



Ratified by the Full Governing Body – 17<sup>th</sup> October 2018

Date for review – October 2019

---

THIS POLICY DESCRIBES IN DETAIL MANDEVILLE SCHOOL'S APPROACH TO SAFEGUARDING AND CHILD PROTECTION. THERE ARE TWO ESSENTIAL POINTS:

1. AT MANDEVILLE SCHOOL WE KEEP ALL OUR CHILDREN SAFE AND WELL. THIS GUIDES US IN EVERYTHING THAT WE DO.
2. IF THERE IS EVER THE SLIGHTEST DOUBT THAT A CHILD MAY BE IN ANY TYPE OF DANGER, WE REPORT OUR CONCERNS IMMEDIATELY.

### **1. Aims**

The purpose of this policy is to ensure:

That all pupils are protected from emotional, physical and sexual abuse at home and at school;

The provision of a safe and emotionally secure school environment for all pupils;

That our school complies with all local and national safeguarding requirements.

### **2. Ethos**

Mandeville School fully embraces its responsibilities for child protection and the safeguarding of all pupils and recognises that children with special needs may be more at risk. We recognise that we are in a position to identify concerns early and provide help for children to prevent concerns from escalating. Early intervention is integral to the Mandeville approach.

Safeguarding and promoting the welfare of children is everyone's responsibility. Everyone who comes into contact with children and their families and carers has a role to play in safeguarding children. In order to fulfil this responsibility effectively, all professionals should make sure their approach is child-centred. This means that they should consider, at all times, what is in the best interests of the child.

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 comes into contact with them has a role to play in identifying concerns, sharing information and taking prompt action.

## The overriding principles which inform our practice are:

Staff maintain an attitude of 'it could happen here'

Where safeguarding is concerned, the welfare of the child is paramount.

All concerns and allegations of abuse will be taken seriously and responded to appropriately. This may require a referral to children's services who may report concerns to the Police in some cases.

We recognise that there's a concern sometimes that, for children with SEN and disabilities, that their SEN or disability needs are seen first, and the potential for abuse second. If children are behaving in particular ways or they're looking distressed or their behaviour or demeanour is different from in the past, this could be a sign of the potential for abuse.

Pupils are valued and they not blamed for any abuse which has occurred.

School will respond to concerns in line with local and national legislation & guidance

### 3. Legislation and statutory guidance

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

This policy is also based on the following legislation:

- Section 175 of the [Education Act 2002](#), which places a duty on schools and local authorities to safeguard and promote the welfare of pupils
- [The School Staffing \(England\) Regulations 2009](#), which set out what must be recorded on the single central record and the requirement for at least one person on a school interview/appointment panel to be trained in safer recruitment techniques
- [The Children Act 1989](#) (and [2004 amendment](#)), which provides a framework for the care and protection of children
- Section 5B(11) of the Female Genital Mutilation Act 2003, as inserted by section 74 of the [Serious Crime Act 2015](#), which places a statutory duty on teachers to report to the police where they discover that female genital mutilation (FGM) appears to have been carried out on a girl under 18
- [Statutory guidance on FGM](#), which sets out responsibilities with regards to safeguarding and supporting girls affected by FGM
- [The Rehabilitation of Offenders Act 1974](#), which outlines when people with criminal convictions can work with children
- Schedule 4 of the [Safeguarding Vulnerable Groups Act 2006](#), which defines what 'regulated activity' is in relation to children
- Statutory [guidance on the Prevent duty](#), which explains schools' duties under the Counter-Terrorism and Security Act 2015 with respect to protecting people from the risk of radicalisation and extremism
- The [Childcare \(Disqualification\) Regulations 2009](#) and [Childcare Act 2006](#), which set out who is disqualified from working with children

This policy also meets requirements relating to safeguarding and welfare in the [statutory framework for the Early Years Foundation Stage](#).

## 4. 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 Ealing Safeguarding Children Board.

<https://www.ealingfamiliesdirectory.org.uk/kb5/ealing/directory/escb.page?escbchannel=0>

Our policy and procedures also apply to extended school and off-site activities.

### 4.1 All staff

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

- All staff (including the head teacher) and associate staff -
- Must safeguard children's wellbeing and maintain public trust in the teaching profession as part of their professional duties. (*The Teachers' Standards 2012*).
- Have a responsibility to provide a safe environment in which children can learn.
- Have a responsibility to identify children who may be in need of extra help or who are suffering, or are likely to suffer, significant harm.
- Are required to report any concerns, even those which seem inconsequential.
- Have a responsibility to take appropriate action, working with other services as needed.

In addition to working with the designated safeguarding lead staff members are also aware that they may be asked to support social workers to take decisions about individual children.

Staff at Mandeville School are alert to any issues for concern in the child's life at home, school or elsewhere.

**If, at any point, there is a risk of immediate serious harm to a child a referral should be made to Children's Social Care immediately. Anybody can make a referral. If the child's situation does not appear to be improving the staff member with concerns should press for re-consideration. Concerns should always lead to help for the child at some point.**

All staff will be aware of:

- Our systems which support safeguarding, including the staff [behaviour policy/code of conduct], the role of the designated safeguarding lead (DSL), the behaviour policy, and the safeguarding response to children who go missing from education
- The early help process (sometimes known as the common assessment framework) and their role in it, including identifying emerging problems, liaising with the DSL, and sharing information with other professionals to support early identification and assessment
- The process for making referrals to local authority children's social care and for statutory assessments that may follow a referral, including the role they might be expected to play
- What to do if they identify a safeguarding issue or a child tells them they are being abused or neglected, including specific issues such as FGM, and how to maintain an appropriate level of confidentiality while liaising with relevant professionals
- The signs of different types of abuse and neglect, as well as specific safeguarding issues, such as child sexual exploitation (CSE), FGM and radicalisation

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

#### **4.2 The designated safeguarding lead (DSL)**

Our DSL is Denise Feasey, Head Teacher. The DSL takes lead responsibility for child protection and wider safeguarding.

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

The DSL can be contacted through the school office during school holidays.

When the DSL is absent, the Deputy Headteacher, Bryony O'Brien will act as cover. The Assistant Head, Catherine Fennell will act as cover when both the Headteacher and Deputy are absent.

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

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

The DSL will also liaise with local authority case managers and designated officers for child protection concerns as appropriate.

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

#### **4.3 The governing board**

The governing board will review this policy annually and hold the headteacher to account for its implementation.

The governing board will appoint a lead governor to monitor the effectiveness of this policy in conjunction with the full governing board. This is always a different person from the DSL. The current Safeguarding Governor is Dalila Morales Guimoye.

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).

