child's welfare (as opposed to believing a child is suffering or likely to suffer from harm, or in immediate danger)

(Note - if the DSL is unavailable, this should not delay action. See section 7.4 for what to do.)



#### 7.21 Allegations of sexual abuse or sexual harassment

The needs and wishes of the victim should be paramount (along with protecting the child) in any response. It is important they feel in as much control of the process as is reasonably possible. Wherever possible, the victim, if they wish, should be able to continue in their normal routine. Overall, the priority should be to make the victim's daily experience as normal as possible, so that the school or college is a safe space for them.

Consider the age and the developmental stage of the victim, the nature of the allegations and the potential risk of further abuse. Schools and colleges should be aware that, by the very nature of sexual violence and sexual harassment, a power imbalance is likely to have been created between the victim and alleged perpetrator(s).

The victim should never be made to feel they are the problem for making a report or made to feel ashamed for making a report. • Consider the proportionality of the response. Support should be tailored on a case-by-case basis. The support required regarding a one-off incident of sexualised name-calling is likely to be vastly different from that for a report of rape.

Schools should be aware that sexual assault can result in a range of health needs, including physical, mental, and sexual health problems and unwanted pregnancy. Children and young people that have a health need arising from sexual assault or abuse can access specialist NHS support from a Sexual Assault Referral Centre.

(SARC). SARCs offer confidential and non-judgemental support to victims and survivors of sexual assault and abuse. They provide medical, practical, and emotional care and advice to all children and adults, regardless of when the incident occurred.

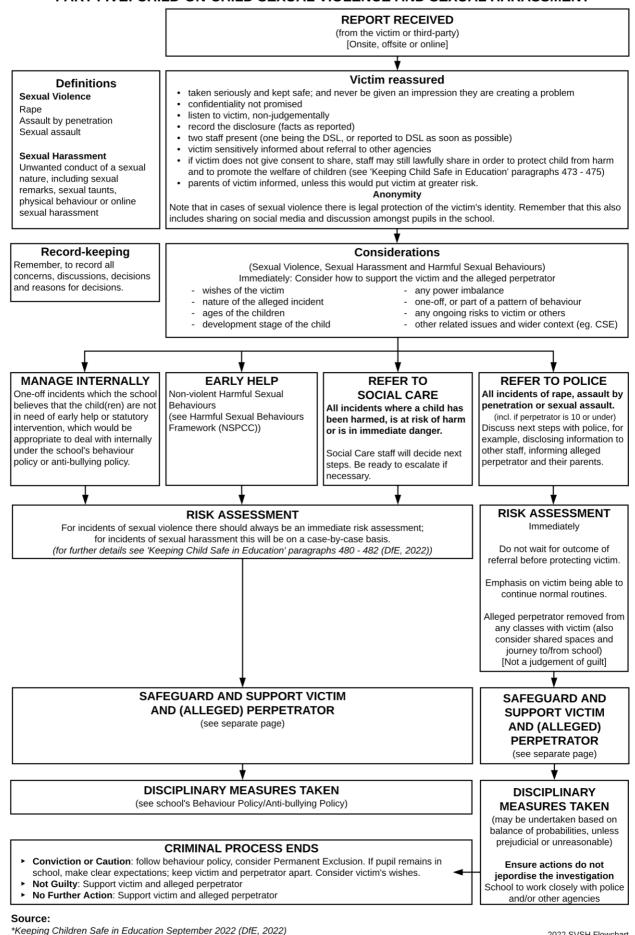
The Lucy Faithfull Foundation has developed a <u>HSB toolkit</u>, which amongst other things, provides support, advice and information on how to prevent it, links to organisations and helplines, resources about HSB by children, internet safety, sexual development and preventing child sexual abuse.

The NSPCC provides free and independent advice about HSB: <u>NSPCC Learning:</u> <u>Protecting children from harmful sexual behaviour</u> and <u>NSPCC - Harmful sexual behaviour</u> framework.

<u>Contextual Safeguarding Network</u> – Beyond Referrals (Schools) provides a school selfassessment toolkit and guidance for addressing HSB in schools.

StopItNow - Preventing harmful sexual behaviour in children - Stop It Now provides a guide for parents, carers and professionals to help everyone do their part in keeping children safe, they also run a free confidential helpline.

#### \*PART FIVE: CHILD-ON-CHILD SEXUAL VIOLENCE AND SEXUAL HARASSMENT



2022 SVSH Flowchart

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# 8. Notifying parents or carers

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

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

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

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

# 10. Pupils with special educational needs and disabilities

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

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

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

1-2-1 and group mentoring, individual learning plans and regular reviews with student, parents and any other involved agencies

As an alternative provision most students that attend ReFocus fit into the category of 'Vulnerable pupil'. As a result they should be treated as students with additional risk of harm. The vast majority of students are supported by Partner agencies for either social care needs or additional educational needs.

8. Online safety and the use of mobile technology

ReFocus is committed to promoting the welfare and safety of our students when using digital technologies. We recognise the importance of safeguarding children from potentially harmful and inappropriate online material, and we understand that technology is a significant component in many safeguarding and wellbeing issues. With reference to the DfE Teaching Online Safety in Schools guidance, the school recognises the importance of the contribution it can make to protecting and supporting students across the school in their use of these technologies. (Please see the Online Safety and Acceptable Use policy for further information.) To address this, our school aims to:

Have robust processes (including filtering and monitoring systems) in place to ensure the online safety of students, staff, volunteers and governors.

Protect and educate the whole school community in its safe and responsible use of technology, including mobile and smart technology.

Set clear guidelines for the use of mobile phones for the whole school community.

Establish clear mechanisms to identify, intervene in and escalate any incidents or concerns, where appropriate

The 4 key categories of risk

Our approach to online safety is based on addressing the following categories of risk:

Content – being exposed to illegal, inappropriate, or harmful content, such as pornography, fake news, racism, misogyny, self-harm, suicide, antisemitism, radicalisation and extremism.

Contact – being subjected to harmful online interaction with other users, such as peer-to-peer pressure, commercial advertising and adults posing as children or young adults with the intention to groom or exploit them for sexual, criminal, financial or other purposes.

Conduct – personal online behaviour that increases the likelihood of, or causes, harm, such as making, sending and receiving explicit images (e.g. consensual and non-consensual sharing of nudes and seminudes and/or pornography), sharing other explicit images and online bullying; and

Commerce – risks such as online gambling, inappropriate advertising, phishing and/or financial scams

To meet our aims and address the risks above, we will:

Educate students about online safety as part of our curriculum. For example:

The safe use of social media, the internet and technology

Keeping personal information private

How to recognise unacceptable behaviour online

How to report any incidents of cyber-bullying, ensuring students are encouraged to do so, including where they're a witness rather than a victim.

