

# ELLINGHAM PRIMARY SCHOOL

## Safeguarding and Child Protection Policy



Responsibility for policy: Mrs Claire Cook

Date reviewed: September 2019

Next review date: September 2020

Unless there is a significant change in school practice or policy.

**THE DESIGNATED TEACHER FOR CHILD PROTECTION IS - MRS CLAIRE COOK  
THE DESIGNATED GOVERNOR FOR CHILD PROTECTION IS – MRS LEANNE CRAVEN**

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## 1. Terminology

**Safeguarding** and promoting the welfare of children refers to the process of protecting children from maltreatment, preventing the impairment of health or development, ensuring that children grow up in circumstances consistent with the provision of safe and effective care and taking action to enable all children to have the best outcomes.

**Child protection** refers to the processes undertaken to protect children who have been identified as suffering, or being at risk of suffering significant harm.

**Staff** refers to all those working for or on behalf of the school, full time or part time, temporary or permanent, in either a paid or voluntary capacity.

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

**Parent** refers to birth parents and other adults who are in a parenting role, for example step-parents, foster carers and adoptive parents.

### Significant Information

**SPA:** 020 8547 5008

**LADO:** 020 8891 7370

07774332675

[lado@achievingforchildren.org.uk](mailto:lado@achievingforchildren.org.uk)

## 2. Introduction and purpose

Ellingham fully recognises our moral and statutory responsibility to safeguard and promote the welfare of all pupils. This Safeguarding and Child Protection Policy is one of a range of documents which set out the safeguarding responsibilities of the school. We wish to create a safe, welcoming and vigilant environment for children where they feel valued and are respected.

We recognise that the school may provide the only stability in the lives of children who have been abused or who are at risk of harm.

We are aware that the behaviour of a child in these circumstances may range from that which is perceived to be normal to aggressive or withdrawn.

We are able to play a significant part in the prevention of harm to our children by providing them with good lines of communication with trusted adults, supportive friends and an ethos of protection.

Wherever the word “staff” is used, it covers all staff on site, including ancillary, supply and self-employed staff, contractors, volunteers and Governors. It seeks to set out the principles

and procedures we operate to protect children from harm. This policy provides information regarding our safeguarding responsibilities and details how these responsibilities should be carried out.

### 3. Key personnel

<b>Designated Safeguarding Lead (DSL)</b>  <b>Claire Cook</b>	<b>Deputy Safeguarding Lead</b>  <b>Jenny Driver</b>
<b>Chair of Governors</b>  <b>Janet Hilton</b>	<b>Designated Governor for Safeguarding/ Child Protection</b>  <b>Leanne Craven</b>

### 4. Policy principles and aims

This policy aims to demonstrate to pupils, parents and other partners, Ellingham's commitment to safeguarding and child protection.

The welfare of our children is paramount. All children, regardless of age, gender, culture, language, race, ability, sexual identity or religion have equal rights to protection, safeguarding and opportunities.

We recognise that all adults in our school have a full and active part to play in protecting our pupils from harm and have an equal responsibility to act on any suspicion or disclosure that may suggest a child is at risk of harm.

Our school is committed to providing an environment in which children and young people feel safe, secure, valued and respected and which promotes their social, physical and moral development. Children in our school feel confident to, and know how to approach adults if they are in difficulties.

This policy is used in conjunction with staff training and continued professional development to:

- raise staff awareness of the need to safeguard children and their responsibilities in identifying and reporting possible cases of abuse

- provide a systematic means of monitoring children known or thought to be at risk of harm, and ensure we, the school, contribute to assessments of need and support packages for those children
- emphasise the need for good levels of communication between all members of staff and develop and promote effective working relationships with other agencies, especially Achieving for Children (AfC) and the police
- develop a structured procedure within the school which will be followed by all members of the school community in cases of suspected abuse; ensure that the structured procedure is followed by school staff in cases of suspected abuse

Pupils and staff involved in child protection issues will receive appropriate support.

## 5. Statutory framework, key statutory and non-statutory guidance

In order to safeguard and promote the welfare of children, Ellingham will act in accordance with the following legislation and guidance:

- [Children Act 1989 Care Planning, Placement and Case Review](#)
- [Children Act 2004](#)
- [Education Act 2002](#)
- [London Child Protection Procedures and Practice Guidance](#)
- [Keeping Children Safe in Education 2019](#)
- [Working Together to Safeguard Children 2018](#)
- [What to do if You're Worried a Child is Being Abused](#)
- [Information Sharing](#)

We take seriously our responsibility to ensure that we have appropriate procedures in place for responding to situations in which we believe that a child has been abused or is at risk of abuse.

Our procedures also cover circumstances in which a member of staff is accused of, or suspected of, abuse.

We will take steps to ensure that any groups or individuals who hire and/or use our building or grounds inside or outside of school hours, follow the local child protection guidelines and are aware of their safeguarding duties.

We will ensure that all staff read and understand:

- Ellingham's Safeguarding and Child Protection policy
- Keeping Children Safe in Education (2019) [Part One] and school leaders and staff that work directly with children will also read Annex A
- Ellingham's code of conduct

We will ensure that all staff are aware of:

- Ellingham's Behaviour Policy the safeguarding response to children who go missing from education
- The role of the Designated Safeguarding Lead
- The identity of Ellingham's Designated Safeguarding Lead and Deputies

Ellingham will publish our Safeguarding and Child Protection policy on our website and hard copies will be available on request from the school office.

The roles of the Designated Safeguarding Lead and the Deputy Designated Safeguarding Leads will be explicit in their job descriptions and we will ensure that they have the time and resources to fulfil their duties.

## **6. Roles and responsibilities**

### **The Governing Board**

The Governing Board of Ellingham understands and fulfils its responsibilities, namely to ensure that:

- there is a Safeguarding and Child Protection policy together with a Staff Behaviour policy (Code of Conduct)
- child protection, safeguarding, recruitment and managing allegations policies and procedures, including the staff behaviour policy (code of conduct), are consistent with Kingston's and Richmond's Safeguarding Children's Board and statutory requirements. They are reviewed annually. The Safeguarding and Child Protection policy is publically available on the school website
- all staff, including temporary staff and volunteers read and understand Ellingham's Safeguarding and Child Protection policy and Staff Behaviour policy
- all staff have read and understood Keeping Children Safe in Education (2019) part 1 and Annex A and that mechanisms are in place to assist staff in understanding and discharging their roles and responsibilities as set out in the guidance

- the school operates a safer recruitment procedure that includes statutory checks on staff suitability to work with children (and disqualification by association regulations where applicable) and by ensuring that there is at least one person on every recruitment panel who has completed safer recruitment training
- Ellingham has procedures for dealing with allegations of abuse against staff (including the headteacher), volunteers and against other children and that a referral is made to the DBS if a person in regulated activity has been dismissed or removed due to safeguarding concerns, or would have had they not resigned
- the Governing Board has a nominated governor responsible for safeguarding who has undertaken appropriate training for the role. The chair of governors is responsible in the event of an allegation of abuse made against the headteacher
- an annual audit of Ellingham's safeguarding policies, procedures and practices is undertaken with the Headteacher and designated safeguarding lead (DSL) and that this is submitted to Kingston and Richmond Safeguarding Children Partnership
- a member of the senior leadership team has been appointed as the designated safeguarding lead and they will take lead responsibility for safeguarding and child protection; the role is explicit in the role holder's job description
- DSL's and their deputies undertake multi-agency (Level 3) safeguarding training which is updated every two years
- there is a designated teacher to promote the educational achievement of children looked after who are on the school roll
- all other staff have safeguarding training updated at least annually
- at least one member of the Governing Board has completed safer recruitment training to be repeated every five years
- children are taught about safeguarding (including online safety) as part of a broad and balanced curriculum covering relevant issues through personal, social, health and economic education (PSHE) and/or for maintained schools through relationship and sex education (RSE)
- appropriate safeguarding responses are in place for children who go missing from education, particularly on repeat occasions, to help identify the risk of abuse and neglect including sexual abuse or exploitation and to help prevent the risks of their going missing in future
- appropriate online filtering and monitoring systems are in place
- enhanced Disclosure and Barring Service (DBS) checks (without barred list checks, unless the governor is also a volunteer at the school) are in place for all governors

## The headteacher

The headteacher will ensure that:

- the safeguarding and child protection policy and related policies and procedures are implemented and followed by all staff
- sufficient time, training, support, resources, including cover arrangements where necessary, is allocated to the DSL and deputy to carry out their roles effectively
- where there is a safeguarding concern, that the child's wishes and feelings are taken into account when determining what action to take and what services to provide
- systems are in place for children to express their views and give feedback which operate with the best interest of the child at heart
- all staff feel able to raise concerns about poor or unsafe practice and that such concerns are handled sensitively and in accordance with the whistle-blowing procedures
- pupils are provided with opportunities throughout the curriculum to learn about safeguarding, including keeping themselves safe online
- they liaise with the local authority designated officer (LADO) within 24 hours, before taking any action and then on an ongoing basis, where an allegation is made against a member of staff or volunteer

## The designated safeguarding lead (DSL)

- Holds ultimate responsibility for safeguarding and child protection in Ellingham. This responsibility will not be delegated.
- Acts as a source of support and expertise for the whole school community in regards to our safeguarding duties.
- Encourages a culture of listening to children and taking account of their wishes and feelings.
- Undertakes multi-agency (Level 3) safeguarding training with updates every two years and will refresh their knowledge and skills at regular intervals but at least annually.
- Will refer a child if there are concerns about possible abuse, to Achieving for Children's Single Point of Access (SPA) and/or the local authority where the child resides and act as a focal point for staff to discuss concerns.
- Will keep detailed, accurate records, either written or using appropriate online software, of all concerns about a child even if there is no need to make an immediate referral.
- Will ensure that all such records are kept confidential, stored securely and are separate from the pupil's general file.