#### **4.4 The headteacher**

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

- Ensuring that staff (including temporary staff) and volunteers are informed of this policy as part of their induction
- Communicating this policy to parents when their child joins the school and via the school website
- Ensuring that the DSL has appropriate time, funding, training and resources, and that there is always adequate cover if the DSL is absent
- Ensuring that all staff undertake appropriate safeguarding and child protection training and update this regularly
- Acting as the 'case manager' in the event of an allegation of abuse made against another member of staff or volunteer, where appropriate (see appendix 3)
- Ensuring the relevant staffing ratios are met, where applicable
- Making sure each child in the Early Years Foundation Stage is assigned a key person

#### **4.5 Educational Social Worker**

The Educational Social Worker (ESW) is employed by school and has a specific brief to contribute to the safeguarding of all pupils through collaborative work with other professionals within and outside of school. She is required to monitor pupil attendance and respond to cases of low attendance (less than 90%) in liaison with the Head Teacher. The ESW also has a significant role in supporting families with practical and emotional advice. Enabling families to access other support agencies/groups can reduce the risks of abuse.

#### **4.6 School Health Advisor**

The School Health Advisor (School Nurse) is employed by the National Health Service and works to National Health Service policies and protocols with regards to safeguarding pupils and the reporting and recording of information. As a trained nurse she administers First Aid to pupils and is often the first professional to record and report bruises/injuries.

#### **5. Overview of School Procedures**

**Mandeville School will follow the procedures set out by the Ealing Safeguarding Children Board and take account of guidance issued by the Department for Education to ensure that:**

1. There is a designated senior person (and two deputies) for child protection:
  - a. with a clearly defined role and responsibilities
  - b. who receives appropriate training at the required frequency
  - c. who receives support for this role from the appropriate agencies and from appropriate staff within school
2. There is a nominated governor responsibleMandeville2008
3. for child protection. This is currently Mark Holloway.
4. Every member of staff (including temporary and supply staff and volunteers) and the governing body knows the name of the Designated Teacher for child protection and awareness of their role.
5. Ensure that parents have an understanding of the responsibility placed on the school and staff for child protection by setting out its obligations in the school prospectus.
6. Develop effective links with relevant agencies and co-operate as required with their enquiries regarding child protection matters including attendance at and contribution of reports for case conferences.
7. Keep written records of concerns about pupils, even where there is no need to refer the matter immediately.
8. Ensure all records are kept secure and confidential and separate from the main pupil file and in locked locations in compliance with relevant legislation and Ealing Council advice.
9. Notify Social Services if there is an unexplained absence of more than two days of a pupil who is subject to a Child Protection Plan, or sooner if specified in the plan.
10. Monitor the attendance of all pupils in line with school's Pupil Attendance Policy, which includes recommendations from the October 2017 Serious Case Review that:
  - a. Schools should hold at least three phone numbers for different adults for every child in school.
  - b. Schools should immediately send a member of staff when contact cannot be made by phone with the parent of an unexpectedly absent child.
  - c. If there is no answer when staff visit the family home, the police are called immediately.
11. Ensure that the procedures from the statutory guidance for Children Missing Education are followed.
12. Ensure all staff and volunteers understand their responsibilities in being alert to the signs of abuse and for referring any concerns to the Designated Teacher for child protection.
13. Ensure safe recruitment practices are always followed in line with current Ealing and national guidance and requirements.

14. Systems are in place to for the monitoring and supervision of all staff and volunteers working with pupils and that they have opportunities to learn about child protection in accordance with their roles and responsibilities.
15. Ensure that staff understand and comply with school's safeguarding policy and procedures and are aware of the consequences of breaching this policy in line with school's disciplinary procedures.
16. Follow procedures where an allegation is made against a member of staff or volunteer in line with Ealing Council adopted policy.
17. Ensure a complaints procedure, which is an open and well-publicised way in which adults and pupils can voice concerns about unacceptable and/or abusive behaviour towards children, is in place.
18. Ensure that staff have the opportunity to contribute to safeguarding policy and practices; and that they understand and comply with associated policies and practices which promote children's safety.

**The school will endeavour to support pupils through:**

1. The school ethos which promotes a positive, supportive and secure environment where pupils feel secure and valued; where they are encouraged to communicate in any way in which they are able; where their communications are responded to; where they are supported to develop a sense of self worth and value.
2. Ensuring pupils learn that there are adults in the school whom they can trust and whom they can approach if they are worried or to seek reassurance.
3. Including opportunities in the PSHCE curriculum for pupils to develop the skills they need to recognise risk and to stay safe from abuse as far as is possible given their individual learning difficulties. The curriculum also aims to teach pupils about compassion and empathy and includes units on anti-bullying and safe internet use.
4. The school Discipline and Behaviour Policy, which aims to support pupils through positive intervention.
5. Liaison with other agencies that support pupils, such as Social Services, Child and Adult Mental Health Service (CAMHS), the school Education Social Worker, the School Health Advisor (Nurse) and the Educational Psychology Service.
6. Ensuring that, where a pupil is subject to a Child Protection Plan and subsequently leaves the school, the information is transferred to the new school immediately and that the pupil's allocated Social Worker is informed.
7. Ensuring that when pupils are admitted from nurseries and other child care provision the Head Teacher requests information relevant to safeguarding.

**6. Confidentiality**

Mandeville School's approach to confidentiality and data protection with respect to safeguarding is laid out in the Data Protection Policy.

All staff and governors should be aware that:

- Timely information sharing is essential to effective safeguarding
- Information must only be shared on a 'need-to-know' basis, but you do not need consent to share information if a child is suffering, or at risk of, serious harm
- Staff should never promise a child that they will not tell anyone about an allegation, as this may not be in the child's best interests

- Confidentiality is also addressed in this policy with respect to record-keeping and allegations of abuse against staff.

## **7. Behaviour**

Pupils' behaviour is managed in an appropriate way. Corporal punishment is not given by any person, who cares for or is in regular contact with a pupil. Some pupils have challenging behaviour, which requires physical intervention to keep them safe, maintain the safety of other pupils or staff and protect property. Physical intervention is always a last resort and the focus is on de-escalation. When physical restraint has been used it is recorded and parents are informed. A report following a physical restraint will identify if it was reasonable, proportionate and necessary. More details of policy and practice can be found in the Behaviour Policy and the Positive Handling Policy.

## **8. Accidents and Injuries, First Aid and Special Circumstances**

### **8.1 Accidents or Injury**

A written record is kept of all accidents or injuries and first aid treatment. Parents and/or carers are informed of any accident or injury sustained by the child and of any first aid treatment given on the same day, or as soon as reasonably practicable.

The Reporting of Accidents and Incidents Policy outlines school procedures for recording, investigating and reporting accidents and incidents.