Train staff, as part of their induction, on safe internet use and online safeguarding issues including cyberbullying, the risks of online radicalisation, and the expectations, roles and responsibilities around filtering and monitoring. All staff members will receive refresher training as required and at least once each academic year.

Educate parents/carers about online safety via our website, communications sent directly to them and during parents' evenings. We will also share clear procedures with them, so they know how to raise concerns about online safety.

Make sure staff are aware of any restrictions placed on them with regards to the use of their mobile phone and cameras, for example that:

Staff are allowed to bring their personal phones to school for their own use but will limit such use to noncontact time when students are not present.

Staff will not take pictures or recordings of students on their personal phones or cameras without the permission of the Headteacher.

Make all students, parents/carers, staff, volunteers, and governors aware that they are expected to sign an agreement regarding the acceptable use of the internet in school, use of the school's ICT systems and use of their mobile and smart technology. We recognise that many children have unlimited and unrestricted access to the internet via mobile phone networks (i.e. 3G, 4G and 5G). At REFOCUS "When children use the school's network to access the internet, they are protected from inappropriate content by our filtering and monitoring systems which are regularly reviewed for their effectiveness.

As a result of this students are required to hand in their smart devices upon the request of a staff member and will have it returned for the lunch period prior to it being collected in for the remaining lessons. Any breaches of mobile phone misuse will result in phones remaining locked and secure for the entire school day.

Explain the sanctions we will use if a student is in breach of our policies on the acceptable use of the internet and mobile phones.

Make sure all staff, students and parents/carers are aware that staff have the power to search students' phones, as set out in the DfE's guidance on searching, screening and confiscation Put in place robust filtering and monitoring systems to limit children's exposure to the 4 key categories of risk (described above) from the school's IT systems.

Carry out an annual review of our approach to online safety, supported by an annual risk assessment that considers and reflects the risks faced by our school community.

Provide regular safeguarding and children protection updates including online safety to all staff, at least annually, in order to continue to provide them with the relevant skills and knowledge to safeguard effectively.

Review the child protection and safeguarding policy, including online safety, annually and ensure the procedures and implementation are updated and reviewed regularly.

This section summarises our approach to online safety and mobile phone use. For full details about our school's policies in these areas, please refer to our online safety and acceptable use policy and filtering and monitoring procedures which can be found on our website.

(In the case of allegations of child-on-child abuse please se the Child on Child abuse policy for details)

We recognise the importance of safeguarding children from potentially harmful and inappropriate online material, and we understand that technology is a significant component in many safeguarding and wellbeing issues. Where appropriate, we will discuss any concerns about a child with the child's parents or carers. The DSL will normally do this in the event of a suspicion or disclosure.

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

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

In the case of allegations of abuse made against other children, we will normally notify the parents or carers of all the children involved. We will think carefully about what information we provide about the other child involved, and when. We will work with the police and/or local authority children's social care to make sure our approach to information sharing is consistent.

The DSL will, along with any relevant agencies (this will be decided on a case-by-case basis): Meet with the victim's parents or carers, with the victim, to discuss what's being put in place to safeguard them, and understand their wishes in terms of what support they may need and how the report will be progressed

Meet with the alleged perpetrator's parents or carers to discuss support for them, and what's being put in place that will impact them, e.g. moving them out of classes with the victim, and the reason(s) behind any decision(s)

#### 9. Pupils with a social worker

Pupils may need a social worker due to safeguarding or welfare needs. We recognise that a child's experiences of adversity and trauma can leave them vulnerable to further harm as well as potentially creating barriers to attendance, learning, behaviour and mental health.

The DSL and all members of staff will work with and support social workers to help protect vulnerable children.

Where we are aware that a pupil has a social worker, the DSL will always consider this fact to ensure any decisions are made in the best interests of the pupil's safety, welfare and educational outcomes. For example, it will inform decisions about:

- Responding to unauthorised absence or missing education where there are known safeguarding risks
- The provision of pastoral and/or academic support

# 10. Looked-after and previously looked-after children

We will ensure that staff have the skills, knowledge and understanding to keep looked-after children and previously looked-after children safe. In particular, we will ensure that:

- Appropriate staff have relevant information about children's looked after legal status, contact arrangements with birth parents or those with parental responsibility, and care arrangements
- The DSL has details of children's social workers and relevant virtual school heads

We have appointed an appropriately trained teacher, **Paula Tucker Executive Headteacher** to take the lead on promoting the educational achievement of looked-after and previously looked-after children.

As part of their role, they will:

- Work closely with the DSL to ensure that any safeguarding concerns regarding looked-after and previously looked-after children are quickly and effectively responded to
- Work with virtual school heads to promote the educational achievement of looked-after and previously looked-after children

# 11. Complaints and concerns about school safeguarding policies

#### 11.1 Complaints against staff

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

#### **11.2 Other complaints**

Other complaints will be handled through our complaints procedure.

#### 11.3 Whistle-blowing

ReFocus has a separate Whistle-blowing policy. This covers the below areas:

What areas of malpractice or wrongdoing are covered by the procedures

The options available for reporting a concern, including who to approach within the school and externally

How the school will respond to such concerns

What protection is available to staff who report another member of staff

# 12. Record-keeping

All safeguarding concerns, discussions, decisions made and the reasons for those decisions, must be recorded in writing. If you are in any doubt about whether to record something, discuss it with the DSL.

In all cases these records should include

- A clear and comprehensive summary of the concern.
- > Details of how the concern was followed up and resolved.
- A note of any action taken, decisions reached and the outcome.

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

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

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

Records are predominantly electronic and any written records are kept to a minimum. Any written records are kept locked and secure with limited access to only those that require it.

Records are held on a cloud based Management Information System.

The Management Information System is accessed purely by ReFocus who access a password protected platform.

ReFocus shares information with other agencies as and when appropriate. Personal and sensitive information is only shared with key agencies when necessary and using an encrypted email server 'egress' In addition:

Appendix 2 sets out our policy on record-keeping specifically with respect to recruitment and preemployment checks

Appendix 3 sets out our policy on record-keeping with respect to allegations of abuse made against staff In addition:

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

# 13. Training

#### 13.1 All staff

All staff members will undertake safeguarding and child protection training at induction, including on whistle-blowing procedures and online safety, to ensure they understand the school's safeguarding systems and their responsibilities, and can identify signs of possible abuse or neglect.

