

Safeguarding and Child Protection Policy

Examinations Centre

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This policy is aligned with:

- Keeping Children Safe in Education (KCSIE) 2025
- Working Together to Safeguard Children 2023
- Prevent Duty Guidance for England and Wales

Reviewed annually on the publication of updated JCQ regulations and guidance (General Regulations for Approved Centres, Instructions for Conducting Examinations, and related documents).

Compliance note: Version references have been updated to Keeping Children Safe in Education (KCSIE) 2025. The Designated Safeguarding Lead should review the substantive content against the current KCSIE 2025 text and the latest Prevent duty guidance before publication, as statutory wording changes each year.

SAFEGUARDING & CHILD PROTECTION POLICY

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Purpose of Policy

Our commitment is to safeguard and promote the welfare, health (including mental health) and safety of our pupils by creating and maintaining an open, safe, caring and supportive atmosphere. This includes:

- Proactively teaching pupils about safeguarding.
- Ensuring that systems and procedures are in place to protect pupils, and
- Acting in the best interests of the child.

All staff have the following responsibilities:

- Contribute to providing a safe environment in which all children can learn and flourish.
- Know what to do if a child tells you that he or she is being abused or neglected.
- Know what to do if you are concerned about the behaviour or conduct of an adult in the school.
- Manage the requirement to maintain an appropriate level of confidentiality.
- Identify children who may benefit from Early Help.
- Refer any concern to the Designated Safeguarding Lead (DSL) or the Deputy DSL.
- Be aware of our local Early Help process and our role in it; and
- Be aware of the process for making a referral to Children's Social Care and understand the role you might be expected to play in statutory assessments.

Definition of safeguarding

Safeguarding and promoting the welfare of children is defined for the purposes of this guidance as:

- Protecting children from maltreatment.
- Preventing impairment of children's health or development.
- Ensuring that children grow up in circumstances consistent with the provision of safe and effective care.
- Taking action to enable all children to have the best outcomes.
- Everyone who meets children, and their families have a role to play. In order to fulfil this responsibility effectively, all professionals should make sure their approach is child centred. This means that they should consider, always, what is in the best interests of the child.

No single professional can have a full picture of a child's needs and circumstances. If children and families are to receive the right help at the right time, everyone who encounters them has a role to play in identifying concerns, sharing information, and taking prompt action.

This policy and procedure apply to all teaching, non-teaching, residential, pastoral, support, peripatetic, contract staff and ancillary staff, volunteers, non-centre-based staff and any other adults working at the centre. All references in this document to "staff" or "members of staff" should be interpreted as relating to the, unless otherwise stated.

Throughout the document, the term DSL is used for the Designated Safeguarding Lead. This Safeguarding Policy and the Code of Conduct apply to all pupils and adults in the centre.

Definitions and terminology

'Children' includes everyone under the age of 18 'DSL' refers to the school's named Designated Safeguarding Lead 'Designated Officer' refers to the person appointed by the local authority to deal with allegations against adults 'KCSIE' refers to the statutory guidance Keeping Children Safe in Education.

Related documentation: This policy should be read in relation to the most current version of the following documents:

National documents:

- The Education (Independent School Standards) Regulations 2014
- KCSIE (September 2025)
- Working Together to Safeguard Children (July 2018)
- Prevent Duty Guidance: for England and Wales (July 2015)
- Disqualification under the Childcare Act (July 2018)
- What do to if you are worried a child is being abused, Advice for practitioners (departmental advice) (March 2015).

This policy is updated annually, drawing on feedback from staff, and is published to all staff and volunteers and placed on the school website. This policy is based on KCSIE 2025 and any references to national guidance made within this document are in relation to the versions listed above. The school will always refer to the above statutory guidance as the benchmark for all safeguarding practice and decision making.

Internal documents:

- Safer Recruitment Policy
- Risk Assessment Policy
- Complaints Policy

Safer recruitment

Our centre prioritises embedding a culture of safer recruitment as part of our strategy for preventing harm to children. Statutory procedures for checking the suitability of staff and volunteers who work with children are always followed.

The aim of the Safer Recruitment policy is to help deter, reject or identify people who might abuse pupils or are otherwise unsuited to working with them by having appropriate procedures for appointing staff.

The aims of the centre's recruitment policy are as follows:

- To ensure that the best possible staff are recruited on the basis of their merits, abilities and suitability for the position; T
- To ensure that all job applicants are considered equally and consistently;
- To ensure that no job applicant is treated unfairly on any grounds including race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age;
- To ensure compliance with all relevant legislation, recommendations and guidance including the statutory guidance published by the Department for Education (DfE), Keeping Children Safe in Education - 2025 (KCSIE), the Prevent Duty Guidance for England and Wales 2015 (the Prevent Duty Guidance) and any guidance or code of practice published by the Disclosure and Barring Service (DBS); and
- To ensure that the centre meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks.

See our Safer Recruitment policy for more details.

Types of abuse:

The term 'abuse' is often used as an umbrella term. All staff should be aware of indicators of abuse and neglect so that they are able to identify cases of children who may be in need of help or protection. Abuse and safeguarding issues are rarely standalone events that can be covered by one definition or label. In most cases, multiple issues will overlap with one another.

Abuse

Abuse is a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others. Abuse can take place wholly online, or technology may be used to facilitate offline abuse. They may be abused by an adult or adults or by another child or children.

Physical abuse

Physical abuse is a form of abuse which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child.

Physical harm may also be caused when a parent or carer fabricates a child's symptoms of, or deliberately induces, illness.

Signs of physical abuse can include:

- Injuries to parts of the body where accidents are unlikely, such as thighs, back, abdomen; • respiratory problems from drowning, suffocation or poisoning;
- untreated or inadequately treated injuries;
- bruising which looks like hand or finger marks or caused by an implement;
- cigarette burns, human bites; or scarring, scalds and burns.

Emotional abuse

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

Sexual abuse

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

Signs of sexual abuse displayed by children may include:

- Pregnancy

- Sexually transmitted infection/diseases;
- Pain/itching/bleeding/bruising/discharge to the genital area/anus/mouth;
- Urinary infections;
- difficulty walking or sitting or standing;
- persistent sore throats; or
- stomach ache.

Neglect:

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

Signs of possible neglect include:

- The child seems underweight or is very small for their age, or their weight deteriorates;
- The child seems very overweight for their age; they are poorly clothed, with inadequate protection from the weather;
- they are often absent from school for no apparent reason; or persistently arrive late: or
- they have regularly left alone, or in charge of younger brothers or sisters.

Peer on peer abuse

All staff must be alert to possible indicators of safeguarding concerns which may indicate peer on peer abuse. This is most likely to include, but may not be limited to:

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

- 'upskirting'

Honour Based Violence (HBV) (including Female Genital Mutilation (FGM), Forced Marriage (FM) and breast ironing)

HBV includes all incidents or crimes which have been committed to protect or defend the honour of the community and/or the family, and commonly involve practices such as FGM, forced marriage and/or breast ironing. Abuse often involves a wider network of family or community pressure and therefore it is important to be aware of this dynamic and consider risk factors when deciding on action. If staffs have a concern that a child may be at risk of Honour Based Violence, they should alert their DSL immediately.

FGM

FGM is abuse that encompasses all procedures involved in the partial or total removal of female external genitalia and is illegal in the UK. Whilst all staff should speak to the DSL (or deputy DSL) with regard to any concerns about FGM, there is a specific legal duty on teachers under the FGM Act (2003) to report FGM. If a teacher, in the course of their work in the profession, discovers that an act of FGM appears to have been carried out on a girl under the age of 18, it is mandatory that the teacher must report this to the police using the telephone number 101.