### **8.2 First Aid**

The First Aid Risk Assessment indicates the measures put in place to secure a low risk score. There is a registered nurse on site at all times. There are supporting Health Care Assistants who work alongside the school nurse. If the school nurse is offsite, a registered nurse covers for her. There are several staff members who are first aid trained throughout school. (Each class has at least one member of staff who is paediatric first aid trained or first aid at work trained). Lists of all first aiders and appointed persons are displayed in each class.

### **8.3 Medicines**

School promotes the good health of pupils. Procedures are in place for responding to children who are ill or infectious and necessary steps to prevent the spread of infection are outlined in school policy (Control of Infectious Diseases Policy).

The Administration of Medicines Policy outlines procedures for administering medication in school. It includes systems for obtaining information about a child's needs for medicines, and for keeping this information up-to-date.

Training is provided for staff where the administration of medicine requires medical or technical knowledge.

Medicine (both prescription and non-prescription) is only to be administered to a child where written permission for that particular medicine has been obtained from the child's parent and/or carer. A written record is kept of each time a medicine is administered to a child, and parents and/or carers are informed on the same day, or as soon as reasonably practicable.

Many pupils in Mandeville have complex medical conditions. The policy for Supporting Pupils with Medical Conditions in School outlines responsibilities of Governors and staff and school practice in order to fulfil these responsibilities.

#### **8.4 Early Years Foundation Stage (EYFS)**

The needs of the EYFS pupils are covered in the general policy. In addition to this each child in the nursery is assigned a key worker. Their role is to help ensure that every child's care is tailored to meet their individual needs, to help the child become familiar with the setting, offer a settled relationship for the child and build a relationship with their parents. This practice is currently being extended for all pupils in the EYFS in reception classes and on a needs basis in KS1 and KS2.

#### **8.5 Safe Sporting Events**

Pupils regularly take part in competitions and sporting events. Staff will follow the guidance given in the June 2017 - Briefing for Schools: organising safe sporting events (Appendix 2 attached)

#### **8.6 Terror threat level**

Management risk assessments for visits take into account the risk of a terrorist incident without alarming children or families.

Mandeville School follows the London Borough of Havering guidance 'School Trips – Keeping Children Safe.'

### **9. Recognising abuse and taking action**

All members of staff are trained in safeguarding on a three yearly basis. Training focuses specifically on safeguarding pupils with special needs.

All staff are trained to understand the safeguarding policy and procedures and have up to date knowledge of safeguarding issues. Training enables staff to identify signs of possible abuse and neglect at the earliest opportunity, and to respond in a timely and appropriate way. These may include:

- Significant changes in children's behaviour;
- Deterioration in children's general well-being;
- Unexplained bruising, marks or signs of possible abuse or neglect;
- Children's comments which give cause for concern;
- Any reasons to suspect neglect or abuse outside the setting, for example in the child's home
- Inappropriate behaviour displayed by other members of staff, or any other person working with the children. For example: inappropriate sexual comments; excessive one-to-one attention beyond the requirements of their usual role and responsibilities; or inappropriate sharing of images.

The Head Teacher and Assistant Head (CPD) attend annual Designated Teacher training provided by Ealing Council. The Assistant Head (Provision) will complete the Designated Teacher training to ensure we have the capacity to manage the growing number of pupils and increase in complexity of cases. Training enables them to identify, understand and respond appropriately to signs of possible abuse and neglect.

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

### **9.1 If a child is in immediate danger**

Make a referral to children's social care and/or the police **immediately** if a child is in immediate danger or at risk of harm. **Anyone can make a referral.**

Tell the DSL as soon as possible if you make a referral directly.

The key professionals involved in the process of responding to safeguarding concerns are:

1. The staff reporting the concerns
2. The pupil's teacher
3. Other staff working regularly with the pupil e.g. support staff, therapists
4. The Designated Child Protection Teacher
5. The Educational Social Worker
6. The School Nurse

The process from concern to referral is a collective process coordinated by the Head Teacher and with due regard given to the experience, expertise and knowledge of all staff involved. Agreement on an appropriate course of action is sought through discussion and the sharing of information. However, the process must not become protracted. Discussions must be pertinent to the situation and decisions made and agreed within an acceptable timeframe, commensurate with the level of concern.

Should a member of staff disagree with the collective decision re action this will be noted. Should a member of staff or professional involved disagree with the decision *not* to refer to Social Services at any point, they have the right to contact Social Services direct. However, they are encouraged to discuss their concerns openly with the Head Teacher and ESW and to give reasoned arguments. The Head Teacher will endeavour to reassure the staff member and to alert them to the potential consequences of their intended actions.

Child protection situations are rarely straightforward. School can call upon advice and guidance from:

- Child Protection Adviser – Children with Disabilities Team duty desk 0208825 7072 or a LA child protection adviser 0208825 8930. The Head Teacher and ESW hold a direct line and a mobile number.
- The Independent Ealing Safeguarding Children Board (ESCB) CP Advisors. The Head Teacher and ESW hold a direct line and a mobile number.

School will be expected to follow the advice given.