- Will ensure that an indication of the existence of the additional safeguarding and child protection file is marked on the pupil general file.
- Will ensure that a copy of the safeguarding and child protection file is retained until such a time that the new school acknowledges receipt of the original file. The copy will then be shredded.
- Will liaise with the local authority and work with other agencies and professionals in line with Working Together to Safeguard Children.
- Has a working knowledge of Kingston and Richmond Safeguarding Children Partnership and Achieving for Children procedures. Will ensure that either they, or an appropriate staff member, attend case conferences, core groups, or other multi-agency planning meetings, contribute to assessments and provide a report, where required, which has been shared with the parents.
- Notifies Children's Social Care if a child subject to a child protection plan is absent from school without explanation.
- Will ensure that all staff sign to say they have read, understood and agree to work within name of school's safeguarding and child protection policy, staff behaviour policy (code of conduct) and Keeping Children Safe in Education 2019 Part 1 and Annex A and ensure that the policies are used appropriately.
- Will organise child protection and safeguarding induction, regularly updated training and a minimum of annual updates (including online safety) for all school staff, keep a record of attendance and address any absences.
- Will undertake with the headteacher and Governing Board, an annual audit of Ellingham's safeguarding policies, procedures and practices and ensure that this is submitted to Kingston's and Richmond's LSCB.
- Has an understanding of locally agreed processes for providing early help and intervention and will support members of staff where Early Help is appropriate.
- can recognise the additional risks that children with SEN and disabilities (SEND) face online, for example, from online bullying, grooming and radicalisation.
- Will ensure that the name of the designated safeguarding lead and deputies, are clearly advertised in the school and on the website, with a statement explaining the school's role in referring and monitoring cases of suspected abuse.
- Will ensure that they, or a deputy, are available during term time school hours for staff to discuss any safeguarding concerns.
- Will ensure that there are adequate and appropriate cover arrangements for any out of hours or out of term activities.

## A deputy designated safeguarding lead(s)

- Is trained to the same standard as the designated safeguarding lead and, in the absence of the DSL, carries out those functions necessary to ensure the ongoing safety and protection of pupils. In the event of the long-term absence of the DSL the deputy will assume all of the functions above.

## All school staff

- Understand that it is everyone's responsibility to safeguard and promote the welfare of children and that they have a role to play in identifying concerns, sharing information and taking prompt action.
- Consider, at all times, what is in the best interests of the child.
- Know how to respond to a pupil who discloses abuse.
- Will refer any safeguarding or child protection concerns to the designated safeguarding lead or if necessary where the child is at immediate risk, to the police or Single Point of Access (SPA), or if a child lives out of borough, to the relevant local authority.
- Will provide a safe environment in which children can learn.

## 7. Safe school, safe staff

We will ensure that:

- at least one member of every recruitment panel has completed safer recruitment training within the last five years
- safer recruitment practices are adhered to including appropriate DBS checks, reference checks and any additional checks relevant to the role undertaken
- all staff are aware of the need for maintaining appropriate and professional boundaries in their relationship with staff, pupils and parents and adhere to Ellingham's code of conduct
- our lettings policy will seek to ensure the suitability of adults working with children on school sites at any time
- adequate risk assessments are in place including for off-site activities, after school clubs, residential trips.
- any disciplinary proceedings against staff related to child protection matters are concluded in full in accordance with Government guidance Keeping Children Safe in Education 2019 and Kingston and Richmond Safeguarding Children Partnership, LADO and HR policy, procedures and guidance
- staff are fully aware of how to and have the confidence to report misconduct

- all staff receive information about Ellingham’s safeguarding arrangements, safeguarding statement, staff behaviour policy (code of conduct), safeguarding and child protection policy, the role and names of the designated safeguarding lead and their deputy(ies), and Keeping Children Safe in Education 2019 part 1 and Annex A on induction
- all staff receive safeguarding and child protection training at induction which is regularly updated. In addition, they receive safeguarding and child protection updates (for example, via email, e-bulletins and staff meetings), as required, but at least annually
- all members of staff are trained in and receive regular updates in online safety and reporting concerns
- all staff and governors have regular safeguarding awareness training, updated by the DSL as appropriate, to maintain their understanding of the signs and indicators of abuse
- the safeguarding and child protection policy is made available via our school website or other means and that parents and carers are made aware of this policy and their entitlement to have a copy via the school handbook, newsletter or website
- all parents and carers are made aware of the responsibilities of staff members with regard to child protection procedures through the publication of the safeguarding and child protection policy and reference to it in our school’s handbook
- Ellingham provides a co-ordinated offer of Early Help when additional needs of children are identified and contributes to early help arrangements and inter-agency working and plans
- community users organising activities for children are aware of Ellingham’s safeguarding and child protection policy, guidelines and procedures
- the names of the designated safeguarding lead and deputy(ies), are clearly advertised in the school with a statement explaining the Ellingham’s role in referring and monitoring cases of suspected abuse
- all staff will be given a copy of Part 1 and Annex A of Keeping Children Safe in Education 2019 and will sign to say they have read and understood it. This applies to the Governing Board in relation to part 2 of the same guidance

#### **Extended school and off-site arrangements**

- Where extended school activities are provided by and managed by the school, our own safeguarding and child protection policy and procedures apply.
- If other organisations provide services or activities on our site, we will ensure that they have appropriate procedures in place, including safer recruitment procedures.
- When our pupils attend off-site activities, we will ensure that effective child protection arrangements are in place.

- When our pupils attend an alternative provision provider, we will obtain written confirmation that appropriate safeguarding checks have been carried out on individuals working at the establishment, i.e. those checks that we would otherwise perform in respect of our own staff.

### **Photography and images**

The vast majority of people who take or view photographs or videos of children do so for entirely innocent, understandable and acceptable reasons. Sadly, some people abuse children through taking or using images, so we must ensure that we have some safeguards in place. To protect pupils we will:

- seek their consent and parental consent for photographs to be taken or published (for example, on our website or in newspapers or publications)
- use only the pupil's first name with an image
- ensure that pupils are appropriately dressed
- encourage pupils to tell us if they are worried about any photographs that are taken of them
- ensure that pupils do not take photographs or video images of other students without their express permission and the permission of a member of staff

## **8. Training**

Staff receive Level 2 safeguarding training as part of one of the first INSET days in September.

## **9. Teaching and Learning**

Safeguarding is taught to pupils through the following titles during PSHE sessions.

- personal safety
- who to talk to
- stranger danger
- road safety
- fire safety
- road safety
- online safety
- bullying (including cyber bullying)

- positive relationships
- CSE
- so-called 'honour based' violence
- self-esteem
- drugs and alcohol

## 10. Child protection overview and specific safeguarding concerns

### Recognising abuse

To ensure that our pupils are protected from harm, we need to understand what types of behaviour constitute abuse and neglect.

Abuse and neglect are forms of maltreatment. Somebody may abuse or neglect a child by inflicting harm, for example by hitting them, or by failing to act to prevent harm, for example by leaving a small child home alone, or leaving knives or matches within reach of an unattended toddler.

Abuse may be committed by adult men or women and by other children and young people.

There are four categories of abuse.

### 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 the symptoms of, or deliberately induces, illness in a child (this used to be called Munchausen's Syndrome by Proxy, but is now more usually referred to as fabricated or induced illness).

### Emotional abuse

Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children.

These may include interactions that are beyond a child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child

participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyber bullying), 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 (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

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.

Definitions taken from Working Together to Safeguard Children (HM Government, 2018) [Working Together to Safeguard Children 2019](#)

## Indicators of abuse

Physical signs define some types of abuse, for example bruising, bleeding or broken bones resulting from physical or sexual abuse, or injuries sustained while a child has been inadequately supervised. The identification of physical signs is complicated, as children may go to great lengths to hide injuries, often because they are ashamed or embarrassed, or their abuser has threatened further violence or trauma if they 'tell'. It is also quite difficult for anyone without medical training to categorise injuries into accidental or deliberate with any degree of certainty. For those reasons it is vital that staff are also aware of the range of

behavioural indicators of abuse and report any concerns to the designated safeguarding lead.

**It is the responsibility of staff to report their concerns. It is not their responsibility to investigate or decide whether a child has been abused.**

A child who is being abused or neglected may:

- have bruises, bleeding, burns, fractures or other injuries
- show signs of pain or discomfort
- keep arms and legs covered, even in warm weather
- be concerned about changing for PE or swimming
- look unkempt and uncared for
- change their eating habits
- have difficulty in making or sustaining friendships
- appear fearful
- be reckless with regard to their own or other's safety
- self-harm
- frequently miss school or arrive late
- show signs of not wanting to go home
- display a change in behaviour – from quiet to aggressive, or happy-go-lucky to withdrawn
- challenge authority
- become disinterested in their school work
- be constantly tired or preoccupied
- be wary of physical contact
- be involved in, or particularly knowledgeable about drugs or alcohol
- display sexual knowledge or behaviour beyond that normally expected for their age and/or stage of development
- acquire gifts such as money or a mobile phone from new 'friends' or adults recently acquainted with the child's family

Individual indicators will rarely, in isolation, provide conclusive evidence of abuse. They should be viewed as part of a jigsaw and each small piece of information will help the DSL to decide how to proceed.

**It is very important that staff report all of their concerns, however minor or insignificant they may think they are – they do not need 'absolute proof' that the child is at risk.**

## **Impact of abuse**

The impact of child abuse, neglect and exploitation should not be underestimated. Many children do recover well and go on to lead healthy, happy and productive lives, although most adult survivors agree that the emotional scars remain, however well buried. For some

children, full recovery is beyond their reach and the rest of their childhood and their adulthood may be characterised by anxiety or depression, self-harm, eating disorders, alcohol and substance misuse, unequal and destructive relationships and long-term medical or psychiatric difficulties.

## Taking action

**Any child in any family in any school could become a victim of abuse. Staff should always maintain an attitude of 'It could happen here'.**

Key points for staff to remember when taking action are:

- in an emergency take the action necessary to help the child, for example, call 999
- report your concern to the DSL as quickly as possible – immediately when there is evidence of physical or sexual abuse and certainly by the end of the day.
- do not start your own investigation
- share information on a need-to-know basis only – do not discuss the issue with colleagues, friends or family
- complete a record of concern and hand it to the DSL or deputy DSL, and seek support for yourself if you are distressed or need to debrief

## Domestic abuse

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

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

The abuse can encompass, but is not limited to:

- psychological
- physical
- sexual
- financial
- emotional

Ellingham recognises that exposure to domestic abuse and/or violence can have a serious, long lasting emotional and psychological impact on children. In some cases, a child may blame themselves for the abuse or may have had to leave the family home as a result.

Ellingham acknowledges that domestic abuse affecting young people can also occur within their personal relationships, as well as in the context of their home life.

## Homelessness

Ellingham recognises that being homeless or being at risk of becoming homeless presents a real risk to a child's welfare. The designated safeguarding lead is aware of contact details

and referral routes in to the Local Housing Authority so they can raise/progress concerns at the earliest opportunity.

Indicators that a family may be at risk of homelessness include:

- household debt
- rent arrears
- domestic abuse and anti-social behaviour
- the family being asked to leave a property

If a child has been harmed or is at risk of harm, a referral to children's social care will be made.

### **Children missing education**

We recognise that full attendance at school is important to the wellbeing of all our pupils and enables them to access the opportunities made available to them at school. Attendance is monitored closely and we work in partnership with AfC when patterns of absence give rise to concern.