This training will be regularly updated and will:

- Be integrated, aligned and considered as part of the whole-school safeguarding approach and wider staff training, and curriculum planning
- Be in line with advice from the 3 safeguarding partners
- Include online safety, including an understanding of the expectations, roles and responsibilities for staff around filtering and monitoring

Have regard to the Teachers' Standards to support the expectation that all teachers:

 $_{\odot}$  Manage behaviour effectively to ensure a good and safe environment  $_{\odot}$ 

Have a clear understanding of the needs of all pupils

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

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

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

Volunteers will receive appropriate training, if applicable.

#### 13.2 The DSL and deputies

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

In addition, they will update their knowledge and skills at regular intervals and at least annually (for example, through e-bulletins, meeting other DSLs, or taking time to read and digest safeguarding developments).

They will also undertake Prevent awareness training.

#### 13.3 Governors

All governors receive training about safeguarding and child protection (including online safety) at induction, which is regularly updated. This is to make sure that they:

- , Have the knowledge and information needed to perform their functions and understand their responsibilities, such as providing strategic challenge
- Can be assured that safeguarding policies and procedures are effective and support the school to deliver a robust whole-school approach to safeguarding

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

#### 13.4 Recruitment – interview panels

At least 1 person conducting any interview for any post at the school will have undertaken safer recruitment training. This will cover, as a minimum, the contents of Keeping Children Safe in Education, and will be in line with local safeguarding procedures.

See appendix 2 of this policy for more information about our safer recruitment procedures.

#### 14. Monitoring arrangements

This policy will be reviewed **annually** by Hayley Perry Deputy Headteacher/ DSL. At every review, it will be approved by the Headteacher.

#### **15. Links with other policies**

This policy links to the following policies and procedures:

Behaviour

Complaints

Health and safety
Attendance
Online safety
Mobile phone use
Equality
Relationships and sex education
First aid
Curriculum
Designated teacher for looked-after and previously looked-after children
Staff code of conduct
Attendance
Equality and Diversity
Data Protection
Whistleblowing

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

Appendix 1: types of abuse

**Abuse**, including neglect, and safeguarding issues are rarely standalone events that can be covered by 1 definition or label. In most cases, multiple issues will overlap.

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

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

Emotional abuse may involve:

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

**Sexual abuse** involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve:

- Physical contact, including assault by penetration (for example, rape or oral sex) or nonpenetrative acts such as masturbation, kissing, rubbing and touching outside of clothing
- Non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet)

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

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

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

Provide adequate food, clothing and shelter (including exclusion from home or abandonment)

- Protect a child from physical and emotional harm or danger
- Ensure adequate supervision (including the use of inadequate care-givers) Ensure
- access to appropriate medical care or treatment

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

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

# Safer recruitment policy

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

#### New staff

When appointing new staff, we will:

Verify their identity - Best practice is checking the name on their birth certificate, where this is available.

Obtain (via the applicant) an enhanced Disclosure and Barring Service (DBS) certificate, including barred list information for those who will be engaging in regulated activity (see definition below). We will not keep a copy of this for longer than 6 months.

Separate barred list checks must only be carried out in the following circumstances:

- for newly appointed staff who are engaging in regulated activity, pending the receipt of an Enhanced Certificate with Barred List information from the Disclosure and Barring Service (DBS) (and where all other relevant checks as per paragraph 213 have been carried out)
- 2. where an individual has worked in a post in a school or college that brought them into regular contact with children or young persons which ended not more than three months prior to that person's appointment to the organisation (and where all other relevant checks as per paragraph 213 have been carried out)

Obtain a separate barred list check if they will start work in regulated activity before the DBS certificate is available

Verify their mental and physical fitness to carry out their work responsibilities

Verify their right to work in the UK. We will keep a copy of this verification for the duration of the member of staff's employment and for 2 years afterwards.

Individuals who have lived or worked outside the UK must undergo the same checks as all other staff in ReFocus. This includes obtaining (via the applicant) an enhanced DBS certificate (including barred list information, for those who will be engaging in regulated activity) even if the individual has never been to the UK. In addition, ReFocus will make any further checks they think appropriate so that any relevant events that occurred outside the UK can be considered. Following the UK's exit from the EU, ReFocus will apply the same approach for any individuals who have lived or worked outside the UK regardless of whether or not it was in an EEA country or the rest of the world. These checks could include, where available:

• criminal records checks for overseas applicants - Home Office guidance can be found on GOV.UK; and for teaching positions

• obtaining a letter (via the applicant) from the professional regulating authority in the country (or countries) in which the applicant has worked confirming that they have not imposed any sanctions or restrictions, and or that they are aware of any reason why they may be unsuitable to teach. Applicants can find contact details of regulatory bodies in the EU/EEA and Switzerland on the Regulated Professions database. Applicants can also contact the UK Centre for Professional Qualifications who will signpost them to the appropriate EEA regulatory body.

We will also consider carrying out an online search on shortlisted candidates to help identify any incidents or issues that are publicly available online.

Verify their professional qualifications, as appropriate

Ensure they are not subject to a prohibition order if they are employed to be a teacher

Carry out further additional checks, as appropriate, on candidates who have lived or worked outside of the UK. Where available, these will include: o For all staff, including teaching positions: <u>criminal</u> records checks for overseas <u>applicants</u>

o For teaching positions: obtaining a letter of professional standing from the professional regulating authority in the country where the applicant has worked

Check that candidates taking up a management position are not subject to a prohibition from management (section 128) direction made by the secretary of state An individual who is subject to a section 128 direction is unable to:

- take up a management position in an independent school, academy, or in a free school as an employee;
- be a trustee of an academy or free school trust; a governor or member of a proprietor body of an independent school; or
- be a governor on any governing body in an independent school, academy or free school that retains or has been delegated any management responsibilities.

We will ask for written information about previous employment history and check that information is not contradictory or incomplete.

We will seek references on all short-listed candidates, including internal candidates, before interview. We will scrutinise these and resolve any concerns before confirming appointments. The references requested will ask specific questions about the suitability of the applicant to work with children.

ReFocus will use the TRA's Employer Access service to make prohibition, direction, restriction, and children's barred list checks. The service is free to use and is available via the TRA's web page. Once registered ReFocus will use a DfE Sign-in account to log onto the service.

Guidance for safer working practice for those working with children and young people in education settings (September 2022).<sup>1</sup>

Regulated activity means a person who will be:

Responsible, on a regular basis in a school or college, for teaching, training, instructing, caring for or supervising children; or

Carrying out paid, or unsupervised unpaid, work regularly in a school or college where that work provides an opportunity for contact with children; or

Engaging in intimate or personal care or overnight activity, even if this happens only once and regardless of whether they are supervised or not

#### **Existing staff**

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

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

We believe the individual has engaged in relevant conduct; or

The individual has received a caution or conviction for a relevant offence, or there is reason to believe the individual has committed a listed relevant offence, under the <u>Safeguarding Vulnerable</u> <u>Groups Act 2006 (Prescribed Criteria and Miscellaneous Provisions)</u> <u>Regulations 2009</u>; or

The 'harm test' is satisfied in respect of the individual (i.e. they may harm a child or vulnerable adult or put them at risk of harm); and

The individual has been removed from working in regulated activity (paid or unpaid) or would have been removed if they had not left

#### Agency and third-party staff

We will obtain written notification from any agency or third-party organisation that it has carried out the necessary safer recruitment checks that we would otherwise perform. We will also check that the person presenting themselves for work is the same person on whom the checks have been made.