### **9.2 Referrals to Social Services**

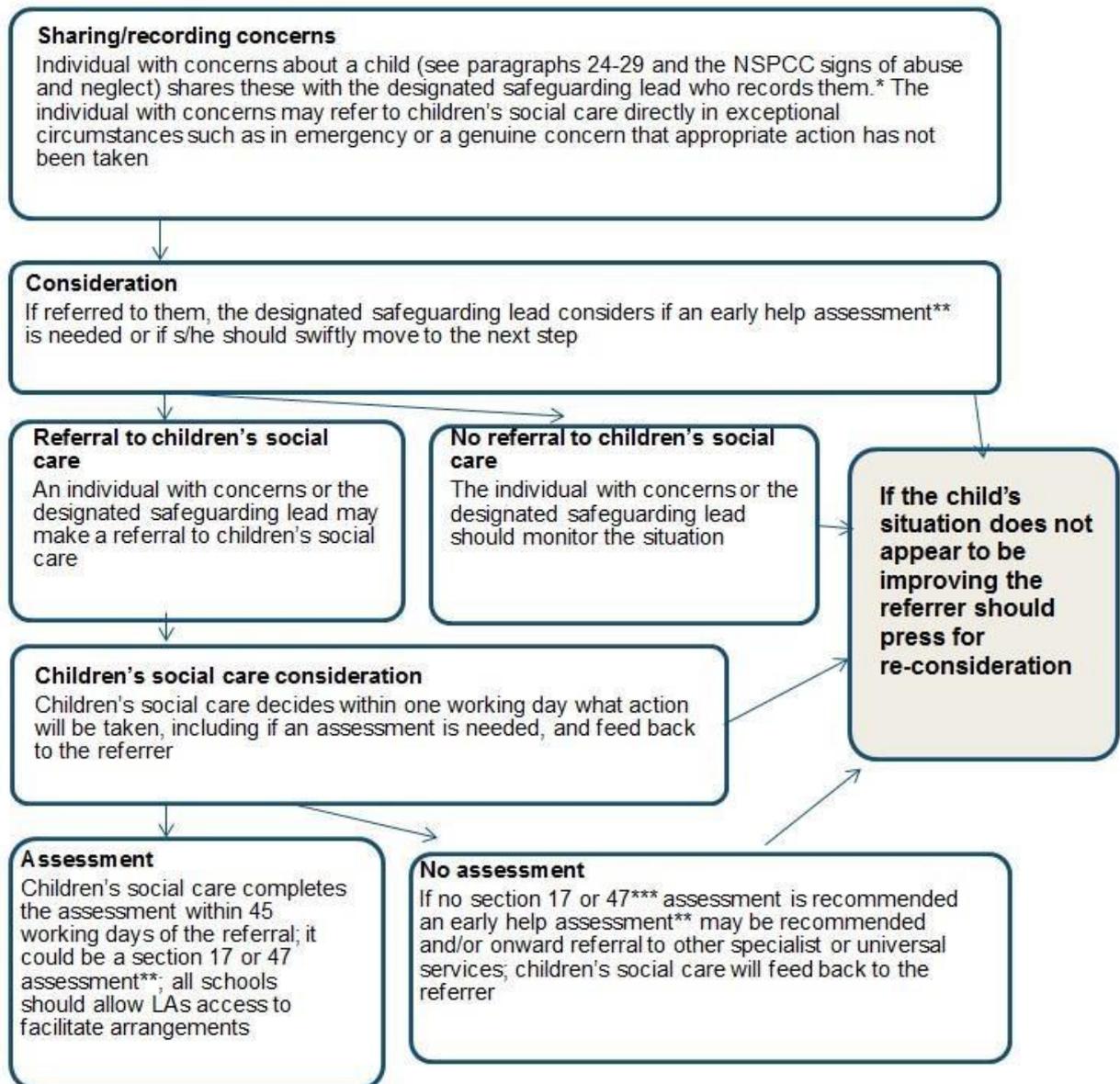
The Educational Social Worker would usually make the referral, subsequent to the process described in Appendix 1. This may be through the Ealing Social Services call centre by phone or by faxing the Ealing referral form. However, more typically at Mandeville referrals are made to the ESCAN Children with Disabilities Team as this team have experience in working with families of children with special needs. If the pupil already has an allocated Social Worker, the referral will be made directly to him/her. If he/she is unavailable or if the pupil does not have an allocated worker, the referral will be to the Duty Social Worker.

Once referrals are made to Social Services, they have a duty to respond, as they deem appropriate. In order to maintain school's relationship with parents, the Head Teacher and/or the ESW and/or School

Nurse may ask to be involved in any home visits, planned or unannounced, and communications with the family.

This flow chart outlines the typical process from the point of concern to a referral to Social Services in circumstances of bruising/injury. Once the referral is received Social Services have a duty to consider the case and decide upon any action. School will liaise fully with Social Services and provide relevant background information. School seeks to work collaboratively with all agencies involved in the safeguarding of pupils.

### Referral Process



There is also a link that can be used for reporting child abuse to the local council:

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

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

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

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

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

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

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

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

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

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

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

**Any member of staff** who suspects a pupil is *at risk* of FGM, must speak to the DSL and follow our local safeguarding procedures.

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

Figure 1 illustrates the procedure to follow if you have concerns about a child's welfare and the child is not in immediate danger.

Where possible, speak to the DSL first to agree a course of action. Alternatively, make a referral to local authority children's social care directly (see 'Referral' below).

You can also contact the charity NSPCC on 0808 800 5000 if you need advice on the appropriate action.

**Early help**

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

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

**Referral**

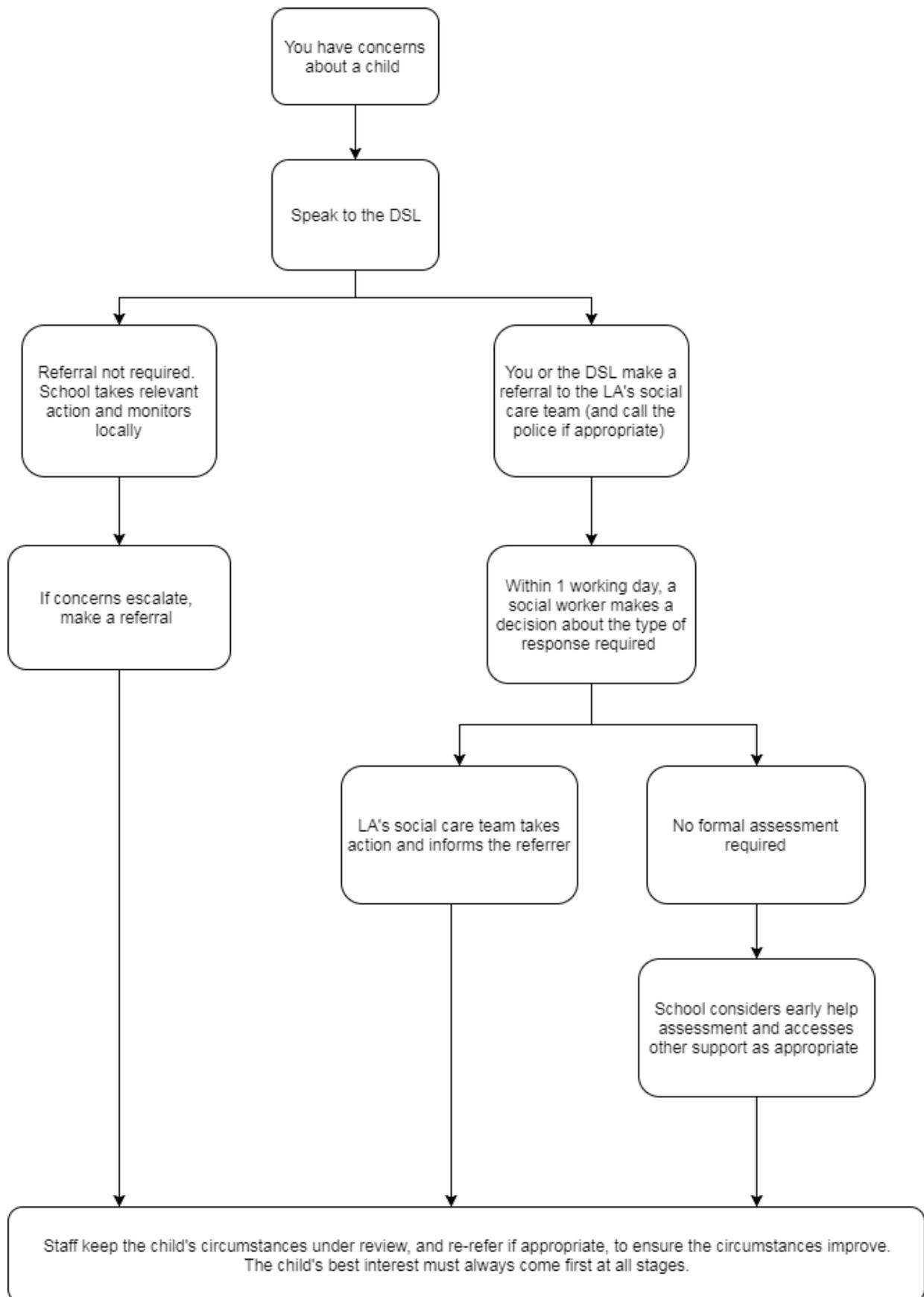
If it is appropriate to refer the case to local authority children's social care or the police, the DSL will make the referral or support you to do so.