A child going missing from education is a potential indicator of abuse and neglect, including sexual abuse and sexual exploitation. We will ensure, where possible that we have more than one emergency contact number for each pupil. This will give the school additional options to make contact with a responsible adult when a child missing education is also identified as a welfare and/or safeguarding concern.

Our attendance policy is set out in a separate document and is reviewed regularly by the Governing Board. The school operates in accordance with statutory guidance 'Children Missing Education' (DfE 2016) [Children Missing Education Statutory Guidance](#)

### **Children who run away or go missing from home or care**

Ellingham recognises that children who run away or go missing - and are thus absent from their normal residence - are potentially vulnerable to abuse, exploitation, offending and placing themselves in situations where they may suffer physical harm.

'Keeping Children Safe in Education 2018' highlights that 'Statutory Guidance on Children who Run Away or go Missing from Home or Care' (DfE 2014) requires that every child or young person who runs away or goes missing must be offered a return home interview (RHI) within 72 hours of their return.

When necessary and in conjunction with AfC or other relevant local authority, Ellingham will facilitate return home interviews, both in terms of releasing the young person from their normal timetable to participate in an interview and in providing an appropriate and safe space on the school or college site for the interview to take place.

## Children with family members in prison

Ellingham recognises that children who have a family member in prison are at risk of poor outcomes including poverty, stigma, isolation and poor mental health. The school will work with agencies and resources such as [NICCO](#) to help mitigate negative consequences for those children.

## Peer on peer abuse

Occasionally, allegations may be made against pupils by others in the school, which are of a safeguarding nature. Safeguarding issues raised in this way may include physical abuse, emotional abuse, sexual abuse and sexual exploitation. It is likely that to be considered a safeguarding allegation against a pupil, some of the following features will be found.

### The allegation:

- is made against an older pupil and refers to their behaviour towards a younger pupil or a more vulnerable pupil
- is of a serious nature, possibly including a criminal offence
- raises risk factors for other pupils in the school
- indicates that other pupils may have been affected by this student
- indicates that young people outside the school may be affected by this student

Examples of safeguarding issues against a pupil could include:

- **physical abuse:** violence, particularly pre-planned, forcing others to use drugs or alcohol
- **emotional abuse:** blackmail or extortion, threats and intimidation
- **sexual abuse:** indecent exposure, indecent touching or serious sexual assaults, forcing others to watch pornography or take part in sexting
- **sexual exploitation:** encouraging other children to attend inappropriate parties, photographing or videoing other children performing indecent acts

In areas where gangs are prevalent, older pupils may attempt to recruit younger pupils using any or all of the above methods. Young people suffering from sexual exploitation themselves may be forced to recruit other young people under threat of violence.

### What to do:

- When an allegation is made by a pupil against another pupil, members of staff should consider whether the complaint raises a safeguarding concern. If there is a safeguarding concern the designated safeguarding lead should be informed.
- A factual record should be made of the allegation, but no attempt at this stage should be made to investigate the circumstances.

- The DSL should contact children’s services to discuss the case. It is possible that children’s services are already aware of safeguarding concerns around this young person. The DSL will follow through the outcomes of the discussion and make a children’s services referral where appropriate.
- The DSL will make a record of the concern, the discussion and any outcome and keep a copy in both pupils’ files.
- If the allegation indicates a potential criminal offence has taken place, the police should be contacted at the earliest opportunity and parents informed (of both the pupil being complained about and the alleged victim).
- It may be appropriate to exclude the pupil being complained about for a period of time according to Ellingham’s behaviour policy and procedures.
- Where neither social services nor the police accept the complaint, a thorough school investigation should take place into the matter using the school’s usual disciplinary procedures.
- In situations where the school considers a safeguarding risk is present, a risk assessment should be prepared along with a preventative, supervision plan.
- The plan should be monitored and a date set for a follow-up evaluation with everyone concerned

## Sexual violence and sexual harassment

Ellingham follows the DfE’s advice about sexual violence and sexual harassment between children in schools and colleges [Sexual Violence and Sexual Harassment Between Children in Schools and Colleges \(DfE May 2018\)](#)

Sexual violence and sexual harassment can occur between two pupils of any sex. They can also occur through a group of pupils sexually assaulting or sexually harassing a single pupil or group of pupils.

It is more likely that girls will be the victims of sexual violence and more likely that sexual harassment will be perpetrated by boys.

Sexual violence and sexual harassment exist on a continuum and may overlap, they can occur online and offline (both physical and verbal) and are never acceptable. Ellingham will ensure that **all** victims are taken seriously and offered appropriate support.

Sexual violence and sexual harassment is not acceptable at Ellingham. Behaviours such as making sexual remarks, grabbing bottoms, breasts and genitalia is not ‘banter’ or ‘having a laugh’ and will never be tolerated.

Ellingham recognises that the following pupils can be especially vulnerable to sexual violence and sexual harassment:

- Children with Special Educational Needs and Disabilities (SEND)
- Pupils who are Lesbian, Gay, Bi, or Trans, Questioning (LGBTQ) or who are perceived to be LGBTQ by their peers.

### **Sexual violence:**

Sexual violence refers to sexual offences under the Sexual Offences Act 2003:

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

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

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

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

### **Sexual harassment:**

Sexual harassment is 'unwanted conduct of a sexual nature' that can occur online and offline. Sexual harassment is likely to: violate a child's dignity, and/or make them feel intimidated, degraded or humiliated and/or create a hostile, offensive or sexualised environment.

Sexual harassment can include:

- sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance, calling someone sexualised names
- sexual 'jokes' or taunting
- physical behaviour, such as: deliberately brushing against someone, interfering with someone's clothes displaying pictures, photos or drawings of a sexual nature
- online sexual harassment, which might include: non-consensual sharing of sexual images and videos and sharing sexual images and videos, inappropriate sexual comments on

social media; exploitation; coercion and threats. Online sexual harassment may be stand alone, or part of a wider pattern of sexual harassment and/or sexual violence

### **Harmful sexual behaviours:**

Children's sexual behaviours exist on a wide continuum, from normal and developmentally expected to inappropriate, problematic, abusive and violent. Harmful sexual behaviours refers to problematic, abusive and violent sexual behaviours which are developmentally inappropriate and may cause developmental damage. For more information see [NSPCC Harmful Sexual Behaviours](#)

When considering harmful sexual behaviours, ages and the stages of development of the children are critical factors to consider. Sexual behaviour between children can be considered harmful if one of the children is much older, particularly if there is more than two years' difference in age or if one of the children is pre-pubescent and the other is not. However, a younger child can abuse an older child, particularly if they have power over them, for example, if the older child is disabled or smaller in stature. A useful tool is: [Brook Traffic Light Tool](#)

Harmful sexual behaviours will be considered in a child protection context.

Ellingham recognises that pupils displaying harmful sexual behaviours have often experienced their own abuse and trauma and they will be offered appropriate support.

Ellingham has a clear set of values and standards, and these will be upheld and demonstrated throughout all aspects of school life. The school has a Behaviour Policy and Anti-Bullying Policy.

The PSHE and SRE curriculum covers the following issues according to the age and stage of development of the pupils:

- healthy and respectful relationships
- what respectful behaviour looks like
- gender roles, stereotyping, equality
- body confidence and self-esteem
- prejudiced behaviour
- that sexual violence and sexual harassment is always wrong

## **Responding to allegations of sexual harassment and sexual violence**

Ellingham will make decisions on a case-by-case basis, with the DSL (or a deputy) taking a leading role and using their professional judgment, supported by other agencies, such as children's social care and the police as required.

The management of children and young people with sexually harmful behaviour is complex and Ellingham will work with other relevant agencies to maintain the safety of the whole school community.

A risk and needs assessment will be completed for all reports of sexual violence. The need for a risk and needs assessment for reports of sexual harassment will be considered on a case by case basis. The assessment will consider:

- the victim, especially their protection and support
- the alleged perpetrator
- all the other children (and, if appropriate, adult students and staff) at the school or college, especially any actions that are appropriate to protect them

Ellingham will ensure that appropriate measures are put in place to safeguard and support the victim, the alleged perpetrator and the school community.

## **Up skirting**

Ellingham Primary School will ensure that all staff and pupils are aware of the changes to the Voyeurism (Offences) Act 2019 which criminalise the act of 'up skirting'. The [Criminal Prosecution Service \(CPS\)](#) defines 'up skirting' as: "a colloquial term referring to the action of placing equipment such as a camera or mobile phone beneath a person's clothing to take a voyeuristic photograph without their permission. It is not only confined to victims wearing skirts or dresses and equally applies when men or women are wearing kilts, cassocks shorts or trousers. It is often performed in crowded public places, for example on public transport or at music festivals, which can make it difficult to notice offenders."

Incidents of up skirting in the school will not be tolerated. Ellingham Primary School will make decisions on a case-by-case basis, with the DSL (or a deputy) taking a leading role and using their professional judgment, supported by other agencies, such as children's social care and the police as required.

## **Child sexual exploitation (CSE)**

Ellingham follows the London Child Protection Procedures for safeguarding children from sexual exploitation. [Safeguarding Children from Sexual Exploitation](#)

In February 2017, the government updated the working definition of child sexual exploitation [Child sexual exploitation definition and guide](#)

“Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator.

The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology.”

Child sexual exploitation is a form of child sexual abuse affecting boys and girls. Sexual abuse 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 clothing. It may include non-contact activities, such as involving children in the production of sexual images, forcing children to look at sexual images or watch sexual activities, encouraging children to behave in sexually inappropriate ways or grooming a child in preparation for abuse (including via the internet).

Child sexual exploitation may occur without the child being aware of events, or understanding that these constitute abuse.

Child sexual exploitation is never the victim’s fault, even if there is some form of exchange: all children and young people under the age of 18 have a right to be safe and should be protected from harm.

**Child sexual exploitation:**

- can affect any child or young person (male or female) under the age of 18 years, including 16 and 17 year olds who can legally consent to have sex
- can still be abuse even if the sexual activity appears consensual
- can include both contact (penetrative and non-penetrative acts) and non-contact sexual activity
- can take place in person or via technology, or a combination of both
- can involve force and/or enticement-based methods of compliance and may, or may not, be accompanied by violence or threats of violence
- may occur without the child’s or young person’s immediate knowledge (through others copying videos or images they have created and posting on social media, for example)
- can be perpetrated by individuals or groups, males or females, and children or adults. The abuse can be a one-off occurrence or a series of incidents over time, and range from opportunistic to complex organised abuse

- is typified by some form of power imbalance in favour of those perpetrating the abuse. Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, sexual identity, cognitive ability, physical strength, status, and access to economic or other resources

### **Consent**

Even where a young person is old enough to legally consent to sexual activity, the law states that consent is only valid where they make a choice and have the freedom and capacity to make that choice. If a child feels they have no other meaningful choice, are under the influence of harmful substances or fearful of what might happen if they don't comply (all of which are common features in cases of child sexual exploitation) consent cannot legally be given whatever the age of the child.