#### Contractors

We will ensure that any contractor, or any employee of the contractor, who is to work at the school has had the appropriate level of DBS check (this includes contractors who are provided through a PFI or similar contract). This will be:

An enhanced DBS check with barred list information for contractors engaging in regulated activity

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

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

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

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

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

#### Trainee/student teachers

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

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

#### Volunteers We

will:

Never leave an unchecked volunteer unsupervised or allow them to work in regulated activity

Obtain an enhanced DBS check with barred list information for all volunteers who are new to working in regulated activity

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

#### Governors

All governors will have an enhanced DBS check without barred list information.

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

The chair of the board will have their DBS check countersigned by the secretary of state.

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

A section 128 check (to check prohibition on participation in management under <u>section 128 of the</u> <u>Education and Skills Act 2008</u>). [Section 128 checks are only required for local governors if they have retained or been delegated any management responsibilities.] Identity

#### Right to work in the UK

Other checks deemed necessary if they have lived or worked outside the UK AII

#### governors will also have the following checks:

Identity

Right to work in the UK

Other checks deemed necessary if they have lived or worked outside the UK

#### Adults who supervise pupils on work experience

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

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

# Appendix 3: allegations of abuse made against staff

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

Behaved in a way that has harmed a child, or may have harmed a child, or

Possibly committed a criminal offence against or related to a child, or

Behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children, or

Behaved or may have behaved in a way that indicates they may not be suitable to work with children

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

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

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

# Complaints that may meet the harms threshold

In the event of allegations that might indicate a person will pose a risk of harm if they continue to work in their present position, or in any capacity with children in a school or college. The government guidance from Keeping Children Safe in Education 2022 will be followed where it is alleged that anyone working in the school or a college that provides education for children under 18 years of age, including supply teachers, volunteers and contractors has:

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

This includes behaviour that may have happened outside of school or college, that might make an individual unsuitable to work with children, this is known as transferable risk.

Where appropriate an assessment of transferable risk to children with whom the person works should be undertaken. If needed ReFocus Ltd will seek advice from the local authority designated officer (LADO). A "case manager" will lead any investigation. This will be either the headteacher (Paula Tucker) or, where the headteacher is the subject of an allegation, the chair of governors (James Alcock) or chair of the management committee and in an independent school it will be the proprietor.

#### Concerns that do not meet the harms threshold

Complaints that do not meet the harms threshold are not viewed as insignificant, it means that the behaviour towards a child does not meet the threshold set out above. A low-level concern is any concern – no matter how small, and even if no more than causing a sense of unease or a 'nagging doubt' - that an adult working in or on behalf of the school or college may have acted in a way that is inconsistent with the staff code of conduct, including inappropriate conduct outside of work, and

does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the LADO.

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.

Such behaviour can exist on a wide spectrum, from the inadvertent or thoughtless, or behaviour that may look to be inappropriate, but might not be in specific circumstances, through to that which is ultimately intended to enable abuse.

It is crucial that any such concerns, including those which do not meet the allegation/harm threshold (see Part Four - Section one of KCSIE 2022), are shared responsibly and with the right person, and recorded and dealt with appropriately. Ensuring they are dealt with effectively should also protect those working in or on behalf of schools and colleges from potential false allegations or misunderstandings.

Suspension of the accused until the case is resolved

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

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

Redeployment within the school so that the individual does not have direct contact with the child or children concerned

Providing an assistant to be present when the individual has contact with children

Redeploying the individual to alternative work in the school so that they do not have unsupervised access to children

Moving the child or children to classes where they will not come into contact with the individual, making it clear that this is not a punishment and parents have been consulted

Definitions for outcomes of allegation investigations

Substantiated: there is sufficient evidence to prove the allegation

Malicious: there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive

False: there is sufficient evidence to disprove the allegation

Unsubstantiated: there is insufficient evidence to either prove or disprove the allegation (this does not imply guilt or innocence)

Unfounded: to reflect cases where there is no evidence or proper basis which supports the allegation being made

Procedure for dealing with allegations

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

Immediately discuss the allegation with the designated officer at the local authority. This is to consider the nature, content and context of the allegation and agree a course of action, including whether further enquiries are necessary to enable a decision on how to proceed, and whether it is necessary to involve the police and/or children's social care services. (The case manager may, on occasion, consider it necessary to involve the police before consulting the designated officer – for example, if the accused individual is deemed to be an immediate risk to children or there is evidence of a possible criminal offence. In such cases, the case manager will notify the designated officer as soon as practicably possible after contacting the police)

Inform the accused individual of the concerns or allegations and likely course of action as soon as possible after speaking to the designated officer (and the police or children's social care services, where necessary). Where the police and/or children's social care services are involved, the case manager will only share such information with the individual as has been agreed with those agencies

Where appropriate (in the circumstances described above), carefully consider whether suspension of the individual from contact with children at the school is justified or whether alternative arrangements such as those outlined above can be put in place. Advice will be sought from the designated officer, police and/or children's social care services, as appropriate

If immediate suspension is considered necessary, agree and record the rationale for this with the designated officer. The record will include information about the alternatives to suspension that have been considered, and why they were rejected. Written confirmation of the suspension will be provided to the individual facing the allegation or concern within 1 working day, and the individual will be given a named contact at the school and their contact details

If it is decided that no further action is to be taken in regard to the subject of the allegation or concern, record this decision and the justification for it and agree with the designated officer what information should be put in writing to the individual and by whom, as well as what action should follow both in respect of the individual and those who made the initial allegation

If it is decided that further action is needed, take steps as agreed with the designated officer to initiate the appropriate action in school and/or liaise with the police and/or children's social care services as appropriate

Provide effective support for the individual facing the allegation or concern, including appointing a named representative to keep them informed of the progress of the case and considering what other support is appropriate.