If you make a referral directly (see section 7.1), you must tell the DSL as soon as possible.

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

If the child's situation does not seem to be improving after the referral, the DSL or person who made the referral must contact the local authority and make sure the case is reconsidered to ensure the concerns have been addressed and the child's situation improves.

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



## 9.6 If you have concerns about extremism

If a child is not at immediate risk of harm, where possible, speak to the DSL first to agree a course of action. Alternatively, make a referral to local authority children's social care directly if appropriate (see 'Referral' above).

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

The Department for Education also has a dedicated telephone helpline, 020 7340 7264, that school staff and governors can call to raise concerns about extremism with respect to a pupil. You can also email [counter.extremism@education.gov.uk](mailto:counter.extremism@education.gov.uk). Note that this is not for use in emergency situations.

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

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

## 9.7 Concerns about a staff member or volunteer

If you have concerns about a member of staff or volunteer, speak to the headteacher. If you have concerns about the headteacher, speak to the chair of governors.

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

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

Where appropriate, the school will inform Ofsted of the allegation and actions taken, within the necessary timescale (see appendix 3 for more detail).

## 9.8 Allegations of abuse made against other pupils

We recognise that children are capable of abusing their peers. Abuse will never be tolerated or passed off as "banter" or "part of growing up".

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

This might include where the alleged behaviour:

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

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

- You must tell the DSL and record the allegation, but do not investigate it

- The DSL will contact the local authority children's social care team and follow its advice, as well as the police if the allegation involves a potential criminal offence
- The DSL will put a risk assessment and support plan into place for all children involved – both the victim(s) and the child(ren) against whom the allegation has been made – with a named person they can talk to if needed
- The DSL will contact the children and adolescent mental health services (CAMHS), if appropriate

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

- Challenging any form of derogatory or sexualised language or behaviour
- Being vigilant to issues that particularly affect different genders – for example, sexualised or aggressive touching or grabbing towards female pupils, and initiation or hazing type violence with respect to boys
- Ensuring our curriculum helps to educate pupils about appropriate behaviour and consent
- Ensuring pupils know they can talk to staff confidentially
- Ensuring staff are trained to understand that a pupil harming a peer could be a sign that the child is being abused themselves, and that this would fall under the scope of this policy

### **9.9 Pupils who are subject to a Child Protection Plan/Children in Need**

School monitors the progress and achievement of all pupils. Qualitative and quantitative data is collected and analysed. This information contributes to the safeguarding process for pupils at risk.

School participates in Case Conferences and Core Group meetings for pupils subject to a Child Protection Plan, and provides regular updates in writing for Core Group meetings and Case Conferences.

### **9.10 Working with Parents and Carers**

The safeguarding of pupils is the school's highest priority and any action school takes will be to this end. School also recognises the pressures families face when caring for a child with special needs and seeks to work in a supportive way with parents and carers. School employs an Educational Social Worker with a brief to provide families with practical and emotional advice. The early intervention work with families and services is key to engaging all key people in the pupil's life. It is important that the safeguarding agenda is promoted throughout our work, for example Mandeville School provides training and support for carers working with challenging pupils as part of the Early Intervention Programme and Intensive Short Break Service.

## **10. Notifying parents**

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

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

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

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

## **11. Mobile phones and cameras**

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

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

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

See also the school's policies on the Use of Mobile Phones and other Cameras and Social Media.

## **12. Complaints and concerns about school safeguarding practices**

### **12.1 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).

### **12.2 Other complaints**

Other complaints will be dealt with as outlined in the School's Complaints Policy.

### **12.3 Whistleblowing**

Staff and volunteers should feel able to raise concerns about poor or unsafe practice and potential failures in the school or college's safeguarding regime. Appropriate whistleblowing procedures, which are suitably reflected in staff training and staff behaviour policies, are in place for such concerns to be raised. The Whistle Blowing Policy is reviewed by Governors on a yearly basis and is available on the Mandeville website.

## **13. Record-keeping**

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

All safeguarding concerns, discussions, decisions made and the reasons for those decisions, must be recorded in writing. If you are in any doubt about whether to record something, discuss it with the DSL. Non-confidential records will be easily accessible and available. Confidential information and records will be held securely and only available to those who have a right or professional need to see them. Safeguarding records relating to individual children will be retained for a reasonable period of time after they have left the school.

### **13.1 Storage of and access to information relating to safeguarding concerns:**

In line with current advice any information relating to the safeguarding of a named pupil is stored separately from the pupil's education notes (the latter are stored in the school main office). At Mandeville School all safeguarding information is stored either electronically on the school's system, with password access available to the Head Teacher/Designated Teacher and the ESW only and/or in a locked filing cabinet in the ESW office, with keys held by the Head Teacher/Designated Teacher and the ESW only.

The school has a Yellow 'child protection concern' Form to facilitate sharing of new information between the Head Teacher/Designated Teacher, the ESW and the School Nurse. This form is always

returned to the Head Teacher and kept securely in the Head Teacher's office. The forms are also used by the Head Teacher to facilitate the sharing of relevant information with the Leadership Team.

Safeguarding is a standard item on the Leadership Team meetings.

When reporting and recording information, we seek to identify and record the facts of a situation.

However, school also recognises that trained professionals with experience in child protection and those adults who know the pupil well may have strong and reliable instincts. Seemingly minor concerns are reported and recorded as these may over time present a fuller picture of concern.

The School Nurse is bound by NHS protocols for recording and reporting concerns. She has a locked filing cabinet in the medical room, to which only she holds a key. She also has access to electronic NHS files, which are available to her only via password on the NHS encrypted site. The School Nurse also has access to a Child Protection Supervisor within the School Health Advisor service, whom she can consult for advice, and she is expected to take account of that advice. The School Nurse holds 'body map' forms for the recording of injuries.