### **Key factor in child sexual exploitation**

Child sexual exploitation involves some form of exchange (sexual activity in return for something) between the victim and/or perpetrator or facilitator. Where there is no such exchange, for example, where the gain for the perpetrator is sexual gratification (or the exercise of power or control), this is described as sexual abuse (and not exploitation).

The exchange can include both tangible (such as money, drugs or alcohol) and intangible rewards (such as status, protection or perceived receipt of love or affection). The receipt of something by a child/young person does not make them any less of a victim.

It is also important to note that the prevention of something negative can also fulfil the definition of exchange, for example a child who engages in sexual activity to stop someone carrying out a threat to harm his/her family.

### **Links to other kinds of crime**

- Child trafficking
- Domestic abuse
- Sexual violence in intimate relationships
- Grooming (including online grooming)
- Abusive images of children and their distribution
- Drugs-related offences
- Gang-related activity
- Immigration-related offences
- Domestic servitude

## **Potential vulnerabilities**

Although the following vulnerabilities increase the risk of child sexual exploitation, it must be remembered that not all children with these indicators will be exploited. Child sexual exploitation can occur without any of these issues.

- Having a prior experience of neglect, physical and/or sexual abuse
- Lack of a safe or stable home environment, now or in the past (domestic violence or parental substance misuse, mental health issues or criminality, for example)
- Recent bereavement or loss
- Social isolation or social difficulties
- Absence of a safe environment to explore sexuality
- Economic vulnerability
- Homelessness or insecure accommodation status
- Connections with other children and young people who are being sexually exploited
- Family members or other connections involved in adult sex work
- Having a physical or learning disability
- Being in care (particularly those in residential care and those with interrupted care histories).
- Sexual identity

## **Possible indicators of child sexual exploitation**

- Acquisition of money, clothes, mobile phones, etc, without plausible explanation.
- Gang association and/or isolation from peers and social networks.
- Exclusion or unexplained absences from school, college or work.
- Leaving home or care without explanation and persistently going missing or returning late.
- Excessive receipt of texts or phone calls.
- Returning home under the influence of drugs or alcohol.
- Inappropriate sexualised behaviour for age or sexually transmitted infections.
- Evidence of or suspicions of physical or sexual assault.
- Relationships with controlling or significantly older individuals or groups.
- Multiple callers (unknown adults or peers).
- Frequenting areas known for sex work.
- Concerning use of internet or other social media.
- Increasing secretiveness around behaviours.
- Self-harm or significant changes in emotional wellbeing.

- Online exploitation.

All young people are at risk from online exploitation, and can be unaware that this is happening. Online exploitation includes the exchange of sexual communication or images and can be particularly challenging to identify and respond to. Children, young people and perpetrators are frequently more familiar with, and spend more time in, these environments than their parents and carers.

Online child sexual exploitation allows perpetrators to initiate contact with multiple potential victims and offers a perception of anonymity. Where exploitation does occur online, the transfer of images can be quickly and easily shared with others which makes it difficult to contain the potential for further abuse.

### **Children may be perpetrators of abuse**

It must be recognised that children may also be perpetrators of abuse, sometimes at the same time as being abused themselves.

### **County lines: child criminal exploitation**

Criminal exploitation of children is a geographically widespread form of harm that is a typical feature of county lines criminal activity: drug networks or gangs groom and exploit children and young people to carry drugs and money from urban areas to suburban and rural areas, market and seaside towns. Key to identifying potential involvement in county lines are missing episodes.

Like other forms of abuse and exploitation, county lines exploitation:

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

For more information see: [Criminal exploitation of children and vulnerable adults: county lines](#)

## Online safety

Children and young people commonly use electronic equipment including mobile phones, tablets and computers on a daily basis to access the internet and share content and images via social networking sites such as Facebook, Twitter, MSN, Tumblr, Snapchat and Instagram.

Those technologies and the internet are a source of fun, entertainment, communication and education. Unfortunately, however, some adults and young people will use those technologies to harm children. That harm might range from sending hurtful or abusive texts and emails to grooming and enticing children to engage in sexually harmful conversations, webcam photography or face-to-face meetings. Pupils may also be distressed or harmed by accessing inappropriate websites that promote unhealthy lifestyles, extremist behaviour and criminal activity.

Chatrooms and social networking sites are the more obvious sources of inappropriate and harmful behaviour and pupils are not allowed to access those sites in school. Many pupils own or have access to hand held devices and parents are encouraged to consider measures to keep their children safe when using the internet and social media at home and in the community. Training was offered September 2018 to parents to explain the dangers of online and how to set parental controls.

Ellingham's online safety policy explains how we try to keep pupils safe in school and protect and educate pupils in the safe use of technology. Cyberbullying and sexting by pupils will be treated as seriously as any other type of bullying and will be managed through our anti-bullying procedures.

Ellingham Primary School follows the DfE guidance regarding teaching online safety in schools (2019) [Teaching online safety in schools](#)

## Youth produced sexual imagery (Sexting)

Ellingham will act in accordance with advice endorsed by DfE 'Sexting in schools and colleges: responding to incidents and safeguarding young people' (UK Council for Child Internet Safety 2016) [Sexting in school and colleges'](#)

All incidents of youth produced sexual imagery (YPSI) will be dealt with as safeguarding concerns. The primary concern at all times will be the welfare and protection of the young people involved.

Young people who share sexual imagery of themselves or their peers are breaking the law. However, as highlighted in national guidance, it is important to avoid criminalising young

people unnecessarily. Ellingham will therefore work in partnership with external agencies with a view to responding proportionately to the circumstances of any incident.

All incidents of YPSI should be reported to the DSL as with all other safeguarding issues and concerns. Staff will not make their own judgements about whether an issue relating to YPSI is more or less serious enough to warrant a report to the DSL. What may seem like less serious concerns to individual members of staff may be more significant when considered in the light of other information known to the DSL, which the member of staff may not be aware of.

If staff become concerned about a YPSI issue in relation to a device in the possession of a student (eg, mobile phone, tablet, digital camera), the member of staff will secure the device (it should be confiscated). This is consistent with DfE advice searching, screening and confiscation: advice for headteachers, school staff and governing bodies (DfE February 2014), page 11 'After the search'. [‘Searching, screening and confiscation’](#)

Staff will not look at or print any indecent images. The confiscated device will be passed immediately to the DSL (see ‘Viewing the imagery’ below).

The DSL will discuss the concerns with appropriate staff and speak to young people involved as appropriate. Parents and carers will be informed at an early stage and involved in the process unless there is good reason to believe that involving parents would put the young person at risk of harm.

If, at any point in the process, there is concern that a young person has been harmed or is at risk of harm a referral will be made to SPA and/or the police immediately.

The police will always be informed when there is reason to believe that indecent images involve sexual acts and any child in the imagery is under 13 years of age.

The DSL will make a judgement about whether a reported YPSI incident is experimental or aggravated. Aggravated incidents involve criminal or abusive elements beyond the creation, sending or possession of sexual images created by young people. These include possible adult involvement or criminal or abusive behaviour by young people such as sexual abuse, extortion, threats, malicious conduct arising from personal conflicts, or creation or sending or showing of images without the knowledge or against the will of a young person who is pictured.

Aggravated incidents of sexting will be referred to AfC’s Single Point of Access for advice about whether or not a response by the police and/or children's social care is required.

This will facilitate consideration of whether:

- there are any offences that warrant a police investigation
- child protection procedures need to be invoked
- parents and carers require support in order to safeguard their children
- a referral to the Multi-Agency Risk and Vulnerability (MARVE) Panel is required

- any of the perpetrators and/or victims require additional support, this may require the initiation of an early help assessment and the offer of early help services.

Examples of aggravated incidents include:

- evidence of adult involvement in acquiring, creating or disseminating indecent images of young people (possibly by an adult pretending to be a young person known to the victim)
- evidence of coercing, intimidating, bullying, threatening and/or extortion of students by one or more other students to create and share indecent images of themselves
- pressure applied to a number of students (eg, all female students in a class or year group) to create and share indecent images of themselves
- pressurising a student who does not have the capacity to consent (e.g. due to their age, level of understanding or special educational needs) or with additional vulnerability to create and share indecent images of themselves
- dissemination of indecent images of young people to a significant number of others with an intention to cause harm or distress (possibly as an act of so-called 'revenge porn', bullying or exploitation)
- what is known about the imagery suggests the content depicts sexual acts which are unusual for the young person's developmental stage or are violent
- sharing of indecent images places a young person is at immediate risk of harm, for example the young person is presenting as suicidal or self-harming

The DSL will make a judgement about whether or not a situation in which indecent images have been shared with a small number of others in a known friendship group with no previous concerns constitutes an aggravated incident or whether the school is able to contain the situation in partnership with all parents of the students involved, arrange for the parents to ensure that all indecent images are deleted and that the young people involved learn from the incident in order to keep themselves safe in future.

In the latter instance, the DSL will consult with the Police and the Single Point of Access to check that no other relevant information is held by those agencies and to ensure an agreed response is documented before proceeding.

### **Viewing the imagery**

Adults should not view youth produced sexual imagery unless there is good and clear reason to do so. Wherever possible, the DSL's responses to incidents will be based on what they have been told about the content of the imagery.

Any decision to view imagery will be based on the DSL's professional judgement. Imagery will never be viewed if the act of viewing will cause significant distress or harm to a pupil. If a decision is made to view imagery, the DSL will be satisfied that viewing:

- is the only way to make a decision about whether to involve other agencies (it is not possible to establish the facts from the young people involved)
- is necessary to report the image to a website, app or suitable reporting agency to have it taken down, or to support the young person or parent in making a report
- is unavoidable because a young person has presented an image directly to a staff member or the imagery has been found on a school device or network.

If it is necessary to view the imagery then the DSL will:

- never copy, print or share the imagery; this is illegal
- discuss the decision with the headteacher
- ensure viewing is undertaken by the DSL or deputy DSL with delegated authority from the headteacher
- ensure viewing takes place with another member of staff present in the room, ideally the head teacher, another DSL or a member of the Senior Leadership Team. The other staff member does not need to view the images
- wherever possible ensure viewing takes place on school premises, ideally in the headteacher or DSL's office
- ensure wherever possible that images are viewed by a staff member of the same sex as the young person in the imagery
- record the viewing of the imagery in the pupil's safeguarding record, including who was present, why the image was viewed and any subsequent actions; and ensure this is signed and dated and meets the wider standards set out by Ofsted for recording safeguarding incidents

### **Deletion of images**

If the school has decided that other agencies do not need to be involved, then consideration will be given to deleting imagery from devices and online services to limit any further sharing of the imagery.