Forced Marriage

Forcing a person into marriage is a crime in England and Wales. FM is one entered into without the full and free consent of one or both parties and where violence, threats or any form of coercion is used to cause a person to enter into a marriage. The FM Unit provides more guidance, which can be found here. Multi-Agency guidelines, which focus on the role of schools, can be found here.

Breast ironing

Breast ironing, also known as breast flattening, is the pounding and massaging of a pubescent girl's breasts, using hard or heated objects, to try to make them stop developing or disappear. It is typically carried out by the girl's mother, who will say she is trying to protect the girl from sexual harassment and rape to prevent early pregnancy that would tarnish the family name or to allow the girl to pursue education, rather than be forced into early marriage.

Behavioural signs of abuse and neglect

If a child is being abused, their behaviour may change in a number of ways. For example, they may:

- behave aggressively or be disruptive, act out, demand attention and require more discipline than other children;
- become angry or disinterested and/or show little creativity;

- seem frightened of certain adults;
- become sad, withdrawn or depressed;
- have trouble sleeping;
- become sexually active at a young age;
- exhibit inappropriate sexual knowledge for their age or sexualised behaviour in their play with other children;
- refuse to change for gym or participate in physical activities;
- develop eating disorders;
- self-harm;
- refuse to attend school or run away from home;
- lack confidence or have low self-esteem; or
- use drugs or alcohol.

Children with Special Educational Needs and/or Disabilities

Children with special educational needs (SEN) and/or disabilities are statistically more vulnerable to child abuse, including peer on peer abuse. Additional barriers can exist when recognising abuse and neglect in this group of children. These include:

- assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability without further exploration;
- assumptions that children with SEN and disabilities can be disproportionately impacted by things like bullying without outwardly showing any signs;
- communication barriers and difficulties in overcoming these challenges.

Signs of abuse or neglect manifested by the parents or other responsible adult

- places unrealistic expectations on the child i.e. demands a level of academic or physical performance of which they are not capable;
- offers conflicting or unconvincing explanation of any injuries to the child; • appears indifferent to, or overtly rejects, the child;

- denies existence of or blames the child for the child's problems at home or at school; • sees and describes the child as entirely worthless, burdensome or in another negative light; • refuses offers of help for the child's problems; or
- is isolated physically/emotionally.

Grooming

Grooming is the process by which an individual prepares a child, significant adults and the environment for abuse of this child. Children and young people can be groomed online or in the real

world, by a stranger or by someone they know. Groomers may be male or female, of any gender identity. They could be any age. Many children and young people do not understand that they have been groomed, or that what has happened is abuse. The signs of grooming are not always obvious. Groomers will also go to great lengths not to be identified.

Children may:

- be very secretive, including about what they are doing online;
- have older boyfriends or girlfriends;
- go to unusual places to meet friends;
- have new things such as clothes or mobile phones that they can't or won't explain; • have access to drugs and alcohol;
- go missing from home or school;
- display behavioural changes;
- have sexual health issues; or
- present as suicidal, self/harming, feeling depressed, unworthy.

In older children, signs of grooming can easily be mistaken for 'normal' teenage behaviour, but you may notice unexplained changes in behaviour or personality, or inappropriate sexual behaviour for their age. See the NSPCC website for further information about grooming.

Signs of grooming and/or online abuse

A child may be experiencing abuse online if they:

- spend lots, much more, or much less time online, texting, gaming or using social media; • are withdrawn, upset or outraged after using the internet or texting;
- are secretive about who they're talking to and what they're doing online or on their mobile phone; and/or

- have lots of new phone numbers, texts or e-mail addresses on their mobile phone, laptop or tablet.

Signs of grooming manifested by sex offenders

It is important to remember that not all sex offenders will exhibit the signs listed below and if an individual exhibits some or all of these signs, it does not mean that they are a sex offender:

- Overly affectionate behaviour with a child;
- Affording special attention or preferential treatment to a child;
- Excessive time spent alone with a child outside of the classroom/school; • Frequently spending time with a child in private or isolated areas;
- Transporting a child to or from the school;
- Making friends with a child's parents and visiting their home;
- Acting as a particular child's confidante;
- Giving small gifts, money, toys, cards, letters to a child;
- Using texts, telephone calls, e-mails or social networking sites to inappropriately communicate with a child; and/or
- Flirtatious behaviour or making suggestive remarks or comments of a sexual nature around a child.

Modus operandi of institutional grooming

Perpetrators target victims who are vulnerable, isolated, insecure and/or have greater emotional needs.

o Gain victim's trust: Offenders may allow a child to do something (e.g. eat ice cream, stay up late, view pornography) which is not normally permitted by the child's parents or the school in order to foster secrecy.

o Gain the trust of others: Institutional offenders are often popular with children and parents, successfully grooming not only the victim but also other members of the victim's family and the community at large.

o Filling a need/becoming more important to the child: This can involve giving gifts, rewards, additional help or advice, favouritism, special attention and/or opportunities for special trips or outings.

o Isolating the child: The perpetrator may encourage dependency and subtly undermine the victim's other relationships with friends or family members.

o Sexualising the relationship: This can involve playful touches, tickling and hugs. It may involve adult jokes and innuendo or talking as if adults, for example about marital problems or conflicts.

o Maintaining control and secrecy: Offenders may use their professional position to make a child believe that they have no choice but to submit to the offender.

Signs of grooming for radicalisation

There are no known definitive indicators that a young person is vulnerable to radicalisation, but there are a number of signs that together increase their risk of being groomed in this way. Signs of vulnerability include:

- Underachievement;
- Being in possession of extremist literature;
- Poverty;
- Social exclusion;
- Traumatic events;
- Global or national events;
- Religious conversion;
- Change in behaviour;
- Extremist influences;
- Conflict with family over lifestyle;
- Confused identity;
- Victim or witness to race or hate crimes; and
- Rejection by peers, family, social groups.

Child Criminal Exploitation

Geographically widespread form of harm that is a typical feature of county lines criminal activity is the criminal exploitation of children and young people. This is usually through engaging them into gangs and using them to carry money or drugs from urban areas to suburban and rural areas, market and seaside towns. All staff should be aware of indicators which may signal that children are at risk from, or are involved with, serious violent crime. These can include increased absence from school; a change in friendships or relationships with older individuals or groups; a significant decline in performance; signs of self-harm or a significant change in wellbeing; or signs of assault or unexplained injuries. Unexplained gifts or new possessions

could also indicate that children have been approached by, or are involved with, individuals associated with criminal networks or gangs.

Early Help

If early help is appropriate, the DSL will generally lead on liaising with other agencies and setting up an inter-agency assessment as appropriate. Staff may be required to support other agencies and professionals in an early help assessment, in some cases acting as the lead professional. Any such cases should be kept under constant review and consideration given to a referral to Children's Social Care for assessment for statutory services, if the child's situation does not appear to be improving or is getting worse.

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

- is disabled and has specific additional needs;
- has special educational needs (whether or not they have a statutory education, health and care plan);
- is a young carer;
- is showing signs of being drawn into anti-social or criminal behaviour, including gang involvement and association with organised crime groups;
- is frequently missing/goes missing from care or from home;
- is misusing drugs or alcohol themselves;
- is at risk of modern slavery, trafficking or exploitation;
- is in a family circumstance presenting challenges for the child, such as substance abuse, adult mental health problems or domestic abuse;
- has returned home to their family from care;
- is showing early signs of abuse and/or neglect;
- is at risk of being radicalised or exploited;
- is a privately fostered child; and/or
- has already identified as being LGBT+ or is beginning to identify as LGBT+.