Inform the parents or carers of the child/children involved about the allegation as soon as possible if they do not already know (following agreement with children's social care services and/or the police, if applicable). The case manager will also inform the parents or carers of the requirement to maintain confidentiality about any allegations made against teachers (where this applies) while investigations are ongoing. Any parent or carer who wishes to have the confidentiality restrictions removed in respect of a teacher will be advised to seek legal advice Keep the parents or carers of the child/children involved informed of the progress of the case and the outcome, where there is not a criminal prosecution, including the outcome of any disciplinary process (in confidence)

Make a referral to the DBS where it is thought that the individual facing the allegation or concern has engaged in conduct that harmed or is likely to harm a child, or if the individual otherwise poses a risk of harm to a child

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

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

Additional considerations for supply staff

If there are concerns or an allegation is made against someone not directly employed by the school, such as supply staff provided by an agency, we will take the actions below in addition to our standard procedures.

We will not decide to stop using a supply teacher due to safeguarding concerns without finding out the facts and liaising with our local authority designated officer to determine a suitable outcome

The governing board will discuss with the agency whether it is appropriate to suspend the supply teacher, or redeploy them to another part of the school, while the school carries out the investigation

We will involve the agency fully, but the school will take the lead in collecting the necessary information and providing it to the local authority designated officer as required

We will address issues such as information sharing, to ensure any previous concerns or allegations known to the agency are taken into account (we will do this, for example, as part of the allegations management meeting or by liaising directly with the agency where necessary)

When using an agency, we will inform them of our process for managing allegations, and keep them updated about our policies as necessary, and will invite the agency's HR manager or equivalent to meetings as appropriate.

#### Timescales

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

If the nature of an allegation does not require formal disciplinary action, we will institute appropriate action within 3 working days

If a disciplinary hearing is required and can be held without further investigation, we will hold this within 15 working days

Specific actions

Action following a criminal investigation or prosecution

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

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

If the allegation is substantiated and the individual is dismissed or the school ceases to use their services, or the individual resigns or otherwise ceases to provide their services, the case manager and the school's personnel adviser will discuss with the designated officer whether to make a referral to the DBS for consideration of whether inclusion on the barred lists is required. If they think that the individual has engaged in conduct that has harmed (or is likely to harm) a child, or if they think the person otherwise poses a risk of harm to a child, they must make a referral to the DBS.

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

Individuals returning to work after suspension

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

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

Unsubstantiated or malicious allegations

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

#### Confidentiality

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

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

Who needs to know about the allegation and what information can be shared

How to manage speculation, leaks and gossip, including how to make parents or carers of a child/children involved aware of their obligations with respect to confidentiality

What, if any, information can be reasonably given to the wider community to reduce speculation

How to manage press interest if, and when, it arises

#### Record-keeping

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

A clear and comprehensive summary of the allegation

Details of how the allegation was followed up and resolved

Notes of any action taken and decisions reached (and justification for these, as stated above)

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

Where records contain information about allegations of sexual abuse, we will preserve these for the Independent Inquiry into Child Sexual Abuse (IICSA), for the term of the inquiry. We will retain all other records at least until the individual has reached normal pension age, or for 10 years from the date of the allegation if that is longer.

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

#### References

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

#### Learning lessons

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

This will include consideration of (as applicable):

Issues arising from the decision to suspend the member of staff

The duration of the suspension

Whether or not the suspension was justified

The use of suspension when the individual is subsequently reinstated. We will consider how future investigations of a similar nature could be carried out without suspending the individual

## Appendix 4: specific safeguarding issues Children who are absent from education

A child being absent from education, particularly repeatedly, can be a warning sign of a range of safeguarding issues. This might include abuse or neglect, such as sexual abuse or exploitation or child criminal exploitation, or issues such as mental health problems, substance abuse, radicalisation, FGM or forced marriage.

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

>Are at risk of harm or neglect

, Are at risk of forced marriage or FGM

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

### , Come from new migrant families

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

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

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

# Child criminal exploitation

Child criminal exploitation (CCE) is a form of abuse where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child into criminal activity, in exchange for something the victim needs or wants, and/or for the financial or other advantage of the perpetrator or facilitator, and/or through violence or the threat of violence.

The abuse can be perpetrated by males or females, and children or adults. It can be a one-off occurrence or a series of incidents over time, and range from opportunistic to complex organised abuse.

The victim can be exploited even when the activity appears to be consensual. It does not always involve physical contact and can happen online. For example, young people may be forced to work in cannabis factories, coerced into moving drugs or money across the country (county lines), forced to shoplift or pickpocket, or to threaten other young people.

Indicators of CCE can include a child:

- Appearing with unexplained gifts or new possessions
- Associating with other young people involved in exploitation
- Suffering from changes in emotional wellbeing
- Misusing drugs and alcohol
- Going missing for periods of time or regularly coming home late
- Regularly missing school or education
- Not taking part in education

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

# Child sexual exploitation

Child sexual exploitation (CSE) is a form of child sexual abuse where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child into sexual activity, in exchange for something the victim needs or wants and/or for the financial advantage or increased status of the perpetrator or facilitator. It may, or may not, be accompanied by violence or threats of violence.

The abuse can be perpetrated by males or females, and children or adults. It can be a one-off occurrence or a series of incidents over time, and range from opportunistic to complex organised abuse.

The victim can be exploited even when the activity appears to be consensual. Children or young people who are being sexually exploited may not understand that they are being abused. They often trust their abuser and may be tricked into believing they are in a loving, consensual relationship.

CSE can include both physical contact (penetrative and non-penetrative acts) and non-contact sexual activity. It can also happen online. For example, young people may be persuaded or forced to share sexually explicit images of themselves, have sexual conversations by text, or take part in sexual activities using a webcam. CSE may also occur without the victim's immediate knowledge, for example through others copying videos or images.

In addition to the CCE indicators above, indicators of CSE can include a child:

Having an older boyfriend or girlfriend

Suffering from sexually transmitted infections or becoming pregnant

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

## Child-on-child abuse

Child-on-child abuse is when children abuse other children. This type of abuse can take place inside and outside of school. It can also take place both face-to-face and online, and can occur simultaneously between the 2.

Our school has a zero-tolerance approach to sexual violence and sexual harassment. We recognise

that even if there are there no reports, that doesn't mean that this kind of abuse isn't happening. Child-on-child abuse is most likely to include, but may not be limited to:

- Bullying (including cyber-bullying, prejudice-based and discriminatory bullying)
- Abuse in intimate personal relationships between children (this is sometimes known as 'teenage relationship abuse')
- 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, 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
- Consensual and non-consensual sharing of nude and semi-nude images and/or videos (also known as sexting or youth produced sexual imagery)
- >Upskirting, which typically involves taking a picture under a person's clothing without their permission, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm
- 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)

Where children abuse their peers online, this can take the form of, for example, abusive, harassing, and misogynistic messages; the non-consensual sharing of indecent images, especially around chat groups; and the sharing of abusive images and pornography, to those who don't want to receive such content.