### **Bullying**

Ellingham has an anti-bullying policy which is set out in a separate document and acknowledges that to allow or condone bullying may lead to consideration under child protection procedures. This includes all forms, e.g. cyber, racist, homophobic and gender related bullying. We keep a record of known bullying incidents which is shared with and analysed by the Governing Board. All staff are aware that children with SEND and/or

differences or perceived differences are more susceptible to being bullied or victims of child abuse.

If the bullying is particularly serious, or the anti-bullying procedures are seen to be ineffective, the headteacher and DSL will consider implementing child protection procedures.

The subject of bullying is addressed at regular intervals in PHSE education. We have a duty to record and regularly report to the local authority incidents of recorded racism within the school.

### **So-called 'honour based' violence**

So-called 'honour based' violence (HBV) can be described as a collection of practices, which are used to control behaviour within families or other social groups to protect perceived cultural and religious beliefs and/or honour. Such violence can occur when perpetrators perceive that a relative has shamed the family and/or community by breaking their honour code. Crimes include female genital mutilation (FGM), forced marriage, and practices such as breast ironing.

Honour based violence might be committed against young people in our school who;

- become involved with a boyfriend or girlfriend from a different culture or religion
- want to avoid an arranged marriage
- want to avoid a forced marriage
- wear clothes or take part in activities that might not be considered traditional within a particular culture.

It is a violation of human rights and may be a form of domestic and/or sexual abuse. There is no, and cannot be, honour or justification for abusing the human rights of others. Staff at Ellingham will record and report any concerns about a child who might be at risk of HBV to the DSL as with any other safeguarding concern. The DSL will consider the need to make a referral to the police, and/or the Single Point of Access as with any other child protection concern and may also contact the forced marriage unit for advice as necessary.

### **Female genital mutilation (FGM)**

Female genital mutilation (FGM) is a form of child abuse. It is the collective name given to a range of procedures involving the partial or total removal of the external female genitalia for non-medical reasons or other injury to the female genital organs. It has no health benefits and harms girls and women in many ways. The practice, which is most commonly carried out without anaesthetic, can cause intense pain and distress and long-term health consequences, including difficulties in childbirth.

FGM is carried out on girls of any age, from young babies to older teenagers and adult women, so school staff are trained to be aware of risk indicators.

These risk indicators may include:

- pupil talking about getting ready for a special ceremony
- family taking a long trip abroad
- pupil's family being from one of the 'at risk' communities for FGM (Kenya, Somalia, Sudan, Sierra Leon, Gambia, Egypt, Nigeria, Eritrea as well as non-African communities including Yemeni, Afghani, Kurdistan, Indonesia and Pakistan)
- knowledge that the pupil's sibling has undergone FGM
- pupil talks about going abroad to be 'cut' or to prepare for marriage

Many such procedures are carried out abroad and staff will be particularly alert to suspicions or concerns expressed by female pupils about going on a long holiday during the summer holiday period. Staff are aware that it is also possible for these procedures to be undertaken in the UK.

In England, Wales and Northern Ireland, the practice is illegal under the Female Genital Mutilation Act 2003. Any person found guilty of an offence under the Female Genital Mutilation Act 2003 is liable to a maximum penalty of 14 years imprisonment or a fine, or both. (See [Female Genital Mutilation Statutory Guidance](#) and [Kingston and Richmond Safeguarding Children Partnership FGM Policy](#) for further information).

If staff have a concern that a girl may be at risk of FGM, they will record their concern and inform the DSL as they would any other safeguarding concern.

Signs that may indicate a pupil has undergone FGM:

- prolonged absence from school and other activities
- behaviour change on return from a holiday abroad, such as being withdrawn and appearing subdued
- bladder or menstrual problems
- finding it difficult to sit still and looking uncomfortable
- complaining about pain between the legs
- mentioning something somebody did to them that they are not allowed to talk about
- secretive behaviour, including isolating themselves from the group
- reluctance to take part in physical activity
- repeated urinal tract infection
- disclosure

Teachers are subject to a statutory duty defined by Section 5B of the Female Genital Mutilation Act 2003 (as inserted by section 74 of the Serious Crime Act 2015) to report to the police personally where they discover (e.g. by means of a disclosure) that an act of FGM appears to have been carried out on a girl who is aged under 18. This is known as mandatory reporting.

The mandatory reporting duty applies to all persons in Ellingham who are employed or engaged to carry out 'teaching work' in the school, whether or not they have qualified teacher status. The duty applies to the individual who becomes aware of the case to make a report to the police.

In Ellingham, teachers in this situation will record their concerns on a concern form and inform the DSL, who will support the teacher in making a direct report to the police.

There are no circumstances in which a teacher or other member of staff will examine a girl.

### **Forced marriage**

A forced marriage is a marriage in which a female (and sometimes a male) does not consent to the marriage but is coerced into it. Coercion may include physical, psychological, financial, sexual and emotional pressure. It may also involve physical or sexual violence and abuse.

A forced marriage is not the same as an arranged marriage. In an arranged marriage, which is common in several cultures, the families of both spouses take a leading role in arranging the marriage but the choice of whether or not to accept the arrangement remains with the prospective spouses.

Children may be married at a very young age, and well below the age of consent in England. School staff should be particularly alert to suspicions or concerns raised by a pupil about being taken abroad and not being allowed to return to England.

Since June 2014, forcing someone to marry has become a criminal offence in England and Wales under the Anti-Social Behaviour, Crime and Policing Act 2014.

For further information see: [Guidance forced marriage](#)

School staff will never attempt to intervene directly as a school or through a third party. Contact will be made with the Single Point of Access or the Forced Marriage Unit (020 7008 0151) for advice and support.

### **Child trafficking and modern slavery**

Human trafficking, is defined in the UN Protocol on trafficking, adopted in 2000, as the acquisition of a person, by means of deception or coercion, for the purposes of exploitation.

Human trafficking, or modern day slavery, as it is often referred to, is a crime and a safeguarding issue affecting millions across the world and in the United Kingdom. Staff at Ellingham are alert to the existence of modern slavery and child trafficking and concerns will be recorded and reported to the Single Point of Access as appropriate.

### **Types of Modern Day Slavery**

Examples of industries and services where slavery exist in the UK today, the victims of which include children and young people are (with examples):

- the sex industry, including brothels
- retail: nail bars, hand car washes
- factories: food packing
- hospitality: fast-food outlets
- agriculture: fruit picking
- domestic labour: cooking, cleaning and child minding
- additionally, victims can be forced into criminal activities such as cannabis production, theft or begging

Modern day slavery is an issue that transcends age, gender and ethnicities. It can include victims that have been brought to the UK from overseas or vulnerable people in the UK being forced illegally work against their will. Children and young people have an increased vulnerability to slavery.

Poverty, limited opportunities at home, lack of education, unstable social and political conditions, and war are some of the situations that contribute to trafficking of victims and slavery.

Slavery can be linked to a number of safeguarding issues, including child sexual exploitation, but normally includes at least one of the following specific situations.

- Child trafficking: young people being moved internationally or domestically so that they can be exploited.
- Forced labour: victims are forced to work through physical or mental threat, against their will, often very long hours for little or no pay, in conditions that can affect their physical and mental health. They are often subjected to verbal or physical threats of violence against them as individuals or their families.
- Debt bondage: victims forced to work to pay off debts that they will never be able to. Debts can be passed down to children. Extreme examples include where a victim may be owned or controlled by an 'employer' or sold as a commodity.

Possible signs and indicators that someone is a victim of modern slavery that anyone working with children and young people should be aware of include:

- physical appearance: poor physical condition, malnourishment, untreated injuries, and looking neglected
- isolation: victims may not be allowed out on their own and may appear to be under the control or influence of people accompanying them, with the absence of a parent or legal guardian. they may not interact and be unfamiliar in their local community
- poor living conditions: victims may be living in dirty, cramped or overcrowded accommodation, with multiple children living and working at the same address or premises
- personal belongings: few possessions, wearing the same clothes each day, and no identification documents
- restricted freedom: victims have little opportunity to move freely and may be kept from having access to their passport
- unusual travel times: victims may be dropped off or collected from work on a regular basis either very early or late at night
- reluctant to seek help: victims may avoid eye contact, appear frightened or hesitant to approach people and have lack of trust or concern about making a report should they be deportation or fear of violence on their family

If a member of Ellingham staff suspects that a pupil may be a victim they will, in the first instance report their concerns to the DSL.

The DSL will seek advice and support from the Single Point of Access who may in turn make a referral to the National Crime Agency via the National Referral Mechanism (NRM).

Further advice can be provided directly by the modern slavery helpline on 0800 0121 700.

## Private fostering

A private fostering arrangement occurs when someone other than a parent or a close relative cares for a child for a period of 28 days or more, with the agreement of the child's parents. Close relatives are defined as step parents, grandparents, brothers, sisters, uncles or aunts. It applies to children under the age of 16, or under 18 if the child is disabled. Children looked after by the local authority or who are placed in a residential school, children's home or hospital are not considered to be privately fostered.

Private fostering occurs in all cultures, including British culture and children may be privately fostered at any age.

Ellingham recognises that most privately fostered children remain safe and well, but safeguarding concerns have been raised in some cases. Therefore all staff are alert to possible safeguarding issues, including the possibility that a child has been trafficked into the country.

By law, a parent, private foster carer or other persons involved in making a private fostering arrangement must notify Children's Social Care as soon as possible. When Ellingham becomes aware of a private fostering arrangement for a pupil that has not been notified to Children's Social Care, we will encourage parents and private foster carers to notify Children's Social Care themselves in the first instance, but also alert them to our mandatory duty as a school to inform the local authority of children in such arrangements.

[Looking after someone else's child](#)

## Radicalisation and extremism

Protecting children from the risk of radicalisation is part of Ellingham's wider safeguarding duties and is similar in nature to protecting children from other forms of harm and abuse.

Section 26 of the Counter-Terrorism and Security Act 2015 places a duty on education and other children's services ('specified authorities') to have 'due regard to the need to prevent people from being drawn into terrorism'.

Radicalisation refers to the process by which a person comes to support terrorism and forms of extremism. The government defines extremism as vocal or active opposition to fundamental British values.