Children in Need

A Child in Need is defined under the Children Act 1989 as a child who is unlikely to achieve or maintain a reasonable level of health or development, or whose health and development

is likely to be significantly or further impaired, without the provision of services; or a child who is disabled. Local authorities are required to provide services for children in need for the

purposes of safeguarding and promoting their welfare. A child who is deemed to be a Child in Need will have been assessed by Children's Social Care under section 17 of the Children Act 1989.

Children suffering or likely to suffer significant harm

Local authorities, with the help of other organisations as appropriate, have a duty to make enquires under section 47 of the Children Act 1989 if they have reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm. Such enquiries enable them to decide whether they should take any action to safeguard and promote the child's welfare and must be initiated where there are concerns about maltreatment, including all forms of abuse and neglect, female genital mutilation or other so-called honour based violence, and extra familial threats like radicalisation and sexual exploitation. Should an investigation occur, then the centre's involvement and any action may be determined on the advice given by the investigating agency.

Safeguarding and promoting the welfare of children is everyone's responsibility

All staff should know what to do when a child discloses abuse to them; they have concerns about a child's welfare, or when children or staffs raise concerns about a pupil to them.

If a child tells a member of staff that they know about or have been a victim of abuse or neglect the member of staff should:

- Listen carefully and allow the child to speak freely and remain calm. Do not interrupt the child or be afraid of silences.
- Provide reassuring nods and words such as, "I am so sorry this has happened", "You are doing the right thing in talking to me". Avoid saying things like, "I wish you had told me about this earlier" or "I cannot believe what I am hearing". Questioning of the child about what they are saying should not be extensive, as partner agencies will lead any investigation. However, a context around what the child has said should always be sought prior to any referral being made to partner agencies. This should be done by the DSL or DDSL, depending on who obtained the initial disclosure i.e. if a member of teaching staff receives a disclosure or has a concern, the DSL should then also speak to the child, either to corroborate the child's account or to gain further context. Limit questioning to the minimum necessary for clarification using What, When, How and Where, but avoid leading questions such as, "Has this happened to your siblings?" Do not use questions beginning with Why as this can apportion feelings of guilt within a child.
- If the child discloses abuse, it is appropriate to ask whether any other adults were present and observed the abuse and whether the abuse has happened before.
- At an appropriate time, tell the child that the matter will be referred in confidence, always using language that is appropriate to the age and stage of development of the child, allowing for their individual need.

- Tell the child what will happen next. The child may want to accompany you to see the DSL, otherwise let the child know that someone will come to see them before the end of the day.

Recording

Staff should make a written record of the conversation with the child as soon as possible. Staff should use the specific words that the child used (e.g. if referring to parts of their body), indicating these by using “speech marks/inverted commas”. If a disclosure of abuse has been made by the child, staff should immediately discuss the concerns verbally with the Head of Centre prior to writing up the record so that immediate action can be considered. Head of Centre should be made aware of any referral that is made to Social Care or the police, but staff must not delay if they are unavailable before making the referral. All documents should be kept in a secure location with restricted access.

Making referrals to statutory agencies

When a child is thought to be at risk of harm or is likely to be at risk of harm (see above), a referral should be made immediately to Children’s Social Care or the police if a criminal act is thought to have occurred. Whilst it is the role of the Head of Centre, any member of staff can make a referral to Children’s Social Care or the police and there should be no delay. The centre does not require parental consent for referrals to be made to statutory agencies. Consent to do this must not be obtained from the parents if to gain consent would put the child’s safety at risk or to do so could jeopardise any investigation by partner agencies (WTSC 2018).

When a child is not considered at risk of harm, but still has unmet needs that could mean that they are a Child in Need (see above), a referral should be made to Children’s Social Care via the local authority process. The centre does not require parental consent for referrals to be made to statutory

agencies in these circumstances, however, it is best practice that these concerns should be discussed with the parents and any subsequent referral made transparently with the parent’s knowledge.

Confidentiality

Staff should never guarantee confidentiality to pupils or adults wishing to tell them about something serious, as this may ultimately not be in the best interests of the child. They should guarantee that they will not tell anyone who does not have a clear need to know and that they will pass on information in confidence only to the people who must be told in order to ensure their safety.

The role of the Designated Safeguarding Lead and Deputy Designated Safeguarding Lead

The Designated Safeguarding Lead (DSL) is the senior member of staff responsible for leading safeguarding in the centre. The DSL must be a member of the centre management team. The DSL takes the lead responsibility for safeguarding and child protection in the centre and their job description explicitly reflects this.

Support for DSL

The DSL is given the time, funding, training, resources and support to provide advice and support to other staff on child welfare and child protection matters, to take part in Strategy Discussions and inter-agency meetings, and/or to support other staff to do so, and to contribute to the assessment of children.

There are 4 key elements to the DSL role. They will:

- Manage referrals
- Work with others
- Train
- Raise awareness

Manage referrals

The DSL is expected to:

- refer cases of suspected abuse to the local authority children's social care as required; • support staff who make referrals to local authority children's social care;
- refer cases to the Channel programme where there is a radicalisation concern as required; • support staff who make referrals to the Channel programme;
- refer cases where a person is dismissed or has left due to risk/harm to a child to the Disclosure and Barring Service as required (in collaboration with HR team); and • refer cases where a crime may have been committed to the police as required.

Work with others

The DSL is expected to:

- liaise with the Head of Centre to inform him or her of issues, especially ongoing enquiries under section 47 of the Children Act 1989 and police investigations;
- as required, liaise with the "case manager" (in relation to allegations against adults) and the Designated Officer(s) at the local authority for child protection concerns in cases which concern a staff member;

- liaise with staff (especially pastoral support staff, school nurses, IT technicians, and SENCOs) on matters of safety and safeguarding (including online and digital safety) and when deciding whether to make a referral by liaising with relevant agencies; and act as a source of support, advice and expertise for all staff.

Training

The DSL (and any deputies) should undergo training to provide them with the knowledge and skills required to carry out their role, including inter-agency working. This training must be updated at least every two years. The DSL should undertake additional Prevent awareness training to the government. Prevent training that all school staff undertakes.

Raise awareness

The DSL should:

- ensure the school's safeguarding and child protection policies are known, understood and used appropriately;
- ensure the school's Safeguarding and Child Protection Policy is reviewed annually (as a minimum) and the procedures and implementation are updated and reviewed regularly, and work with the proprietor regarding this;
- ensure the Safeguarding and Child Protection Policy is available publicly and parents are aware of the fact that referrals to children's social care or the police about suspected abuse or neglect may be made and the role of the school in this; and
- link with the local Safeguarding Partners to make sure staff are aware of any training opportunities and the latest local policies on local safeguarding arrangements.

Safeguarding Files

As stated above, where children leave the school, DSLs should ensure a copy of their Safeguarding File is transferred to the new school or college as soon as possible. This file should be transferred separately from the main pupil file, ensuring secure transit, and confirmation of receipt should be

obtained. Receiving schools should ensure key staff, such as DSLs and SENCOs, are aware as required.

In addition to the Safeguarding File, the DSL should also consider if it would be appropriate to share any information with the new school in advance of a child leaving. For example, information that would allow the new school to continue supporting victims of abuse and have that support in place for when the child arrives. This should be done with the parent's knowledge, unless to do so would place a child or parent at heightened risk.