If staff have any concerns about child-on-child abuse, or a child makes a report to them, they will follow the procedures set out in section 7 of this policy, as appropriate. In particular, section 7.8 and 7.9 set out more detail about our school's approach to this type of abuse.

When considering instances of harmful sexual behaviour between children, we will consider their ages and stages of development. We recognise that children displaying harmful sexual behaviour have often experienced their own abuse and trauma, and will offer them appropriate support.

## **Domestic abuse**

Children can witness and be adversely affected by domestic abuse and/or violence at home where it occurs between family members. In some cases, a child may blame themselves for the abuse or may have had to leave the family home as a result.

Types of domestic abuse include intimate partner violence, abuse by family members, teenage relationship abuse (abuse in intimate personal relationships between children) and child/adolescent to parent violence and abuse. It can be physical, sexual, financial, psychological or emotional. It can also include ill treatment that isn't physical, as well as witnessing the ill treatment of others – for example, the impact of all forms of domestic abuse on children.

Anyone can be a victim of domestic abuse, regardless of gender, age, ethnicity, socioeconomic status, sexuality or background, and domestic abuse can take place inside or outside of the home. Children who witness domestic abuse are also victims.

Older children may also experience and/or be the perpetrators of domestic abuse and/or violence in their own personal relationships. This can include sexual harassment.

Exposure to domestic abuse and/or violence can have a serious, long-lasting emotional and psychological impact on children and affect their health, wellbeing, development and ability to learn.

If police are called to an incident of domestic abuse and any children in the household have experienced the incident, the police will inform the key adult in school (usually the designated safeguarding lead) before the child or children arrive at school the following day.

At ReFocus we are working in partnership with North Northamptonshire Council and West Northamptonshire Council and Northamptonshire Police to identify and provide appropriate support to pupils who have experienced domestic abuse in their household. In order to achieve this, North Northamptonshire Council and West Northamptonshire Council will share police information with the Designated Safeguarding Lead(s) of all domestic incidents where one of our pupils has been affected. On receipt of any information, the Designated Safeguarding Lead will decide on the appropriate support the child requires, this could be silent or overt.

All information sharing and resulting actions will be undertaken in accordance with the 'NSCP Protocol for Domestic Abuse – Notifications to Schools'. We will record this information and store this information in accordance with the record keeping procedures outlined in this policy. The DSL will provide support according to the child's needs and update records about their circumstances.

Domestic Abuse is any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality.

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. Domestic abuse can impact on children

through seeing, hearing or experiencing the effects of domestic abuse and/or experiencing it through their own intimate relationships.

Anyone can be a victim of domestic abuse, regardless of gender, age, ethnicity, socioeconomic status, sexuality or background, and domestic abuse can take place inside or outside of the home. Children who witness domestic abuse are also victims.

Older children may also experience domestic abuse and/or violence in their own personal relationships. See further information within this policy on child on child abuse for more details. The DSL will provide support according to the child's needs and update records about their circumstances.

### Homelessness

Being homeless or being at risk of becoming homeless presents a real risk to a child's welfare. The DSL or deputies will be aware of contact details and referral routes in to the local housing authority so they can raise/progress concerns at the earliest opportunity (where appropriate and in accordance with local procedures).

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

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

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

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

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

## FGM

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

Section 7.3 of this policy sets out the procedures to be followed if a staff member discovers that an act of FGM appears to have been carried out or suspects that a pupil is at risk of FGM.

Indicators that FGM has already occurred include:

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

A family/pupil already being known to social services in relation to other safeguarding issues A

girl:

- Having difficulty walking, sitting or standing, or looking uncomfortable
- Finding it hard to sit still for long periods of time (where this was not a problem previously)
- Spending longer than normal in the bathroom or toilet due to difficulties urinating
- Having frequent urinary, menstrual or stomach problems
- Avoiding physical exercise or missing PE
- Being repeatedly absent from school, or absent for a prolonged period

- Demonstrating increased emotional and psychological needs for example, withdrawal or depression, or significant change in behaviour
- · Being reluctant to undergo any medical examinations
- Asking for help, but not being explicit about the problem
- Talking about pain or discomfort between her legs Potential signs that a pupil may be at risk of FGM include:

The girl's family having a history of practising FGM (this is the biggest risk factor to consider)

FGM being known to be practised in the girl's community or country of origin

A parent or family member expressing concern that FGM may be carried out

A family not engaging with professionals (health, education or other) or already being known to social care in relation to other safeguarding issues A girl:

- Having a mother, older sibling or cousin who has undergone FGM
- · Having limited level of integration within UK society
- Confiding to a professional that she is to have a "special procedure" or to attend a special occasion to "become a woman"
- Talking about a long holiday to her country of origin or another country where the practice is prevalent, or parents/carers stating that they or a relative will take the girl out of the country for a prolonged period
- Requesting help from a teacher or another adult because she is aware or suspects that she is at immediate risk of FGM
- Talking about FGM in conversation for example, a girl may tell other children about it (although it is important to take into account the context of the discussion)
- Being unexpectedly absent from school
- Having sections missing from her 'red book' (child health record) and/or attending a travel clinic or equivalent for vaccinations/anti-malarial medication The above indicators and risk factors are not intended to be exhaustive.

### Forced marriage

Forcing a person into marriage is a crime. A forced marriage is one entered into without the full and free consent of 1 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.

It is also illegal to cause a child under the age of 18 to marry, even if violence, threats or coercion are not involved.

Staff will receive training around forced marriage and the presenting symptoms. We are aware of the '1 chance' rule, i.e. we may only have 1 chance to speak to the potential victim and only 1 chance to save them.

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

The DSL will:

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

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

### Preventing radicalisation

**Radicalisation** refers to the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups

>**Extremism** is vocal or active opposition to fundamental British values, such as democracy, the rule of law, individual liberty, and mutual respect and tolerance of different faiths and beliefs. This also includes calling for the death of members of the armed forces >**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 of terrorism 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.

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

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

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

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

Staff will be alert to changes in pupils' behaviour.

The government website <u>Educate Against Hate</u> and charity <u>NSPCC</u> say that signs that a pupil is being radicalised can include:

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

Being in contact with extremist recruiters and joining, or seeking to join, extremist organisations

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

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

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

Further information on the school's measures to prevent radicalisation are set out in other school policies and procedures, including curriculum policy, behaviour and anti-bullying policy and e-safety policy.

### Channel

Channel is a voluntary, confidential support programme which focuses on providing support at an early stage to people who are identified as being vulnerable to being drawn into terrorism. Prevent referrals may be passed to a multi-agency Channel panel, which will discuss the individual referred to determine whether they are vulnerable to being drawn into terrorism and consider the appropriate support required. A representative from the school or college may be asked to attend the Channel panel to help with this assessment. An individual's engagement with the programme is entirely voluntary at all stages.