The school ESW has access to the ESCAN Social Services case database (Frameworkki) on a read-only basis. Access is via an encrypted key and is with the approval of ESCAN. This is a protocol agreed by Ealing special schools and ESCAN to promote collaborative working for the safeguarding of pupils. Class teachers and other employees are advised of any concerns or safeguarding issues about a pupil on a need to know basis. Staff have a professional responsibility to maintain the confidentiality of any information they are given and not to discuss this outside of the appropriate context. Information is never discussed in front of pupils.

### **13.2 Single Central Record**

Schools and colleges must keep a single central record, referred to in the regulations (described in the following paragraph) as the register. The single central record must cover all staff (including supply staff, and teacher trainees on salaried routes) who work at the school.

The information that must be recorded in respect of staff members (including teacher trainees on salaried routes) is whether the following checks have been carried out or certificates obtained, and the date on which each check was completed/certificate obtained:

- an identity check;
- a barred list check;
- an enhanced DBS check/certificate;
- a prohibition from teaching check;
- further checks on people who have lived or worked outside the UK; this would include recording checks for those European Economic Area (EEA) teacher sanctions and restrictions described in paragraph 114;
- a check of professional qualifications; and
- a check to establish the person's right to work in the United Kingdom.

For supply staff, schools should also include whether written confirmation has been received that the employment business supplying the member of supply staff has carried out the relevant checks and obtained the appropriate certificates, and the date that confirmation was received and whether any enhanced DBS check certificate has been provided in respect of the member of staff.

Where checks are carried out on volunteers, schools should record this on the single central record.

For details of records that must be kept, see Regulations 12(7) and 24(7) and Schedule 2 to the School Staffing (England) Regulations 2009 and the School Staffing (England) (Amendment) Regulations 2013 (applied to pupil referral units through the Education (Pupil Referral Units) (Application of Enactments) (England) Regulations 2007).

Schools and colleges do not have to keep copies of DBS certificates in order to fulfil the duty of maintaining the single central record. To help schools and colleges comply with the requirements of the Data Protection Act, when a school or college chooses to retain a copy, it should not be retained for longer than six months. A copy of the other documents used to verify the successful candidate's identity, right to work and required qualifications should be kept for the personnel file. Further information on handling DBS certificate information can be found on [GOV.UK](https://www.gov.uk).

## **14. Staff and Training**

### **14.1 Overview**

The daily experience of children in the school and the overall quality of provision depends on all practitioners having appropriate qualifications, training, skills and knowledge and a clear understanding of their roles and responsibilities.

All staff receive induction training to help them understand their roles and responsibilities. Induction training includes information about emergency evacuation procedures, safeguarding, child protection, first aid, equality policy, and health and safety issues. Staff undertake appropriate training and professional development opportunities to ensure they offer quality learning and development experiences for children that continually improves.

School has a highly committed and trained staff team. A comprehensive cycle of training promotes the safety of pupils, staff, professionals and visitors and ensures we meet statutory requirements. The Mandeville School website has a page on training which provides information on staff training courses provided.

Staff have sufficient understanding and use of English to ensure the well-being of children in their care. Effective supervision provides support, coaching and training and promotes the interests of children. Supervision fosters a culture of mutual support, teamwork and continuous improvement, which encourages the confidential discussion of sensitive issues.

Supervision provides opportunities for staff to:

- Discuss any issues – particularly concerning children's development or well-being;
- Identify solutions to address issues as they arise;
- Receive coaching to improve their personal effectiveness.

The Head Teacher and Education Social Worker have monthly child protection supervision and the School Nurse has regular child protection supervision. This provides support and challenge to secure judgements and strengthen practice. The senior staff have access to supervision as and when necessary.

Class teams meet on a weekly basis to discuss any issues or concerns about a pupil's wellbeing and to identify solutions. The School Social worker is available for all staff to give advice and support on any safeguarding issues, as is the senior team.

## **14.2 Disclosure and Barring**

All staff are expected to disclose any convictions, cautions, court orders, reprimands and warnings that may affect their suitability to work with children (whether received before or during their employment at the setting).

People whose suitability has not been checked, including through a criminal records check, will not have unsupervised contact with children being cared for.

School keeps a record of information about staff qualifications and the identity checks and vetting processes that have been completed (including the criminal records disclosure reference number, the date a disclosure was obtained and details of who obtained it).

School is committed to meeting their responsibilities under the Safeguarding Vulnerable Groups Act 2006, which includes a duty to make a referral to the Disclosure and Barring Service where a member of staff is dismissed (or would have been, had the person not left the setting first) because they have harmed a child or put a child at risk of harm.

## **14.3 Staff taking medication/other substances**

Staff must not be under the influence of alcohol or any other substance, which may affect their ability to care for children. If a member of staff is taking medication which may affect his/her ability to care for children, he/she should seek medical advice. School must ensure that those members of staff only work directly with children, if medical advice confirms that the medication is unlikely to impair that staff member's ability to look after children properly. Staff medication on the premises must be securely stored and out of reach of children at all times.

## **14.4 Staff Training, Support and Skills**

The daily experience of children in the special school and early years and the overall quality of provision depends on all practitioners having appropriate qualifications, training, skills and knowledge and a clear understanding of their roles and responsibilities.

All staff receive induction training to help them understand their roles and responsibilities. Induction training includes information about emergency evacuation procedures, safeguarding, child protection, first aid, equality policy, and health and safety issues. Staff undertake appropriate training and professional development opportunities to ensure they offer quality learning and development experiences for children that continually improves.

School has a highly committed and trained staff team. A comprehensive cycle of training promotes the safety of pupils, staff, professionals and visitors and ensures we meet statutory requirements. The Mandeville School website has a page on training which provides information on staff training courses provided.

Staff have sufficient understanding and use of English to ensure the well-being of children in their care. Effective supervision provides support, coaching and training and promotes the interests of children.

Supervision fosters a culture of mutual support, teamwork and continuous improvement, which encourages the confidential discussion of sensitive issues.

Supervision provides opportunities for staff to:

- Discuss any issues – particularly concerning children's development or well-being;
- Identify solutions to address issues as they arise-
- Receive coaching to improve their personal effectiveness.

The Head Teacher and Education Social Worker have monthly child protection supervision and the School Nurse has regular child protection supervision. This provides support and challenge to secure

judgements and strengthen practice. The senior staff have access to supervision as and when necessary.

Class teams meet on a weekly basis to discuss any issues or concerns about a pupil's wellbeing and to identify solutions. The School Social worker is available for all staff to give advice and support on any safeguarding issues, as is the senior team.

#### **14.5 Early Years Foundation Stage (EYFS)**

The needs of the EYFS pupils are covered in the general policy. In addition to this each child in the nursery is assigned a key worker. Their role is to help ensure that every child's care is tailored to meet their individual needs, to help the child become familiar with the setting, offer a settled relationship for the child and build a relationship with their parents. This practice is currently being extended for all pupils in the EYFS in reception classes and on a needs basis in KS1 and KS2.