Ellingham seeks to protect children and young people against the messages of all violent extremism including, but not restricted to, those linked to Islamist ideology, or to far right/neo Nazi/white supremacist ideology, Irish Nationalist and Loyalist paramilitary groups, and extremist animal rights movements.

Even very young children have been exposed, in rare circumstances, to extremism at home and elsewhere including online. As children get older, they look for adventure and excitement and they may start to ask questions about their identity and belonging. During that stage of their development they are vulnerable to extremist groups that may claim to offer answers, identity and a social network apparently providing a sense of belonging. Many of those extremist groups make sophisticated use of the internet and social media to target young people and spread their ideology, making young people more vulnerable to being influenced by extremist ideas.

Ellingham takes seriously our responsibility to ensure that children are safe from terrorist and extremist material when accessing the internet in school.

During the process of radicalisation it is possible to intervene to prevent vulnerable people being radicalised. Ellingham is committed to preventing pupils from being radicalised and drawn into any form of extremism or terrorism. Ellingham promotes the values of democracy, the rule of law, individual liberty, mutual respect and tolerance of those with different faiths and beliefs by providing pupils with opportunities through the curriculum to discuss issues of religion, ethnicity and culture and learn how to discuss and debate points of view; and by ensuring that all pupils are valued and listened to within school.

Ellingham staff receive training that provides them with both the information they need to understand the risks affecting children and young people in this area, and a specific understanding of how to identify individual children who may be at risk of radicalisation and how to support them. Staff are trained to report all concerns about possible radicalisation and extremism to the DSL immediately as they would any other safeguarding concern.

Ellingham recognises the importance of providing a safe space for children to discuss controversial issues and build the resilience and critical thinking skills needed in order to challenge extremist perspectives.

When any member of staff has concerns that a pupil may be at risk of radicalisation or involvement in terrorism, they will speak with the DSL.

Ellingham will discuss any concerns about possible radicalisation identified in school with a pupil's parents and carers as with any other safeguarding or child protection issue unless there is reason to believe that doing so would place the child at risk. They will also support parents and carers who raise concerns about their children being vulnerable to radicalisation.

We will then follow normal safeguarding procedures, which may involve contact the Single Point of Access for consultation and further advice and/or making appropriate referrals to the police PREVENT team and Channel programme for any pupil whose behaviour or comments suggest that they are vulnerable to being radicalised and drawn into extremism and terrorism in order to ensure that children receive appropriate support.

The Department of Education has also set up a dedicated telephone helpline for staff and governors to raise concerns around Prevent (020 7340 7264).

We expect all staff, volunteers, governors, visiting professionals, contractors and individuals or agencies that hire school premises to behave in accordance with the school's code of conduct. We will challenge the expression and/or promotion of extremist views and ideas by any adult on school premises or at school events and, when necessary, will make appropriate referrals in respect of any such adult.

Parents and staff may find the following websites informative and useful:

[Protecting children from radicalisation: the prevent duty](#)

[Educate against hate](#)

## **Suicide and self-harm**

**Suicide:** an act of deliberate self-harm which results in death.

**Self-harm:** self-poisoning or self-injury, irrespective of the apparent purpose of the act.

**Suicide and self-harm links:** self-harm is generally a way of coping with overwhelming emotional distress. Many young people self-harm where there is no suicidal intent.

However, research shows that young people who self-harm can be at a higher risk of suicide.

Self-harm is a coping mechanism which enables a person to express difficult emotions. Young people who hurt themselves often feel that physical pain is easier to deal with than the emotional pain they are experiencing, because it is tangible. But the behaviour only provides temporary relief and fails to deal with the underlying issues that a young person is facing. For some people, self-harm may last for a short time. For others, it can become a long-term problem. Some people self-harm, stop for a while, and return to it months, even years, later, in times of distress.

Risk factors that indicate a child or young person may be at risk of taking actions to harm themselves or attempt suicide can cover a wide range of life events such as: bereavement, bullying, cyber bullying, mental health problems including eating disorders, family problems such as domestic violence, any form of abuse or conflict between the child and parents.

The most common forms of self-harm are:

- cutting
- biting self
- burning, scalding, branding
- picking at skin, reopening old wounds
- breaking bones, punching
- hair pulling
- head banging
- ingesting objects or toxic substances
- overdosing with a medicine

Self-harm is usually a secretive behaviour but signs may include:

- wearing long sleeves at inappropriate times
- spending more time in the bathroom
- unexplained cuts or bruises, burns or other injuries
- unexplained smell of Dettol, TCP, etc
- low mood - seems to be depressed or unhappy, low self-esteem, feelings of worthlessness
- any mood changes - anger, sadness
- changes in eating or sleeping patterns
- losing friendships, spending more time by themselves and becoming more private or defensive

- withdrawal from activities that used to be enjoyed
- abuse of alcohol and or drugs

Ellingham recognises that any pupil who self-harms or expresses thoughts about self-harm and/or suicide, must be taken seriously and appropriate help and intervention will be offered at the earliest point. Any member of staff who is made aware that a pupil has self-harmed, or is contemplating self-harm or suicide will record and report the matter to the DSL as soon as possible as with any other safeguarding concern.

## **Fabricated or induced illnesses**

Staff at Ellingham are alert to the issues surrounding fabricated or induced illnesses. Fabricated or induced illness is a condition whereby a child has suffered, or is likely to suffer, significant harm through the deliberate action of their parent and which is attributed by the parent to another cause.

There are three main ways of the parent fabricating (making up or lying about) or inducing illness in a child:

- fabrication of signs and symptoms, including fabrication of past medical history
- fabrication of signs and symptoms and falsification of hospital charts, records, letters and documents and specimens of bodily fluid
- induction of illness by a variety of means

The above three methods are not mutually exclusive. Existing diagnosed illness in a child does not exclude the possibility of induced illnesses. The very presence of an illness can act as a stimulus to the abnormal behaviour and also provide the parent with opportunities for inducing symptoms.

Fabricated or induced illness is most commonly identified in younger children. Although some of these children die, there are many that do not die as a result of having their illness fabricated or induced, but who suffer significant long term physical or psychological health consequences.

Fabrication of illness may not necessarily result in a child experiencing physical harm, but there may be concerns about the child suffering emotional harm. They may suffer emotional harm as a result of an abnormal relationship with their parent and/or disturbed family relationships.

Staff at Ellingham will record and report any concerns about a child who might be experiencing Fabricated or induced illness to the Designated Safeguarding Lead as with any other safeguarding concern. The DSL will consider the need to make a referral or consult with the Single Point of Access as with any other child protection concern.

## Contextual Safeguarding

Ellingham recognises that safeguarding incidents and/or behaviours can be associated with factors outside the school and/or can occur between children outside the school. All staff, but especially the designated safeguarding leads will consider the context within which such incidents and/or behaviours occur and whether wider environmental factors are present in a child's life that are a threat to their safety and/or welfare [contextual safeguarding](#)

### 11. Children who may be particularly vulnerable

Some children are more vulnerable to abuse and neglect than others. Several factors may contribute to that increased vulnerability, including: prejudice and discrimination; isolation; social exclusion; communication issues; a reluctance on the part of some adults to accept that abuse can occur; as well as an individual child's personality, behaviour, disability, mental and physical health needs and family circumstances.

To ensure that all of our pupils receive equal protection, we will give special consideration to children who are:

- disabled or have special educational needs
- young carers
- affected by parental substance misuse, domestic abuse and violence or parental mental health needs
- asylum seekers
- looked after by the local authority or otherwise living away from home
- vulnerable to being bullied, or engaging in bullying behaviours
- living in temporary accommodation
- living transient lifestyles
- living in chaotic and unsupportive home situations
- vulnerable to discrimination and maltreatment on the grounds of race, ethnicity, religion, disability or sexuality
- already viewed as a 'problem'
- at risk of child sexual exploitation (CSE)
- do not have English as a first language
- at risk of female genital mutilation (FGM)
- at risk of forced marriage
- at risk of being drawn into extremism

This list provides examples of vulnerable groups and is not exhaustive. Special consideration includes the provision of safeguarding information and resources in community languages and accessible formats for children with communication needs.

## **12. Children looked after and previously looked after**

The most common reasons for children becoming looked after is as a result abuse and/or neglect. Ellingham will ensure that staff have the necessary skills and knowledge to keep children looked after and previously looked after safe. Appropriate staff will have the information they need in relation to a child looked after's legal status (for example, who has parental responsibility, who is not permitted to have contact and who is not permitted to know where the child is being educated) and the level of authority delegated by the caring authority to the carer.

The designated teacher for children looked after is Ellingham. The designated governor for children looked after is Leanne Craven.

The designated teacher will:

- promote a culture of high expectations and aspirations for how children looked after and previously looked after learn
- make sure the young person has a voice in setting learning targets
- be a source of advice for staff about differentiated teaching strategies appropriate for individual children and in making full use of Assessment for Learning
- make sure that the children are prioritised in one-to-one tuition arrangements and that carers understand the importance of supporting learning at home
- have lead responsibility for the development and implementation of all children looked after's personal education plans (PEPs) within the school

### [Role and responsibilities of the designated teacher](#)

The designated teacher has attended appropriate training and ensures that the school has the up to date details of the allocated social worker/personal adviser (care leavers) and the virtual school headteacher in the local authority that looks after the child. Details of the AfC Virtual School can be found at: [AfC Virtual School](#)

## **13. Early help and interagency working**

At Ellingham we are prepared to identify children who may benefit from early help. Early help means providing support as soon as a problem emerges at any point in a child's life,

from the foundation years through to teenage years. In the first instance staff should discuss early help requirements with the DSL.

Any child may benefit from early help, but at Ellingham we are particularly aware of 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 in to 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.

Staff may be required to support other agencies and professionals in an Early Help Assessment (EHA) [Early help assessment](#).

This includes identifying emerging problems, liaising with the DSL, sharing information with other professionals to support early identification and assessment and, in some cases, acting as the lead professional in undertaking an early help assessment. If early help is appropriate the DSL should support the staff member in liaising with other agencies and setting up an inter-agency assessment as appropriate.

If early help and or other support is appropriate the case will be kept under constant review and consideration given to a referral to children's social care if the child's situation doesn't appear to be improving. The DSL is aware of the local escalation policy and procedures. We work closely with local professional agencies including social care, the police, health services and other services including voluntary organisations to promote the welfare of children and protect them from harm. This includes providing a co-ordinated offer of early help when additional needs of children are identified and contributing to inter-agency plans to provide additional support to children subject to child protection plans.

As part of meeting a child's needs our Governing Board recognises the importance of sharing information between professionals and local agencies. Fears about sharing information do not stand in the way of promoting the welfare and safety of children.