The designated safeguarding lead should consider if it would be appropriate to share any information with the new school or college in advance of a child leaving. For example, information that would allow the new school or college to continue supporting victims of abuse or those who are currently receiving support through the 'Channel' programme, and have that support in place for when the child arrives.

### Sexual violence and sexual harassment between children in schools

Sexual violence and sexual harassment can occur:

- Between 2 children of any age and sex
- Through a group of children sexually assaulting or sexually harassing a single child or group of children
- Online and face to face (both physically and verbally)

Sexual violence and sexual harassment exist on a continuum and may overlap.

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 and will be exacerbated if the alleged perpetrator(s) attends the same school.

If a victim reports an incident, it is essential that staff make sure they 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 any form of abuse or neglect. Nor should a victim ever be made to feel ashamed for making a report.

When supporting victims, staff will:

- Reassure victims that the law on child-on-child abuse is there to protect them, not criminalise them
- Regularly review decisions and actions, and update policies with lessons learnt
- >Look out for potential patterns of concerning, problematic or inappropriate behaviour, and decide on a course of action where we identify any patterns

- Consider if there are wider cultural issues within the school that enabled inappropriate behaviour to occur and whether revising policies and/or providing extra staff training could minimise the risk of it happening again
- Remain alert to the possible challenges of detecting signs that a child has experienced sexual violence, and show sensitivity to their needs

Some groups are potentially more at risk. Evidence shows that girls, children with SEN and/or disabilities, and lesbian, gay, bisexual and traReFocusender (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
- 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

If staff have any concerns about sexual violence or sexual harassment, or a child makes a report to them, they will follow the procedures set out in section 7 of this policy, as appropriate. In particular, section 7.8 and 7.9 set out more detail about our school's approach to this type of abuse.

# Serious violence

Indicators which may signal that a child is at risk from, or involved with, serious violent crime may include:

- Increased absence from school
- Change in friendships or relationships with older individuals or groups
- Significant decline in performance
- Signs of self-harm or a significant change in wellbeing
- Signs of assault or unexplained injuries
- Unexplained gifts or new possessions (this could indicate that the child has been approached by, or is involved with, individuals associated with criminal networks or gangs and may be at risk of criminal exploitation (see above))

Risk factors which increase the likelihood of involvement in serious violence include:

- Being male
- Having been frequently absent or permanently excluded from school
- Having experienced child maltreatment
- Having been involved in offending, such as theft or robbery

Staff will be aware of these indicators and risk factors. If a member of staff has a concern about a pupil being involved in, or at risk of, serious violence, they will report this to the DSL.

# Checking the identity and suitability of visitors

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

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

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

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

Will be asked to show their DBS certificate, which will be checked alongside their photo ID; or

The organisation sending the professional, such as the LA or educational psychology service, will provide prior written confirmation that an appropriate level of DBS check has been carried out (if this is provided, we will not ask to see the DBS certificate)

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

#### Non-collection of children

If a child is not collected at the end of the session/day, we will contact the parent in the first instance and/or any other named contacts. Children expecting to be collected will remain on site until contact can be made. In the instance where this contact is unsuccessfully the DSL or deputies will contact the MASH team for advice from the Duty Social Care Team.

#### Missing pupils

Our procedures are designed to ensure that a missing child is found and returned to effective supervision as soon as possible. If a child goes missing, we will:

Please see the procedure regarding missing pupils in the Attendance Policy. This includes details of who to contact and how to raise the alarm if and when necessary.

Main issues identified in the area	How our curriculum addresses these issues	Training staff have received to address these issues
Students with mental health issues. Ranging from low mood, self-harm,anger management, eating disorders.	Mental Health Awareness days Stress management, Diet and nutrition units delivered to all students. Emotional Literacy leads the PSHE lessons and 1-2-1 sessions for those students identified in need of extra support.	<ul> <li>Regular CPD resources ensure staff have the support and guidance to meet specific students' needs. All staff have been enrolled to the library of resources on the National College of Education and their CPD links to their job role, with all statutory courses a priority.</li> <li>Specific training scheduled through the training calendar</li> <li>Well planned and resourced scheme of work in PSHE curriculum supports good teaching in this area.</li> </ul>

### **APPENDIX 5** local identified safeguarding issues – curriculum and training strategies

Risky on-line behaviours	E-Safety contract signed by all students.	<ul> <li>DSL annual safeguarding training s</li> </ul>
	Additional PSHE lessons around safe online use.	County DSL termly Forum
	Updated filtering and monitoring systems in place reviewed at least annually and as required.	Contextual Safeguarding forum held between local schools to share current concerns.
	Safeguarding updates sent to parents via either email, text message or phone call as and when required.	
	Service 6 Target group work sessions delivered across the school. Timetabled to deliver one hour sessions once a week for four weeks for each group.	
County Lines/gang activity	External agencies regularly attend for 1-2-1 or group sessions.	
	External speaker for knife crime awareness.	
	Curriculum units delivered on drug awareness, dealing with conflict and crime and youth justice.	<ul> <li>National College of Education library of resources.</li> <li>Staff trained in new CERAF procedures.</li> </ul>
Local issues within the vicinity eg Knife crime and use of cannabis	Students are searched upon entry to ensure all students feel safe. Curriculum units on drug awareness are delivered as a whole school approach to raising awareness. PSHE has been adapted to address student raised concerns and continues to be responsive to local issues. Student able to identify local issues through regular updates with key workers.	Staff training on PSHE programme that contains sessions on personal safety The DSL continues to work
	Following any incidents parents and relevant external parties are contacted.	closely with the local police to identify student concerns and address safety issues that directly affect our studetns.

Please see paragraph from Keeping Children Safe in Education (2022) below. Our Online Safety standards have been designed with this in mind.

Online safety and the school or college's approach to it should be reflected in the child protection policy. Considering the 4Cs will provide the basis of an effective online policy. The school or college should have a clear policy on the use of mobile and smart technology. Amongst other things this will reflect the fact many children have unlimited and unrestricted access to the internet via mobile phone networks (i.e. 3G, 4G and 5G). This access means some children, whilst at school or college, sexually harass, bully, and control others via their mobile and smart technology, share indecent images consensually and non-consensually (often via large chat groups) and view and share pornography and other harmful content. Schools and colleges should carefully consider how this is managed on their premises and reflect this in their mobile and smart technology policy and their child protection policy.

Teaching pupils to stay safe online and keeping children safe online in school is a crucial part of safeguarding. It is essential that children are safeguarded from potentially harmful and inappropriate online material. We take a whole school approach to online 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.