Availability

During term time the DSL (or a deputy) will always be available (during school hours) for staff in the school to discuss any safeguarding concerns. Whilst generally speaking the DSL (or deputy) will normally be available in person, the Head of Centre will define what “available” means and whether in exceptional circumstances availability via phone and/or Skype or other such media is acceptable. It is the responsibility of the DSL to arrange adequate and appropriate cover arrangements for any out of hours/out of term activities.

Youth produced sexual imagery/‘Sexting’

Whilst many professionals refer to the issue as ‘sexting’, there is no clear definition of ‘sexting’. According to research, many professionals consider sexting to be ‘sending or posting sexually suggestive images, including nude or semi-nude photographs, via mobiles or over the internet.’ Yet, recent NSPCC research has revealed that when children are asked ‘What does sexting mean to you?’ they are more likely to interpret sexting as ‘writing and sharing explicit messages with people they know. Similarly, a recent Child Line survey has revealed that many parents think of sexting as flirty or sexual text messages, rather than images.

This policy only covers the sharing of sexual imagery by children. Possessing, creating, sharing and distributing sexual photos and videos of under-18s is illegal, and therefore causes the greatest complexity for schools (amongst other agencies) when responding. It also presents a range of risks which need careful management. On this basis, this policy introduces the phrase ‘youth produced

sexual imagery’ and uses this instead of ‘sexting’.² This is to ensure clarity about the issues this advice addresses.

What is youth produced sexual imagery?

‘Youth produced sexual imagery’ best describes the practice because:

- ‘Youth produced’ includes children sharing images that they, or another child, have created of themselves.
- ‘Sexual’ is clearer than ‘indecent’. A judgement of whether something is ‘decent’ is both a value judgement and dependent on context.
- ‘Imagery’ covers both still photos and moving videos (and this is what is meant by reference to imagery throughout the policy).

What types of incidents are covered by this policy?

Yes:

- A child creates and shares sexual imagery of themselves with a peer (also under the age of 18).

- A child shares sexual imagery created by another child with a peer (also under the age of 18) or an adult.
- A child is in possession of sexual imagery created by another child.

No:

- The sharing of sexual imagery of children by adults as this constitutes child sexual abuse and schools should always inform the police.
- Children sharing adult pornography or exchanging sexual texts which do not contain imagery.
- Sexual imagery downloaded from the internet by a child.
- Sexual imagery downloaded from the internet by a child and shared with a peer (also under the age of 18) or an adult.

Disclosure

All members of staff (including non-teaching staff) should be aware of how to recognise and refer any disclosure of incidents involving youth produced sexual imagery. This will be covered within staff training. Disclosure about youth produced sexual imagery can happen in a variety of ways. The child affected may inform a class teacher, the DSL in centre, or any member of the centre staff. They may report through an existing reporting structure, or a friend or parent may inform someone in centre

or colleague, or inform the police directly. Any direct disclosure by a child should be taken very seriously. A child who discloses they are the subject of sexual imagery is likely to be embarrassed and worried about the consequences. It is likely that disclosure in school is a last resort and they may have already tried to resolve the issue themselves.

Handling incidents

All incidents involving youth produced sexual imagery should be responded to in line with this policy. When an incident involving youth produced sexual imagery comes to a member of staff's attention:

- The incident should be referred to the DSL as soon as possible;
- The DSL should hold an initial review meeting with appropriate school staff; • The DSL will follow the procedures and guidance set out in 'Sexting in schools and colleges: responding to incidents and safeguarding young people';
- There should be interviews with the children involved (if appropriate);
- Parents of each child should be informed at an early stage and involved in the process unless there is good reason to believe that involving parents would put the child at greater risk of harm and jeopardise any police/social care investigation; and

- At any point in the process, if there is a concern that a child has been harmed or is at risk of harm, a referral should be made to Children's Social Care and/or the police immediately.

Volunteer DBS check

DBS enhanced certificates with barred list information for volunteer roles can be obtained free of charge. In respect of an adult who provides UK homestay and receives no remuneration in respect of the stay or where schools reimburse families only for expenses incurred, to enable a DBS application to be considered as a volunteer role, the 'Position Applied For' field will need to make clear that the position is unpaid.

In addition to those engaging in regulated activity, schools are free to decide whether they consider it necessary to obtain a DBS enhanced certificate in respect of anyone aged 16 or over in the household where the child will be staying.

Peer on peer abuse

All staff should be alert to the risk of peer on peer abuse and understand their role in preventing, identifying and responding to it. Staff should know that children are capable of abusing their peers. They should never dismiss abusive behaviour as a normal part of growing up, 'banter' or 'just having

a laugh', and should not develop high thresholds before taking action. Abuse is abuse and peer on peer abuse should be taken as seriously as abuse by adults.

What is peer on peer abuse?

For these purposes, peer on peer abuse is any form of abuse perpetrated by a child towards another child. It can take many different forms, including, but not limited to, serious bullying (including cyber-bullying)⁷, relationship abuse⁸, domestic violence⁹, child sexual exploitation¹⁰, youth and serious youth violence¹¹, 'upskirting' (see below), harmful sexual behaviour¹² (see below) and gender-based violence¹³.

These categories of abuse rarely take place in isolation and often indicate wider safeguarding concerns. For example, a teenage girl may be in a sexually exploitative relationship with a teenage boy who is himself being physically abused by a family member or by older boys. Equally, while children who abuse may have power over those who they are abusing, they may be simultaneously powerless to others.

Youth produced sexual imagery can but does not always constitute abusive behaviour. All incidents involving youth produced sexual imagery should be responded to with reference to the school's policy and in accordance with this policy (see above).

What role does gender play?

Children of all gender identities can both perpetrate and be the victim of peer on peer abuse, but this often manifests itself differently; girls seem to be at greater risk of sexual assault

and/or exploitation, whereas boys seem to be at greater risk of physical gang-related violence and serious youth violence.

When does behaviour become abusive?

It can be difficult to distinguish between abusive behaviour, which should be dealt with in accordance with the procedure set out below, and behaviour which does not constitute abuse, such as low level bullying (where the school's Anti-Bullying Policy should be followed) or age appropriate sexual experimentation.

Factors which may indicate that behaviour is abusive include:

- a) where it is repeated over time and/or where the perpetrator intended to cause serious harm;
- b) where there is an element of coercion or pre planning; and
- c) where there is an imbalance of power, for example, as a result of age, size, social status or wealth. This list is not exhaustive and staff should always use their professional judgement and discuss any concerns with the DSL.

How can I identify victims of peer on peer abuse?

Identifying peer on peer abuse can be achieved by being alert to children's well-being and to general signs of abuse. Signs that a child may be suffering from peer on peer abuse overlap with those relating to other types of abuse.

Signs can include:

- a) failing to attend school, disengaging from classes or struggling to carry out school related tasks to the standard you would ordinarily expect.
- b) physical injuries.
- c) having difficulties with mental health and/or emotional wellbeing.
- d) becoming withdrawn, shy, experiencing headaches, stomach aches, anxiety, panic attacks, suffering from nightmares or lack of sleep or sleeping too much.
- e) drugs and/or alcohol use.
- f) changes in appearance and/or starting to act in a way that is not appropriate for the child's age.

This list is not exhaustive and the presence of one or more of these signs does not necessarily indicate abuse.

Are some children particularly vulnerable to abusing or being abused by their peers?