#### **14.6 Recruitment – interview/appointment panels**

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

#### **15. Monitoring arrangements**

This policy will be reviewed **annually** by the Chair of Governors and DSL. At every review, it will be approved by the full governing board.

#### **16. Consultation**

Mandeville School has consulted with parents, staff, governors and other school users in the development of this policy through parent representatives, the Governing Body, staff meetings and staff reps, and Ealing Council. Pupils have been consulted in ways appropriate to their special needs and disability.

#### **17. Breaches of this policy**

Breaches of this policy will be dealt with in the same ways that breaches of other school policies are dealt with, as determined by the Head Teacher and Governing Body and in line with Ealing Council guidance. Failure to adhere to this policy may result in disciplinary action.

#### **18. Links with other policies**

A number of other school policies are relevant to safeguarding the wellbeing of pupils. These include:

1. Community Cohesion and Equalities Policy
2. Pupil Attendance Policy
3. Children Missing Education Procedures
4. Missing Children Procedures
5. Personal Care Policy
6. Health and Safety Policies and Procedures, including: Evacuation Procedures; Risk assessments; Educational Visits; Maintenance of Site, Premises and Equipment; Reporting of Accidents and Incidents.

7. Behaviour and Discipline Policy, including Anti-Bullying
8. Positive Handling Policy
9. Acceptable Use Policy
  
10. Electronic Information and Communications Policy
11. Safer Recruitment Policy
12. Allegations Against Staff
13. Whistleblowing Policy
14. Code of Conduct
15. Guidelines for Students and Volunteers.
16. First Aid Risk Assessment
17. Moving and Handling Policy
18. Early Years Foundation Stage Policy
19. Supporting Pupils with Medical Conditions in School
20. Administration of Medication Policy
21. Control of Infectious Diseases Policy
22. Induction Policy
23. Freedom of Information Policy

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

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

Child abuse is any action by another person – adult or child – that causes significant harm to a child. It can be physical, sexual or emotional, but can just as often be about a lack of love, care and attention. We know that neglect, whatever form it takes, can be just as damaging to a child as physical abuse.

An abused child will often experience more than one type of abuse, as well as other difficulties in their lives. It often happens over a period of time, rather than being a one-off event. It can increasingly happen online.

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

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

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

Emotional abuse may involve:

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

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

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

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

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

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

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

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

**Online Abuse** is any type of abuse that happens on the web, whether through social networks, playing online games or using mobile phones. Children and young people may experience cyberbullying, grooming, sexual abuse, sexual exploitation or emotional abuse.

Children can be at risk of online abuse from people they know, as well as from strangers. Online abuse may be part of abuse that is taking place in the real world (for example bullying or grooming). Or it may be that the abuse only happens online (for example persuading children to take part in sexual activity online).

Measures are put in place to protect children at Mandeville School through restricting access to sites, high staffing ratios and levels of supervision allow close monitoring of online behaviour. All staff report any concerns about the children's behaviour online which may indicate that they are accessing inappropriate sites when not in school (taking their level of development into consideration).

### **Online safety**

The use of technology has become a significant component of many safeguarding issues. Child sexual exploitation; radicalisation; sexual predation: technology often provides the platform that facilitates harm.

The School recognises that it should be doing all that it reasonably can to limit children's exposure to the above risks from the school's IT system. As part of this process, the school has appropriate filters and monitoring systems in place.

### **Bullying or Cyberbullying**

Bullying is behaviour that hurts someone else - such as name-calling, hitting, pushing, spreading rumours, threatening or undermining someone.

It can happen anywhere – at school, at home or online. It's usually repeated over a long period of time and can hurt a child both physically and emotionally.

Bullying that happens online, using social networks and mobile phones, is often called cyberbullying. A child can feel like there's no escape because it can happen wherever they are, at any time of day or night.

## **Domestic Abuse**

Domestic abuse is any type of controlling, bullying, threatening or violent behaviour between people in a relationship. But it isn't just physical violence – domestic abuse includes any emotional, physical, sexual, financial or psychological abuse.

## **Emotional Abuse**

Emotional abuse is the on-going emotional maltreatment or emotional neglect of a child. It's sometimes called psychological abuse and can seriously damage a child's emotional health and development. Emotional abuse can involve deliberately trying to scare or humiliate a child or isolating or ignoring them.

Children who are emotionally abused are usually suffering another type of abuse or neglect at the same time – but this isn't always the case.

## **Peer on peer abuse**

All staff should recognise that children are capable of abusing their peers. The school will ensure that there are:

procedures in place to minimise the risk of peer on peer abuse;  
clear processes as to how victims, perpetrators and any other child affected by peer on peer abuse will be supported.

## **Child Sexual Exploitation**

It can happen in any relationship, and even after the relationship has ended. Both men and women can be abused or abusers.

Witnessing domestic abuse is child abuse, and teenagers can suffer domestic abuse in their relationships. Domestic abuse can seriously harm children and young people.

## **Child Trafficking**

Child trafficking is child abuse. Children are recruited, moved or transported and then exploited, forced to work or sold. They are often subject to multiple forms of exploitation.

Children are trafficked for:

- child sexual exploitation
- benefit fraud
- forced marriage
- domestic servitude such as cleaning, childcare, cooking
- forced labour in factories or agriculture
- criminal activity such as pickpocketing, begging, transporting drugs, working on cannabis farms, selling pirated DVDs, bag theft.

Many children are trafficked into the UK from abroad, but children can also be trafficked from one part of the UK to another.

## **Grooming**

Grooming is when someone builds an emotional connection with a child to gain their trust for the purposes of sexual abuse or exploitation.

Children and young people can be groomed online or in the real world, by a stranger or by someone they know - for example a family member, friend or professional.

Groomers may be male or female. They could be any age.

Many children and young people don't understand that they have been groomed, or that what has happened is abuse.

## **Radicalisation**

Staff are trained in preventing radicalisation by identifying signs and changes in behaviour.

The majority of pupils in Mandeville would not have the cognitive ability to wilfully be involved in radicalisation but may be involved as part of the family network.

## **Children missing from education**

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

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

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

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

## **Further information**

Expert and professional organisations are best placed to provide up-to-date guidance and practical support on specific safeguarding issues. For example, information for schools and colleges can be found on the TES, MindEd and the NSPCC websites.