Our approach to online safety runs through every aspect of our work with children, including (but not limited to):

- curriculum planning and RSHE;
- teacher training;
- the role and responsibilities of the designated safeguarding lead; and
- parental engagement.

This appendix complements and should be read alongside our E-Safety policy. Staff must read the E-Safety Policy in conjunction with our Code of Conduct in relation to personal online behaviour. All staff receive online safety training at induction, with regular updates and formal annual training thereafter.

The Designated Safeguarding Lead (DSL) takes lead responsibility for online safety. The DSL attends training regularly to ensure that they understand the unique risks associated with online safety and to ensure that they are confident that they have the relevant knowledge and up to date capability required to keep children safe whilst they are online at ReFocus.

### Risks to children

The breadth of issues classified within online safety is considerable, but can be categorised into four areas of risk:

- **content**: being exposed to illegal, inappropriate or harmful content, for example: pornography, fake news, racism, misogyny, self-harm, suicide, anti-Semitism, radicalisation and extremism.
- **contact**: being subjected to harmful online interaction with other users; for example: peer to peer pressure, commercial advertising and adults posing as children or young adults with the intention to groom or exploit them for sexual, criminal, financial or other purposes'.

- conduct: personal online behaviour that increases the likelihood of, or causes, harm; for example, making, sending and receiving explicit images (e.g consensual and non-consensual sharing of nudes and semi-nudes and/or pornography, sharing other explicit images and online bullying; and
- **commerce:** risks such as online gambling, inappropriate advertising, phishing and or financial scams.

We refer to these four areas of risk when planning our approach to online safety and ensuring that we are safeguarding children against a broad spectrum of potential online harms.

#### Filtering and monitoring

In order to keep children safe when using school IT equipment, we use Untangle for our filtering and monitoring.

Staff devices – all staff sign an Acceptable Use Policy regarding the behaviours required to use electronic equipment.

ReFocus is mindful that "over-blocking" can lead to unreasonable restrictions as to what children can be taught with regard to online teaching and safeguarding and mitigate against this by ensuring staff are always present when students access the internet. The appropriateness of any filters and monitoring systems will be informed in part, by the risk assessment required by the Prevent Duty.

#### Pupil mobile phones

See our separate policy regarding student mobile phone usage.

### How to report online safety concerns

If pupils, parents or staff have any concerns about online safety, or need to make a disclosure, they should speak to the Designated Safeguarding Lead or deputy without delay. The contact details for these members of staff can be found on the front of this policy.

#### Regular review of our approach to online safety

We recognise that technology, and risks and harms related to it evolve and changes rapidly.

We carry out an annual review of our approach to online safety, supported by an annual risk assessment that considers and reflects the risks their children face. This is informed by local and national training and regular updates.

#### More information

For more information about online safety, please see Annex D of Keeping Children Safe in Education (2022).

Key contacts

Northamptonshire Multi – Agency Safeguarding Hub (MASH) - 0300 126 7000

# NHFT School nurse team -

<u>https://www.nhft.nhs.uk/cyprmc!~OMSelectionMarkerStart~!!~OMSelectionMarkerEnd~</u> ReFocus allocated School nurse is – Victoria Prince.

**NSPCC** – Wellingborough local 01933 223920

National 0808 800 5000

WHEN TO CALL THE POLICE (npcc.police.uk)

**CIRV** (Community Initiative to Reduce Violence) 07539 183975 – In a Gang? They can help. <u>www.cirv-nsd.org.uk</u>

Covid- 19 Government guidance in safeguarding – <u>https://www.gov/goverment/publications/covid-19-safeguarding-in-schools-colleges-andother-providers</u>.

Northamptonshire Police 101/03000 111222

Local Authority Designated Officer (LADO) - <u>Report a concern about an adult working with</u> children and young people - Help and protection for children (nctrust.co.uk)

Children Missing in Education - Report a child missing from education (achieveservice.com)

Worried about a child - Report a concern - young people (northamptonshire.gov.uk)

Child Criminal Exploitation concern

**Child Sexual Exploitation** 

# **Domestic Abuse**

Local <u>Voice for Victims and Witnesses of Crime in Northamptonshire (voicenorthants.org)</u> 0300 303 1965

You can also download the Voice Home Support Hub app

EVE (eveda.org.uk) 01604 230311

Northampton Domestic Abuse Service (NDAS) call 0300 0120154

National

<u>The National Domestic Abuse Helpline (nationaldahelpline.org.uk)</u> 0808 2000 247 (24 hours a day)

Women's Aid also offers victims a live web chat service

Respect Male victims can call 0808 8010 327 (during office hours)

GALOP LGBT victims phone line on 0800 999 5428

Operation Encompass https://www.operationencompass.org/teachers-helpline

# Mental Health

CAMHS - <u>Children and Adolescent Mental Health Services (CAMHS) Northamptonshire</u> (<u>nhft.nhs.uk</u>) or 0300 1111 022 <u>CAMHS live (nhft.nhs.uk)</u> is provided by Northamptonshire Healthcare Foundation Trust (NHFT) and is available to help you access the mental health services you need. You can speak to them by phone or using their online live chat from Monday to Friday, 10am to 4.30pm.

Crisis team - 01604656060

<u>The Lowdown</u> offer free counselling and support to young people in Northamptonshire suffering with stress or anxiety

<u>MIND Northampton</u> - can help with choices about stress treatment and reach out to sources of support.

<u>Service Six- Supporting those that need help in our community</u> - a specialist provider of outcome based professional therapeutic support, diversionary and activity services for thousands of hard-to-reach disadvantaged children, young people, adults and families - covers the Wellingborough area.

<u>Papyrus (papyrus-uk.org)</u> - provide confidential help and advice to young people to prevent suicide

# Preventing Radicalisation

<u>Channel Duty guidance: protecting people vulnerable to being drawn into terrorism</u> (publishing.service.gov.uk)

# Keeping Safe Online whilst working from home

How to keep your child safe online while stuck at home ... (unicef.org)

UK Safer Internet Centre - Online Safety Tips, Advice and Resources | Safer Internet Centre

Thinkuknow - home

Childline - If something's not right - Talk to someone you trust (bing.com) Net

Aware: Your guide to social networks, apps and games (net-aware.org.uk)

https://www.childnet.com/ufiles/Supporting-Young-People-Online.pdf

https://www.childnet.com/resources/supporting-young-people-online (various

languages available)

## Sexual Abuse and Harassment https://www.safeline.org.uk/abuse-or-banter-sexual-

harassment-and-abuse-at-school/ https://www.lucyfaithfull.org.uk/ https://learning.nspcc.org.uk/research-resources/2019/harmful-sexual-behaviour-framework