## **14. Acceptable Use of Mobile Phones & Camera Policy**

It is our intention to provide an environment in which children, parents and staff are safe from images being recorded and inappropriately used.

### Mobile Phones

Ellingham allows pupils to bring mobile phones into school if they are in the upper juniors and are walking home from school alone. They are to be signed into the office and arrival and collected before the pupils leave at the end of the day. Pupils are not allowed to use their mobile phone in the classroom without the permission of the Head teacher.

Ellingham allows staff to bring in personal mobile telephones for their own use. Users bring personal mobile telephones into Ellingham must ensure there is no inappropriate or illegal content on the device.

All staff must ensure that their mobile telephones are left inside their bags throughout contact time with children. Staff bags should be placed in the cupboard or safely out of children's reach.

Mobile phone calls may only be taken during staff breaks or in staff members' own time. If staff have a personal emergency they are free to use the setting's phone or make a personal call from their mobile in the staffroom.

If a member of staff is waiting for an emergency personal call then their phone may be left on their desk with the head teachers permission.

Staff will need to ensure that the Office has up to date contact information and that staff make their families, children's schools etc, aware of emergency work telephone numbers. This is the responsibility of the individual staff member.

All parent helpers will be requested to place their bag containing their phone in the class cupboard and asked to take or receive any calls in the office area.

It is the responsibility of all members of staff to be vigilant and report any concerns to the DSL. Concerns will be taken seriously, logged and investigated appropriately in line with our safeguarding policy.

### Cameras

Only the designated Ellingham cameras are to be used to take any photos within the setting or on outings. It is essential that photographs are taken and stored appropriately to safeguarding the children in our care. Images taken on this camera must be deemed suitable without putting the child/children in any compromising positions that could cause embarrassment or distress.

All staff are responsible for the location of the cameras. Images taken and stored on the camera must be downloaded on site as soon as possible then deleted.

Under no circumstances must cameras of any kind be taken into the toilet area.

## Productions and outings

To protect children across the school, parents and carers are NOT allowed to take photographs during productions, outings and special events. Arrangements for staff to take photographs will be made and shared with families after the event. These photographs are only for parental/carers personal use and must not be placed on any social network sites.

Failure to adhere to the contents of this policy will lead to disciplinary/safeguarding procedures being followed.

## **15. What to do if staff are concerned about a child's welfare**

If staff have any concerns about a child's welfare, they should act on them immediately. Any concerns regarding indicators of abuse or neglect or signs that a child may be experiencing a safeguarding issue should be recorded on a concern form and passed to the DSL or Deputy DSL. For physical signs of abuse, a body map can also be used on the back of the form. Concerns can also be discussed in person with the DSL but the details of the concern should be recorded in writing.

There will be occasions when staff may suspect that a pupil may be at risk, but have no 'real' evidence. The pupil's behaviour may have changed, their artwork could be bizarre, they may write stories or poetry that reveal confusion or distress, or physical or inconclusive signs may have been noticed.

Ellingham recognises that the signs may be due to a variety of factors, for example, a parent has moved out, a pet has died, a grandparent is very ill or an accident has occurred. However, they may also indicate a child is being abused or is in need of safeguarding.

In these circumstances staff will try to give the child the opportunity to talk. It is fine for staff to ask the pupil if they are OK or if they can help in any way.

Staff should use the concern form to record these early concerns and give the completed form to the DSL.

Following an initial conversation with the pupil, if the member of staff remains concerned they should discuss their concerns with the DSL and put them in writing.

If the pupil does begin to reveal that they are being harmed, staff should follow the advice below regarding a pupil making a disclosure.

## 16. What to do if a pupil discloses to a member of staff

We recognise that it takes a lot of courage for a child to disclose they are being abused. They may feel ashamed, guilty or scared, their abuser may have threatened that something will happen if they tell, they may have lost all trust in adults or believe that what has happened is their fault. Sometimes they may not be aware that what is happening is abuse.

A child who makes a disclosure may have to tell their story on a number of subsequent occasions to the police and/or social workers. Therefore, it is vital that their first experience of talking to a trusted adult is a positive one.

During their conversation with the pupil staff will:

- listen to what the child has to say and allow them to speak freely
- remain calm and not overreact or act shocked or disgusted – the pupil may stop talking if they feel they are upsetting the listener
- reassure the child that it is not their fault and that they have done the right thing in telling someone
- not be afraid of silences – staff must remember how difficult it is for the pupil and allow them time to talk
- take what the child is disclosing seriously
- ask open questions and avoid asking leading questions
- avoid jumping to conclusions, speculation or make accusations
- not automatically offer any physical touch as comfort. It may be anything but comforting to a child who is being abused
- avoid admonishing the child for not disclosing sooner. Saying things such as ‘I do wish you had told me about it when it started’ may be the staff member’s way of being supportive, but may be interpreted by the child to mean they have done something wrong
- tell the child what will happen next

If a pupil talks to any member of staff about any risks to their safety or wellbeing the staff member will let the child know that they will have to pass the information on. Staff are not allowed to keep secrets.

The member of staff should write up their conversation as soon as possible on the concern form in the child’s own words. Staff should make this a matter of priority. The record should be signed and dated, the member of staff’s name should be printed and it should also detail where the disclosure was made and who else was present. For physical signs of abuse, a body map can also be used (appendix 3). The record should be handed to the DSL.

## **17. Notifying parents**

The school will normally seek to discuss any concerns about a pupil with their parents. This must be handled sensitively and the DSL will make contact with the parent in the event of a concern, suspicion or disclosure.

However, if the school believes that notifying parents could increase the risk to the child or exacerbate the problem, advice will first be sought from the Single Point of Access.

Where there are concerns about forced marriage or honour based violence parents should not be informed a referral is being made as to do so may place the child at a significantly increased risk.

## **18. Making a referral to the Single Point of Access (SPA)**

Concerns about a pupil or a disclosure should be discussed with the DSL who will help decide whether a referral to the Single Point of Access is appropriate. If a referral is needed then the DSL should make it. However, anyone can make a referral and if for any reason a staff member thinks a referral is appropriate and one hasn't been made they can and should consider making a referral themselves.

The pupil (subject to their age and understanding) and the parents will be told that a referral is being made, unless to do so would increase the risk to the pupil.

If after a referral the pupil's situation does not appear to be improving the DSL (or whoever made the referral) should press for re-consideration to ensure their concerns have been addressed, and most importantly the pupil's situation improves.

If a pupil is in immediate danger or is at risk of harm a referral should be made to SPA and/or the police immediately. Anybody can make a referral.

Where referrals are not made by the DSL, the DSL should be informed as soon as possible.

SPA contact number: 020 8547 5008.

## **19. Support for staff**

We recognise that staff working in the school who have become involved with a child who has suffered harm, or appears to be likely to suffer harm may find the situation stressful and upsetting.

We will support such staff by providing an opportunity to talk through their anxieties with the DSLs and to seek further support as appropriate.

## **20. Confidentiality**

Ellingham recognises that in order to effectively meet a child's needs, safeguard their welfare and protect them from harm the school must contribute to inter-agency working in line with Working Together to Safeguard Children (2019) and share information between professionals and agencies where there are concerns.

All staff must be aware that they have a professional responsibility to share information with other agencies in order to safeguard children and that the Data Protection Act 1998 and GDPR is not a barrier to sharing information where the failure to do so would place a child at risk of harm.

All staff must be aware that they cannot promise a pupil to keep secrets which might compromise the pupil's safety or wellbeing. It is important that staff and volunteers tell the pupil in a manner appropriate to the pupil's age and development that they cannot promise complete confidentiality and that they may need to pass information on to other professionals to help to keep the pupil or other children safe.

However, we also recognise that all matters relating to child protection are personal to children and families. Therefore, in this respect they are confidential and the headteacher or DSLs will only disclose information about a pupil to other members of staff on a need to know basis.

We will always undertake to share our intention to refer a child to SPA with their parents and carers unless to do so could put the pupil at greater risk of harm, or impede a criminal investigation. If in doubt, we will consult with SPA on this point.

The DfE emphasises that: "The Data Protection Act 2018 and GDPR do not prevent, or limit, the sharing of information for the purposes of keeping children safe. Fears about sharing information must not be allowed to stand in the way of the need to promote the welfare and protect the safety of children.

## **21. Record Keeping**

Pupils' safeguarding and child protection records will be stored securely in the safeguarding drive and access to them is appropriately limited.

When pupils leave Ellingham, the school will ensure that their child protection file is transferred to the new school or college as soon as possible. This will be transferred separately from their main pupil file, ensuring secure transit and a confirmation of receipt will be requested and retained. Where appropriate, the DSL will share information in advance of the pupil transferring so support can be put in place.

## 22. Procedure for dealing with complaints and allegations about staff

Despite all efforts to recruit safely there may be occasions when allegations of abuse against children are reported to have been committed by staff, practitioners and/or volunteers, who work with pupils in our school.

An allegation is any information which indicates that a member of staff or volunteer may have:

- behaved in a way that has, or may have harmed a child
- possibly committed a criminal offence against or related to a child
- behaved towards a child or children in a way that indicates they may pose a risk of harm to children

This applies to any child the member of staff or volunteer has contact with in their personal, professional or community life, such as if they had a child protection concerns raised for their own children.

To reduce the risk of allegations, all staff should be aware of safer working practice and should be familiar with the guidance contained in the staff handbook, school's code of conduct and the 'Guidance for safer working practice for adults who work with children and young people in education settings' [Guidance for safer working practice](#)

Guidance about conduct and safe practice, including safe use of mobile phones by staff will also be given at induction.

All staff should be aware of Ellingham's behaviour policy.

All school staff should take care not to place themselves in a vulnerable position with a pupil. It is always advisable for interviews or work with individual pupils or parents to be conducted in view of other adults.

We understand that a pupil may make an allegation against a member of staff or staff may have concerns about another staff member. If such an allegation is made, or information is received which suggests that a person may be unsuitable to work with children, the member of staff receiving the allegation or aware of the information, will immediately inform the headteacher or the DSL.

The headteacher or the DSL on all such occasions will discuss the content of the allegation with the local authority designated officer (LADO) within 24 hours and before taking any further action.

If the allegation made to a member of staff concerns the headteacher, the person receiving the allegation will immediately inform the chair of governors who will consult the LADO as above, without notifying the headteacher first. Contact details for the chair of governors can be found in section 2 of this policy.