Any child can be affected by peer on peer abuse and staff should be alert to signs of such abuse amongst all children. Research suggests that: a) peer on peer abuse is more prevalent

amongst children aged 10 and older, although it also affects younger children, including by way of harmful sexual behaviour. b) children who are particularly vulnerable to abuse or to abusing others include those who have (i) witnessed or experienced abuse or violence themselves; (ii) suffered from the loss of a close family member or friend; or (iii) experienced considerable disruption in their lives. c) children with SEN/D and those who identify as LGBT+ are particularly vulnerable to both abuse and peer on peer abuse.

How prevalent is peer on peer abuse?

Recent research suggests that peer on peer abuse is one of the most common forms of abuse affecting children in the UK. For example, more than four in ten teenage schoolgirls aged between 13 and 17 in England have experienced sexual coercion (Barter et al 2015). Two thirds of contact sexual abuse experienced by children aged 17 or under was perpetrated by someone who was also aged 17 or under (Radford et al 2011) and over a third of young boys in England admitted to watching porn and having negative attitudes towards women (University of Bristol and University of Central Lancashire, 2015).

What should I do if I suspect either that a child may be being abused, or that a child may be abusing others?

If a member of staff thinks for whatever reason that a child may be at risk of abuse from another child or young person, or that a child may be abusing others, the member of staff should report their concern to the DSL without delay in accordance with this policy. If a child is in immediate danger, or at risk of harm, a referral to Children's Social Care and/or the police should be made immediately.

Sexual Violence and Sexual Harassment between Children

Peer on peer abuse can include two specific forms, known as Sexual Violence and Sexual Harassment. Any response to these should fall within, and be consistent with, the school's wider approach to peer-on-peer abuse (see above).

Sexual Violence includes sexual offences which fall under the Sexual Offences Act 2003.

Sexual Harassment refers to 'unwanted conduct of a sexual nature'. This can occur online (including, but not limited to non-consensual sharing of images, making sexual comments on social media) and offline (including but not limited to making sexual comments, sexual taunting or 'jokes', and physical contact, for example, brushing against someone deliberately or interfering with their clothes).

Sexual Violence and Sexual Harassment can:

- occur between any two children, or a group of children against one individual or group;
- be perpetrated by a child of any age against a child of any age;

- be perpetrated by a child of any sexual orientation against a child of any sexual orientation;
- include behaviours that exist on an often progressive continuum and may overlap; and/or
- be online and offline (physical or verbal).

Advice from the Department for Education on Sexual Violence and Sexual Harassment

Between Children in Schools and Colleges (2017) provides information about what sexual violence and sexual harassment is, how to minimise the risk of it occurring, and what to do when incidents occur, or are alleged to have occurred. The DfE advice highlights best practice and cross-references other advice, statutory guidance and the legal framework. The school will apply the principles set out in it when considering their approach to sexual violence and sexual harassment between children.

Key Points: The above guidance

- stresses the importance of making it clear that sexual violence and sexual harassment are not acceptable, will never be tolerated, and are not an inevitable part of growing up
- highlights the risks of tolerating or dismissing any forms of sexual violence or sexual harassment, and encourages early intervention to avoid potential escalation;
- advises on how to embed training and education on these issues within a strong pastoral system, and a planned taught programme across the whole curriculum;
- encourages forums that enable children to talk about issues openly;
- includes a list of possible topics that any taught programme could cover - including consent, gender roles, stereotyping and equality, healthy relationships, and power imbalances in relationships;
- advises on how to manage a disclosure, either from the child who has suffered abuse or from other children;
- provides guidance on when to carry out a risk and needs assessment for children affected by sexual violence or sexual harassment;
- provides guidance on initial considerations which schools should take into account when faced with a concern or allegation of sexual violence or sexual harassment, including the age and developmental stages of the children, and any power imbalance between them; and
- provides guidance on difficult scenarios which schools might encounter, for example, how to handle an incident between two pupils which is alleged to have taken place away from school premises.

Upskirting Under the Voyeurism Act 2019

‘Upskirting is a new criminal offence and typically refers to the taking of a photo under someone’s clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm’.

Children with Special Educational Needs (SEN) are more vulnerable, and there may be barriers in recognising abuse in this group of children. In addition, children who are perceived by their peers to be LGBT or identify themselves as LGBT may be more vulnerable.

Restraint

Definitions

In this policy, physical restraint means the use of physical force to prevent, restrict or subdue movement of a student's body or part of their body. Students are not free to move away when they

are being physically restrained. Physical restraint should only be used when it is immediately required to protect the safety of the student or any other person.

In some limited circumstances, it may also be necessary to restrain a student from imminent dangerous behaviours by secluding them in an area where such action is immediately required to protect the safety of the student or any other person.

Seclusion is the solitary confinement of a student in a room or area (e.g. a garden) from which their exit is prevented by a barrier or another person. When used by a staff member in immediate response to behaviours of concern, seclusion may also include situations where a student is left alone in a room or area and reasonably believes they cannot leave that room or area even if they would physically be able to, i.e. it is not locked.

Policy

Regulation 25 of the Education and Training Reform Regulations 2017 provides that:

"A member of staff of a Government school may take any reasonable action that is immediately required to restrain a student of the school from acts or behaviour that is dangerous to the member of staff, the student, or any other person."

When physical restraint or seclusion should not be used

Physical restraint and seclusion should not be used unless immediately required to protect the safety of the student or any other person (see below).

Restraint and seclusion must not be included in a Behaviour Support Plan or be used as a routine behaviour management technique, to punish or discipline a student or to respond to:

- a student's refusal to comply with a direction, unless that refusal to comply creates an imminent risk to the safety of the student or another person
- a student leaving the classroom/school without permission, unless that conduct causes an imminent risk to the safety of the student or another person

- verbal threats of harm from a student, except where there is a reasonable belief that the threat will be immediately enacted
- property destruction caused by the student unless that destruction is placing any person at immediate risk of harm.

Any restraint which covers the student's mouth or nose, in any way restricts breathing, takes the student to the ground into the prone or supine position, involves the hyperextension of joints, or application of pressure to the neck, chest or joints, must not be used.

When physical restraint or seclusion may be used

Centre staff may only use physical restraint on a student when there is an imminent threat of physical harm or danger to the student or others; and where such action (ie to physically restrain or seclude) would be considered reasonable in all the circumstances and there is no less restrictive means of responding in the circumstances. As with physical restraint, seclusion, should only be used when it is immediately required to protect the safety of the student or any other person, as permitted by Regulation 25.

The decision about whether to use physical restraint or seclusion rests with the Head of Centre, who will need to take into account both their duty of care to their students, their right to protect themselves from harm and obligations under the Charter of Human Rights and Responsibilities Act 2006.

Mechanical and chemical restraint

Mechanical restraints should never be used in schools to restrict a student's freedom of movement, unless the device is for a therapeutic purpose with written evidence of the prescription / recommendation, or if required to travel safely in a vehicle.

Medication primarily used to control or subdue behaviour and which is not being used to treat an underlying physical or mental illness or a physical condition should never be used in schools.

During Restraint

If applying physical restraint in the limited circumstances set out above, staff must:

- use the minimum force required to avoid the dangerous behaviour or risk of harm
- only restrain the student for the minimum duration required and stop restraining the student once the danger has passed.

Staff should ensure the type of restraint used is consistent with a student's individual needs and circumstances, including:

- the age/size of the student
- gender of the student

- any impairment of the student e.g. physical, intellectual, neurological, behavioural, sensory (visual or hearing), or communication
- any mental or psychological conditions of the student, including any experience of trauma • any other medical conditions of the student
- the likely response of the student
- the environment in which the restraint is taking place.