See also Annex A of Keeping Children Safe in Education September 2018

School and college staff can access government guidance as required on the issues listed below via GOV.UK and other government websites:

- abuse (DfE advice for practitioners)
- bullying including cyberbullying (DfE advice for headteachers, staff and governing bodies)
- criminal exploitation of children and vulnerable adults county lines (Home office guidance) and Annex A
- children missing education (DfE advice for schools) and Annex A
- child missing from home or care (DfE statutory guidance)
- child sexual exploitation advice for practitioners (DfE advice for practitioners) and Annex A
- domestic abuse (Home Office advice) and Annex A

- drugs (DfE and ACPO advice for schools) Draft for consultation 16
- fabricated or induced illness (DfE, Department for Health and Home Office statutory guidance)
- faith based abuse (national action plan)
- female genital mutilation (multi agency statutory guidance) and Annex A female genital mutilation (Home Office advice)
- forced marriage (Foreign and Commonwealth Office and Home Office advice) and Annex A • gangs and youth violence (Home Office advice)
- gender based violence/violence against women and girls (Home Office strategy) gender-based violence/violence against women and girls (Home Office information)
- hate (educate against hate website) • mental health (DfE advice for schools)
- missing children and adults (Home Office strategy)
- private fostering (28 days or more- Children Act 1989- statutory guidance for local authorities)
- preventing radicalisation (Home Office Statutory Prevent guidance) and Annex A protecting children from radicalisation (DfE Prevent advice for schools)
- relationship abuse (disrespect nobody website)
- sexual violence and sexual harassment between children in schools and colleges (DfE advice for schools and colleges)
- sexting (UK Council for Child Internet Safety advice for schools and colleges)
- trafficking and modern slavery (DfE and Home Office guidance)

Annex A also contains important additional information about specific forms of abuse and safeguarding issues. School leaders and staff who work directly with children should read the annex.

## **Appendix 2: Recruitment and DBS checks – policy and procedures**

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

### **Appointing new staff**

When appointing new staff, we will:

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

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.

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

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

- Responsible, on a regular basis in a school or college, for teaching, training, instructing, caring for or supervising children
- Carrying out paid, or unsupervised unpaid, work regularly in a school or college where that work provides an opportunity for contact with children
- 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 the 'harm test' is satisfied in respect of the individual (i.e. that no action or inaction occurred but the present risk that it could was significant)
- Where the individual has received a caution or conviction for a relevant offence
- If there is reason to believe that the individual has committed a listed relevant offence, under the [Safeguarding Vulnerable Groups Act 2006 \(Prescribed Criteria and Miscellaneous Provisions\) Regulations 2009](#)
- If the individual has been removed from working in regulated activity (paid or unpaid) or would have been removed if they had not left

### **Agency and third-party staff**

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

### **Contractors**

We will ensure that any contractor, or any employee of the contractor, who is to work at the school has had the appropriate level of DBS check. This will be:

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

In both cases, this includes checks to ensure that individuals are not disqualified under the Childcare Disqualification (Regulations) 2009 and Childcare Act 2006.

### **Volunteers**

We will:

- Never leave an unchecked volunteer unsupervised or allow them to work in regulated activity
- Obtain an enhanced DBS check with barred list information for all volunteers who are new to working in regulated activity
- Obtain an enhanced DBS check without barred list information for all volunteers who are not in regulated activity, but who have an opportunity to come into contact with children on a regular basis, for example, supervised volunteers
- Carry out a risk assessment when deciding whether to seek an enhanced DBS check for any volunteers not engaging in regulated activity

- Ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the Childcare Disqualification (Regulations) 2009 and Childcare Act 2006. Where we decide that an individual falls outside the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment. This will include our evaluation of any risks and control measures put in place, and any advice sought

### **Governors**

- All governors will have an enhanced DBS check without barred list information and section 128 check.
- They will have an enhanced DBS check with barred list information if working in regulated activity.

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

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

- Behaved in a way that has harmed a child, or may have harmed a child, or
- Possibly committed a criminal offence against or related to a child, or
- Behaved towards a child or children in a way that indicates he or she would pose a risk of harm to children

It applies regardless of whether the alleged abuse took place in the school. Allegations against a teacher who is no longer teaching and historical allegations of abuse will be referred to the police. We will deal with any allegation of abuse against a member of staff or volunteer very quickly, in a fair and consistent way that provides effective child protection while also supporting the individual who is the subject of the allegation.

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

#### Suspension

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

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

- Redeployment within the school so that the individual does not have direct contact with the child or children concerned
- Providing an assistant to be present when the individual has contact with children
- Redeploying the individual to alternative work in the school so that they do not have unsupervised access to children
- Moving the child or children to classes where they will not come into contact with the individual, making it clear that this is not a punishment and parents have been consulted
- Temporarily redeploying the individual to another role in a different location, for example to an alternative school or other work for the local authority.

#### Definitions for outcomes of allegation investigations

- **Substantiated:** there is sufficient evidence to prove the allegation
- **Malicious:** there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive
- **False:** there is sufficient evidence to disprove the allegation
- **Unsubstantiated:** there is insufficient evidence to either prove or disprove the allegation (this does not imply guilt or innocence)

#### Procedure for dealing with allegations

In the event of an allegation that meets the criteria above, the headteacher (or chair of governors where the headteacher is the subject of the allegation) – the ‘case manager’ – will take the following steps:

- Immediately discuss the allegation with the Local Authority Designated Officer (LADO). This is to consider the nature, content and context of the allegation and agree a course of action, including whether further enquiries are necessary to enable a decision on how to proceed, and whether it

is necessary to involve the police and/or children's social care services. (The case manager may, on occasion, consider it necessary to involve the police *before* consulting the designated officer – for example, if the accused individual is deemed to be an immediate risk to 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 consider 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

We will inform Ofsted of any allegations of serious harm or abuse by any person living, working, or looking after children at the premises (whether the allegations relate to harm or abuse committed on the premises or elsewhere), and any action taken in respect of the allegations. This notification will be made as soon as reasonably possible and always within 14 days of the allegations being made.

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

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

### **Timescales**

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

### **Specific actions**

#### **Action following a criminal investigation or prosecution**

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

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

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

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

#### **Individuals returning to work after suspension**

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

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

#### **Unsubstantiated or malicious allegations**

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

#### **Confidentiality**

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

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

- Who needs to know about the allegation and what information can be shared
- How to manage speculation, leaks and gossip, including how to make parents or carers of a child/children involved aware of their obligations with respect to confidentiality

- What, if any, information can be reasonably given to the wider community to reduce speculation
- How to manage press interest if, and when, it arises

### **Record-keeping**

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

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

If an allegation or concern is not found to have been malicious, the school will retain the records of the case on the individual's confidential personnel file, and provide a copy to the individual. We will retain these records at least until the individual has reached normal pension age, or for 10 years from the date of the allegation if that is longer.

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

### **References**

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

### **Learning lessons**

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

This will include consideration of (as applicable):

- Issues arising from the decision to suspend the member of staff
- The duration of the suspension
- Whether or not the suspension was justified
- The use of suspension when the individual is subsequently reinstated. We will consider how future investigations of a similar nature could be carried out without suspending the individual