Staff should monitor the student for any indicators or distress. Staff should talk to the student throughout the incident, making it clear to the student why the physical restraint is being applied.

Staff should also calmly explain that the physical restraint will stop once it is no longer necessary to protect the student and/or others.

Actions after restraint has been used

Follow up actions that must be undertaken after a student has been physically restrained or secluded:

Reporting of the physical restraint/ seclusion;

- the staff member(s) involved in the incident must immediately notify the principal of the incident.
- A staff member should contact the student's parents and provide them with details of the incident as soon as possible.
- The incident may need to be reported to:
 - o the Security Services Unit (previously known as the Emergency Management Unit), see: Reporting and managing emergencies and incidents
 - o Edusafe
 - o WorkSafe, see: WorkSafe Notification.

Providing supports for those involved;

- Following the use of restraint on a student, appropriate supports must be offered to the following people:

o The student who has been restrained or secluded and their parents/guardians. This may include participation in decisions involving the student's behaviour

management, Student Support Group meetings, the development of a student Behaviour Support Plan, and involvement of Student Support Services. For policy advice on the prevention of endangering behaviour and promoting positive behaviours refer to: Student Engagement

o Other students and staff members who were involved in or witnessed the incident. This may include a debriefing in relation to the incident, and counselling support.

Maintain records of the incident;

- A written record of the incident and the physical restraint or seclusion used must be made by the principal as soon as practicable. This record should be added to a student's file on as appropriate. The record should detail:

- o the name of the student/s and staff member/s involved

- o date, time and location of the incident

- o names of witnesses (staff and other students)

- o what exactly happened (a brief factual account)

- o any action taken to de-escalate the situation

- o why physical intervention was used (if applicable)

- o the nature of any physical intervention used

- o how long the physical intervention lasted

- o names of witnesses (staff and other students)

- o the student's response and the outcome of the incident

- o any injuries or damage to property

- o immediate post incident actions, such as first aid or contact with emergency services o details of contact with the student's parent/carer

- o details of any post-incident support provided or organised.

- The principal should also arrange for all staff who were involved/present at the incident to prepare a statement / record of their involvement or observations of the incident.

Plan for the future;

- Post-incident, the school should consider the preventative and de-escalation strategies that might reduce the likelihood of an incident happening again. For example, reviewing and amending the student's Behaviour Support Plan, consider the training needs of staff working closely with the student/s involved in the incident.

Whistle-blowing

- We recognise that children cannot be expected to raise concerns in an environment where staff fail to do so.

- All staff are made aware of their duty to raise concerns, where they exist, about • the safety of a child or the management of child protection, which may include • the attitude or actions of colleagues. If it becomes necessary to consult outside
- the school, they should speak in the first instance, to the Local Authority's • Designated Officer following the Whistleblowing Policy.
- Whistle-blowing regarding the Head of Centre should be made to the Chair of the Governing Body whose contact details are readily available to staff.

Anti-Bullying

What do we mean by bullying?

Bullying involves an imbalance of power which makes it hard for those being bullied to defend themselves. This may be seen or felt physically, online or psychologically, and includes social isolation or intimidation, as well as any threat of violence. It is defined as deliberately hurtful behaviour that is repeated over time.

Bullying may take various forms, and is often motivated by prejudice, including:

- o Cyber - The use of electronic communications including email, mobile phones, text/multimedia messaging, photographs/video, online profiling, websites, social networks, and instant messaging; all with the intention to frighten, embarrass or harass. This can happen at any time of day with a potentially wider audience and more accessories as people forward on with a simple click;
- o Disability - because of, or focusing on, the issue of disability;
- o Emotional - being unfriendly, excluding, tormenting (e.g. hiding books, threatening gestures);
- o Homophobic or Transphobic - because of, or focusing on, the issues of sexuality and/or gender identity;
- o Physical - pushing, kicking, hitting, punching or any use of violence inflicted on another individual;
- o Racist/Cultural/Religious - racial, cultural or religious taunts, comments or gestures; o Sexual - sexually abusive taunts, comments or gestures
- o Verbal - for example, name calling, sarcasm, spreading rumours.
- o Banter - Repetitive form of verbal bullying, which has an effect on the victim.

At Excel Tutors our values is that bullying is a behaviour choice and that anyone can be encouraged to change their behaviour. It can be an individual or a group. We respect difference and welcome diversity in our children, young people and in society in general, and believe our

school should be inclusive. We believe that pupils should have the right to feel safe, secure and valued and that creating a safe environment and dealing with bullying is everyone's responsibility. We support a range of positive strategies to deal with bullying and actively challenge the use of humiliation, fear, ridicule and other similar approaches in an effort to reduce bullying.

Low level concerns

The safety and wellbeing of children in our centre is dependent on the vigilance of all our staff and their prompt communication to the DSL or Head of Centre of any concerns, no matter how small, about any conduct by an adult which causes you to doubt that adult's suitability to work with or have access to children. All references in this section to "adult" should be interpreted as meaning any adult (defined above) and visitor, unless otherwise stated. The centre is conscious of its duty of care to pupils and will always act, including if alerted to the possibility of abuse arising from situations or persons outside the school setting.

The notification and prompt handling of all concerns about adults, including those raised by individuals about themselves, is fundamental to safeguarding children. It helps to identify and prevent abuse and to protect adults against misunderstandings or misinterpretations. It also encourages openness, trust and transparency and it clarifies expected behaviours. Those raising concerns or reporting allegations in good faith will always be supported, and adults in respect of whom concerns or allegations have been raised will not suffer any detriment unless the concern or allegation is found to be substantiated.

Code of Conduct

All staff must behave responsibly and professionally in all dealings with children and specifically with pupils for whom they have a duty of care. Staff should always avoid behaviour which might be misinterpreted by others. As a result of their knowledge, position and/or the authority invested in their role, all adults working with children and young people are in positions of trust in relation to the young people in their care. A relationship between a member of staff and a pupil cannot be a relationship between equals. There is potential for exploitation and harm of vulnerable young people and all members of staff have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification. Staff should note that it is an offence for a person aged 18 or over and in a position of trust to touch a child in a sexual way or have a sexual relationship with a child, even if the relationship is consensual. A position of trust could arise even if the member of staff does not teach the child.

Our Low Level Concern Policy (including self-reporting)

The overarching aim of the school's Low Level Concern Policy is to facilitate a culture in which the clear values and expected behaviours which are set out in our Code of Conduct are lived, constantly monitored, and reinforced by all staff. In particular, the intention of this policy is to:

- maintain a culture of openness, trust and transparency in which staff are confident and clear about expected behaviours of themselves and their colleagues, the delineation of boundaries and reporting lines;
- ensure staff feel empowered to raise any low level concern, whether about their own or a colleague's behaviour, where that behaviour might be construed as falling short of the standards set out in our Code of Conduct; and
- provide for responsive, sensitive and proportionate handling of such concerns when they are raised, maintaining on the one hand confidence that concerns when raised will be handled promptly and effectively whilst, on the other hand, protecting staff from false allegations or misunderstandings.

A low level concern for this purpose is any concern, no matter how small and even if no more than a 'nagging doubt', that an adult may have acted in a manner inconsistent with the school's Code of Conduct or simply, even if not linked to a particular act or omission, a sense of unease as to the adult's behaviour particularly towards or around children. A self-report also falls under our Low Level Concerns Policy and can be as described above. Where a staff member wishes to work outside out of their contract with Governing body, they should first seek agreement with the Head of Centre and a written confirmation placed in their employee file.

What should I do if I have one?

Where a low level concern (including self-reports) exists, it should be reported to the DSL or to the Head of Centre as soon as reasonably possible and, in any event, within 24 hours of becoming aware of it (where the concern relates to a particular incident).

How will my low level concern be handled (including self-report)?

The DSL will discuss all low level concerns s/he receives with the Head of Centre as soon as possible and in any event within 24 hours of becoming aware of it. The Head of Centre will, in the first instance, satisfy him/herself that it is a low level concern and should not be reclassified as an allegation and dealt with under the appropriate procedure. The circumstances in which a low level concern might be reclassified as an allegation are where:

- a) the threshold is met for an allegation ;
- b) there is a pattern of low level concerns which collectively amount to an allegation; or c) there is other information which, when taken into account, leads to an allegation.

Where the Head of Centre is in any doubt whatsoever, advice will be sought from the Designated Officer, if necessary on a no-names basis.

Having established that the concern is low level, the DSL or Head of Centre as appropriate will discuss it with the individual who has raised it and will take any other steps to investigate it as necessary. Most low level concerns by their very nature are likely to be minor and will be dealt with by means of management guidance, training, etc. The person to which the low level

concern relates should be informed of any concern raised about them once all risk has been identified and assessed.

What records will be kept?

Where a low level concern has been communicated, or a self-report raised by an individual about themselves, a confidential record will be kept in a central file which logs all low level concerns and will be retained until the staff member reaches normal pension age or 10 years after if longer. This is necessary to enable any patterns to be identified. However, no record will be made of the concern on the individual's personnel file (and no mention made in job references) unless either:

Allegations of abuse made against teachers and other staff

The purpose of this section of the policy is to outline how allegations against adults will be handled. Allegations will always be dealt with in accordance with statutory guidance provided in KCSIE.

What is an allegation?

Allegations represent situations that might indicate a person would pose a risk of harm to children if they continue to work in regular or close contact with children in their present position, or in any capacity. This policy applies to all adults in the centre if it is alleged that they have:

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

An allegation may be triggered by one specific incident or by a pattern of behaviour by the adult, or low level concerns which when considered collectively amount to an allegation.

Duties as an employer and an employee

This policy relates to members of staff and volunteers who are currently working in any school, regardless of whether the school is where the alleged abuse took place. Allegations against a teacher who is no longer teaching should be referred to the police. Historical allegations of abuse should also be referred to the police.

Dealing with an allegation

The procedures for dealing with allegations need to be applied with common sense and judgement. Many cases may well either not meet the criteria set out above, or may do so without warranting consideration of either a police investigation or enquiries by local authority Children's Social Care services. In these cases, local arrangements will be followed to resolve

cases without delay. Some rare allegations will be so serious they require immediate intervention by Children's Social Care services and/or the police.

Initial discussion

The Head of Centre or Governing body will not undertake any investigation before first speaking to the Designated Officer. The Head of Centre (or Governing body where there is an allegation against the Head of Centre) *'case manager'+ will inform the Designated Officer of all allegations that come to the school's attention and appear to meet the criteria. The Designated Officer will consult with

the police and Children's Social Care as appropriate. After first notifying the Designated Officer, the Head of Centre (or Governing body) must notify the Group Governing body, Head of HR and the Regional Safeguarding Advisor of the allegation and the action taken.

The purpose of an initial discussion is for the Designated Officer(s) and the case manager (school initially) to consider the nature, content and context of the allegation and agree a course of action. The Designated Officer(s) may ask the case manager to provide or obtain relevant additional information, such as previous history, whether the child or their family have made similar allegations previously and about the individual's current contact with children. There may be situations when the case manager will want to involve the police immediately, for example if the person is deemed to be an immediate risk to children or there is evidence of a possible criminal offence. Where there is no such evidence, the case manager should discuss the allegations with the Designated Officer(s) in order to help determine whether police involvement is necessary.

The initial sharing of information and evaluation may lead to a decision that no further action is to be taken in regard to the individual facing the allegation or concern, in which case this decision and a justification for it should be recorded by both the case manager and the Designated Officer(s), and agreement reached on what information should be put in writing to the individual concerned and by whom. The case manager should then consider with the Designated Officer(s) what action should follow both in respect of the individual and those who made the initial allegation.

Inter-agency Strategy Discussion

If there is cause to suspect a child is suffering or is likely to suffer significant harm, a strategy discussion will be convened by the Designated Officer or the police in accordance with the statutory guidance Working Together to Safeguard Children. If the allegation is about physical contact, the strategy discussion or initial evaluation with the police will take into account that teachers and other school and college staff are entitled to use reasonable force to control or restrain children in certain circumstances, including dealing with disruptive behaviour.

Where a strategy discussion is needed, or police or Children's Social Care services need to be involved, the case manager (school) will not inform the accused person until those agencies have been consulted, and have agreed what information can be disclosed to the accused. The case manager should only inform the accused person about the allegation after consulting the

Designated Officer(s) and actions have been decided. It is extremely important that the case manager provides the accused with as much information as possible at that time.

Where it is clear that an investigation by the police or Children's Social Care services is unnecessary, or the strategy discussion or initial evaluation decides that is the case, the Designated Officer(s) will discuss the next steps with the case manager. In those circumstances, the options open to the school depend on the nature and circumstances of the allegation and the evidence and information available. This will range from taking no further action to dismissal or a decision not to use the person's services in future. Suspension should not be the default position: an individual should be suspended only if there is no reasonable alternative (see guidance on suspension, below).

Internal investigations

In some cases, further enquiries will be needed to enable a decision about how to proceed. If so, the Designated Officer(s) will discuss with the case manager how and by whom the investigation will be undertaken. In straightforward cases, an internal investigation will be agreed upon and should normally be undertaken by a senior member of school staff. Where necessary, due to lack of resource or the nature or complexity of the allegation, the allegation will require an independent investigator. An independent investigator will be appointed by the Head of HR on behalf of the Governing body.

Where a safeguarding concern or allegation triggers another procedure, such as grievance or disciplinary, that procedure shall only be followed once the immediate safeguarding concern or allegation has been fully investigated.

Suspension of an employee

The possible risk of harm to children posed by an accused person should be evaluated and managed in respect of the child(ren) involved in the allegations. In some rare cases, this will require the case manager to consider suspending the accused until the case is resolved. Suspension should not be an automatic response when an allegation is reported: all options to avoid suspension should be considered prior to taking that step. If the case manager is concerned about the welfare of other children in the community or the teacher's family, those concerns should be reported to the Designated Officer(s), Children's Social Care or the police as required. But suspension is highly unlikely to be justified on the basis of such concerns alone.

Suspension requires the authorisation of the Governing body to reach a rounded decision about whether suspension is the correct course of action.

Suspension will be considered only in a case where there is cause to suspect a child or other children at the school are at risk of harm or the case is so serious that it might be grounds for dismissal. However, a person should not be suspended automatically: the case manager will consider carefully whether the circumstances warrant suspension from contact with children at the school or until the allegation is resolved.

In cases where the school is made aware that the Secretary of State has made an interim prohibition order in respect of an individual who works at the school or sixth form college, immediate action will be taken to ensure the individual does not carry out work in contravention of the order, i.e. pending the findings of the TRA investigation, the individual must not carry out teaching work.

The case manager will also consider whether the result that would be achieved by immediate suspension could be obtained by alternative arrangements. In many cases an investigation can be resolved quickly and without the need for suspension. If the Designated Officer(s), police and Children's Social Care services have no objections to the member of staff continuing to work during the investigation, the case manager will aim to be as inventive as possible to avoid suspension.

Based on assessment of risk, the following alternatives will be considered by the case manager before suspending a member of staff:

- 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 to alternative work in the school so the individual does not have unsupervised access to children;
- moving the child or children to classes where they will not come into contact with the member of staff, making it clear that this is not a punishment and parents have been consulted; or
- temporarily redeploying the member of staff to another role in a different location, for example to an alternative school.

These alternatives allow time for an informed decision regarding the suspension and possibly reduce the initial impact of the allegation. This will, however, depend upon the nature of the allegation. The case manager will consider the potential permanent professional reputational damage to employees that can result from suspension where an allegation is later found to be unsubstantiated or

maliciously intended.

If immediate suspension is considered necessary, the rationale and justification for such a course of action should be agreed and recorded by both the case manager and the Designated Officer(s). This should also include what alternatives to suspension have been considered and why they were rejected.

Where it has been deemed appropriate to suspend the person, written confirmation will be dispatched within one working day, giving as much detail as appropriate for the reasons for the suspension. Governing body will make clear to the suspended employee where they can obtain support. The person will be informed at the point of their suspension who their named contact is within the organisation and provided with their contact details.

Children's Social Care services or the police cannot require the case manager to suspend a member of staff or a volunteer, although the case manager will give appropriate weight to their advice. The power to suspend is vested in Governing body.

Where a strategy discussion or initial evaluation concludes that there should be enquiries by Children's Social Care services and/or an investigation by the police, the Designated Officer(s) should canvass police and Children's Social Care services for views about whether the accused member of staff needs to be suspended from contact with children in order to inform the school consideration of suspension. Police involvement does not make it mandatory to suspend a member of staff; this decision will be taken on a case-by-case basis having undertaken a risk assessment.

Outcome of an allegation

The following definitions will be used when determining the outcome 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. The term, therefore, does not imply guilt or innocence;
- **Unfounded:** to reflect cases where there is no evidence or proper basis which supports the allegation being made.

On conclusion of a case

There is a legal requirement for employers to make a referral to the DBS where they think that an individual has engaged in conduct that harmed (or is likely to harm) a child; or if a person otherwise poses a risk of harm to a child. If an allegation is substantiated and the person is dismissed or the employer ceases to use the person's services, or the person resigns or otherwise ceases to provide his or her services, Governing body will refer the case to the DBS for consideration of whether inclusion on the barred lists is required. In the case of a member of teaching staff at a school, the matter will be referred to the TRA to consider prohibiting the individual from teaching in relation to their professional misconduct.

Where it is decided on the conclusion of a case that a person who has been suspended can return to work, the case manager will consider how best to facilitate that. Most people will benefit from some help and support to return to work after a stressful experience. Depending on the individual's circumstances, a phased return and/or the provision of a mentor to provide assistance and support in the short term may be appropriate. The case manager will also consider how the person's contact with the child or children who made the allegation can best be managed if they are still a pupil at the school.

Malicious or unsubstantiated allegations

If an allegation is determined to be unsubstantiated or malicious, the Designated Officer(s) will refer the matter to the Children's Social Care services to determine whether the child concerned is in need of services, or may have been abused by someone else. If an allegation is shown to be deliberately invented or malicious, the Head of Centre and proprietor will consider whether any disciplinary action is appropriate against the pupil who made it whether the police should be asked to consider if action might be appropriate against the person responsible, even if he or she were not a pupil.

Learning lessons

At the conclusion of a case in which an allegation is substantiated, the Designated Officer(s) will review the circumstances of the case with the case manager to determine whether there are any improvements to be made to the school or college's procedures or practice to help prevent similar events in the future. This will include issues arising from the decision to suspend the member of staff, the duration of the suspension and whether or not suspension was justified. Lessons will also be learnt from the use of suspension when the individual is subsequently reinstated. The Designated Officer(s) and case manager will consider how future investigations of a similar nature could be carried out without suspending the individual.

Resignations and 'settlement agreements'

If the accused person resigns, or ceases to provide their services, this will not prevent an allegation being followed up in accordance with the statutory guidance KCSIE. A referral to the DBS must be made if the criteria are met (see criteria in KCSIE). Governing body will also consider whether a referral to the TRA is appropriate (see criteria in KCSIE). If the accused person resigns or their services cease to be used and the criteria are met, it will not be appropriate to reach a settlement/compromise agreement. Any settlement/compromise agreement that would prevent the proprietor from making a DBS referral even though the criteria for referral are met, is likely to result in a criminal offence being committed. This is because the proprietor would not be complying with its legal duty to make the referral.

It is important that every effort is made to reach a conclusion in all cases of allegations bearing on the safety or welfare of children, including any in which the person concerned refuses to cooperate with the process. Wherever possible, the accused will be given a full opportunity to answer the allegation and make representations about it. However, the process of recording the allegation and any supporting evidence, and reaching a judgement about whether it can be substantiated on the basis of all the information available, will continue even if that cannot be done or the accused does not cooperate. It may be difficult to reach a conclusion in those circumstances, and it may not be possible to apply any disciplinary sanctions if a person's period of notice expires before the process is complete, but it is important to reach and record a conclusion wherever possible.

'Settlement agreements' (sometimes referred to as compromise agreements), by which a person agrees to resign if the employer agrees not to pursue disciplinary action, and both parties agree a form of words to be used in any future reference, should not be used in cases of

refusal to cooperate or resignation before the person's notice period expires. Such an agreement will not prevent a thorough police investigation where that is appropriate.

Record keeping

Details of allegations that are found to have been malicious will be removed from personnel records. However, for all other allegations, it is important that a clear and comprehensive summary of the allegation, details of how the allegation was followed up and resolved, and a note of any action taken and decisions reached, is kept on the confidential personnel file of the accused, and a copy provided to the person concerned.

The purpose of the record is to enable accurate information to be given in response to any future request for a reference, where appropriate. It will provide clarification in cases where future DBS checks reveal information from the police about an allegation that did not result in a criminal conviction and it will help to prevent unnecessary re-investigation if, as sometimes happens, an allegation re-surfaces after a period of time. The record will be retained at least until the accused has reached normal pension age or for a period of 10 years from the date of the allegation, if that is longer. The Information Commissioner has published guidance on employment records in its Employment Practices Code and supplementary guidance, which provides some practical advice on record retention.

References

Cases in which an allegation was proven to be false, unsubstantiated or malicious will not be included in employer references. A history of repeated concerns or allegations which have all been found to be false, unsubstantiated or malicious will also not be included in any reference.

Parents, How they will be informed

School will ensure that all parents/carers and prospective parents/carers may receive a copy of this policy, either by being directed to the website or by asking for a copy from the school office.

Monitoring and Evaluation

Policy review:

The centre carries out an annual review of this policy. This includes an evaluation of the extent to which these policies have been effectively implemented throughout the centre. The centre will remedy any deficiencies or weaknesses in child protection arrangements without delay and without waiting for the next policy review date, should any be necessary. Staff are invited to contribute to and shape safeguarding arrangements based on reflection and learning. Staff are invited to contribute to the review of this policy.

The Head of Centre is responsible for the implementation of this policy and for reviewing from time to time to evaluate its implementation and impact. Where there are concerns regarding the school's approach, these will be explored by the Governing body.