Reporting to the LADO applies even where the nature of the alleged assault would not normally meet the threshold if applied to children in their own families. For example, a report of a child being smacked by a parent, with no injury caused, would be unlikely to require any response by police or Children's Social Care. However, a similar report of a child being smacked by a teacher should be responded to because of:

- the vulnerability of children away from home
- the higher standards of conduct demanded by law and regulation of those caring for other people's children
- the position of trust enjoyed by such people

Ellingham will follow the London child protection procedures for managing allegations against staff [London child protection procedures: allegations](#) and procedures set out in [Keeping Children Safe in Education 2019](#)

Suspension of the member of staff, against whom an allegation has been made, needs careful consideration, and the headteacher will seek the advice of the LADO and an HR consultant in making this decision. All options to avoid suspension will be considered. In the event of an allegation against the headteacher, the decision to suspend will be made by the chair of governors in consultation with the LADO and HR.

If an allegation pertains to an adult not employed directly by the school, for example, catering staff, cleaning staff, peripatetic teachers, sports coaches etc. the school will work directly with the employing agency and the LADO as described above.

We have a procedure for managing the suspension of a contract for a community user in the event of an allegation arising in that context.

Staff, parents and governors are reminded that publication of material that may lead to the identification of a teacher who is the subject of an allegation is prohibited by law.

Publication includes verbal conversations or writing including content placed on social media sites.

## **23. Whistleblowing**

Ellingham has a whistleblowing policy which is available as a separate document. We recognise that children cannot be expected to raise concerns in an environment where staff fail to do so.

Our school works hard to encourage a culture of mutual respect and learning. We welcome comments and feedback and provide staff, pupils and parents with a safe mechanism to raise any concerns.

All staff should be aware of their duty to raise concerns, where they exist, about the management of child protection, which may include the attitude or actions of colleagues, poor or unsafe practice and potential failures in the school's safeguarding arrangements.

In the first instance this should be raised with the headteacher, the DSL or the chair of governors. If it becomes necessary to consult outside the school, they should speak to the LADO for further guidance and support.

The NSPCC whistleblowing helpline is available for staff who do not feel able to raise concerns regarding child protection failures internally.

Staff can call: 0800 028 0285 or email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk)

Whistle-blowing issues regarding the headteacher should be raised with the chair of the Governing Board whose contact details are in section 2 of this policy.

## **24. Physical intervention**

Ellingham has a Behaviour policy where physical intervention is discussed, which is available as a separate document. We acknowledge that staff must only ever use physical intervention as a last resort, when a child is endangering themselves or others, and that at all times it must be the minimal force necessary to prevent injury to another person. Staff who are likely to need to use physical intervention will be appropriately trained. A selection of staff received Team Teach training in 2017. All incidents involving physical intervention will be recorded and signed by a witness.

We understand that physical intervention of a nature which causes injury or distress to a child may be considered under child protection or disciplinary procedures.

We recognise that touch is appropriate in the context of working with children, and all staff have been given 'safe practice' guidance to ensure they are clear about their professional boundaries.

## **25. Linked policies**

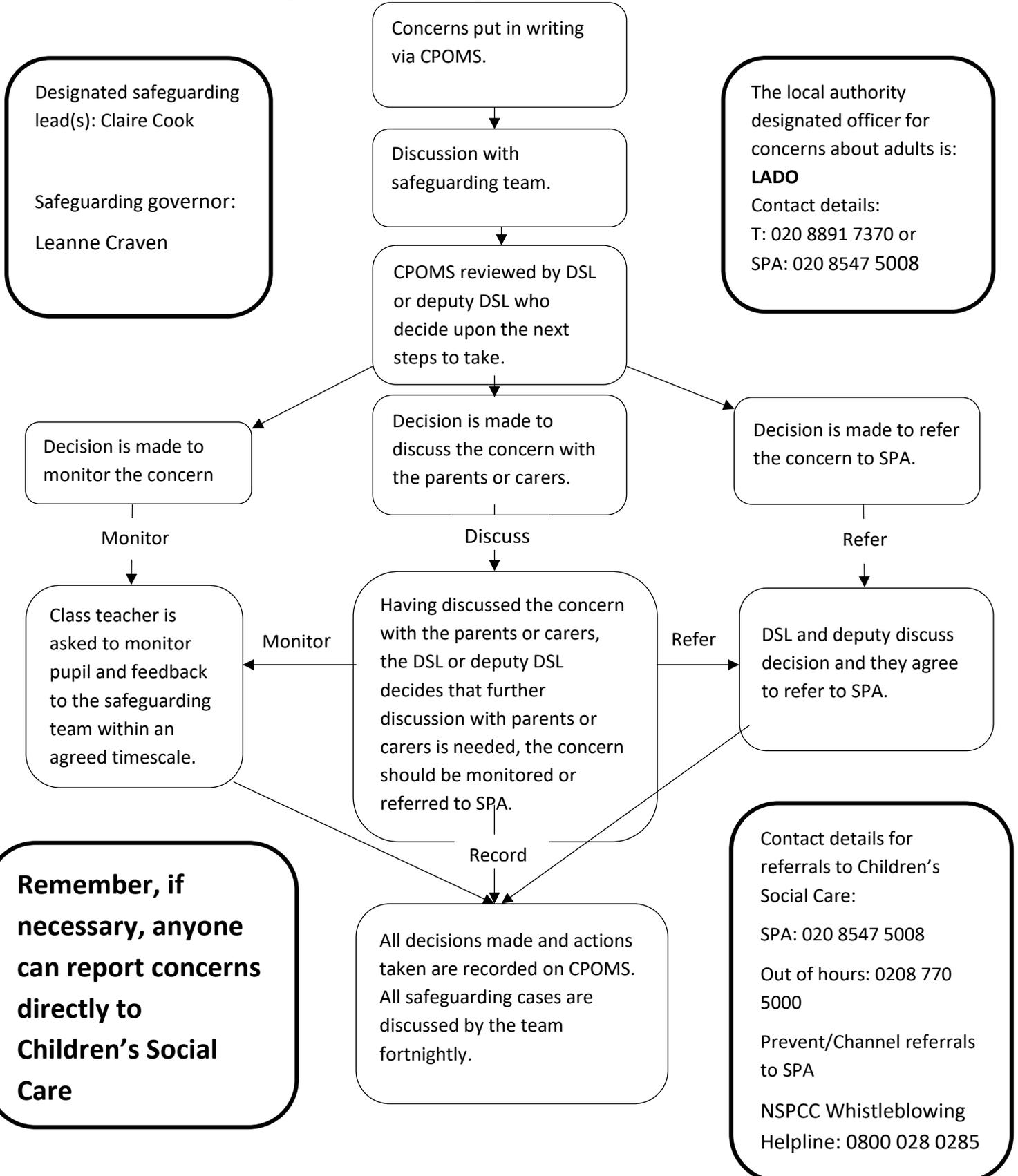
- Behaviour
- Staff behaviour policy or code of conduct
- Whistleblowing
- Anti-bullying
- Health & safety
- Allegations against staff
- Attendance

- Curriculum
- PSHE
- Teaching and learning
- Administration of medicines
- Drug education
- Sex and relationships education
- Physical intervention
- E-Safety
- Risk assessment
- Recruitment and selection
- Child sexual exploitation
- Intimate care
- Radicalisation and extremism

# Appendix 1

## Concerns flow chart

### Raising safeguarding concerns about a child



## Appendix 2

### Links

**Children Act 1989 Care Planning, Placement and Case Review:**

[www.gov.uk/government/publications/children-act-1989-care-planning-placement-and-case-review](http://www.gov.uk/government/publications/children-act-1989-care-planning-placement-and-case-review)

**Children Act 2004:** [www.legislation.gov.uk/ukpga/2004/31/contents](http://www.legislation.gov.uk/ukpga/2004/31/contents)

**Education Act 2002:** [www.legislation.gov.uk/ukpga/2002/32/section/175](http://www.legislation.gov.uk/ukpga/2002/32/section/175)

**London Child Protection Procedures and Practice Guidance:** [www.londoncp.co.uk](http://www.londoncp.co.uk)

**Working Together to Safeguard Children 2018:**

[www.gov.uk/government/publications/working-together-to-safeguard-children--2](http://www.gov.uk/government/publications/working-together-to-safeguard-children--2)

**What to do if You're Worried a Child is Being Abused:**

[www.gov.uk/government/publications/what-to-do-if-youre-worried-a-child-is-being-abused--2](http://www.gov.uk/government/publications/what-to-do-if-youre-worried-a-child-is-being-abused--2)

**Information Sharing:**

[www.gov.uk/government/publications/safeguarding-practitioners-information-sharing-advice](http://www.gov.uk/government/publications/safeguarding-practitioners-information-sharing-advice)

**Children Missing Education Statutory Guidance:**

[www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/550416/Children\\_Missing\\_Education\\_-\\_statutory\\_guidance.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/550416/Children_Missing_Education_-_statutory_guidance.pdf)

**Safeguarding Children from Sexual Exploitation:**

[www.londoncp.co.uk/chapters/sg\\_sex\\_exploit\\_ch.html](http://www.londoncp.co.uk/chapters/sg_sex_exploit_ch.html)

**Child Sexual Exploitation Definition and Guide:**

[www.gov.uk/government/publications/child-sexual-exploitation-definition-and-guide-for-practitioners](http://www.gov.uk/government/publications/child-sexual-exploitation-definition-and-guide-for-practitioners)

**Sexting in School and Colleges:**

[www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/609874/6\\_2939\\_SP\\_NCA\\_Sexting\\_In\\_Schools\\_FINAL\\_Update\\_Jan17.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/609874/6_2939_SP_NCA_Sexting_In_Schools_FINAL_Update_Jan17.pdf)

**Searching, Screening and Confiscation:**

[www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/554415/searching\\_screening\\_confiscation\\_advice\\_Sept\\_2016.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/554415/searching_screening_confiscation_advice_Sept_2016.pdf)

**Female Genital Mutilation Statutory Guidance:**

[www.gov.uk/government/publications/multi-agency-statutory-guidance-on-female-genital-mutilation](http://www.gov.uk/government/publications/multi-agency-statutory-guidance-on-female-genital-mutilation)

**Kingston and Richmond Safeguarding Children Partnership Female Genital Mutilation**

**Policy:** <https://kingstonandrichmondscb.org.uk/news-resources/policies-and-procedures-87/female-genital-mutilation-policy-203.php>

**Guidance Forced Marriage:** [www.gov.uk/guidance/forced-marriage](http://www.gov.uk/guidance/forced-marriage)

**Looking After Someone Else's Child:** [www.gov.uk/looking-after-someone-elses-child](http://www.gov.uk/looking-after-someone-elses-child)

**Protecting Children from Radicalisation: The Prevent Duty:**

[www.gov.uk/government/publications/protecting-children-from-radicalisation-the-prevent-duty](http://www.gov.uk/government/publications/protecting-children-from-radicalisation-the-prevent-duty)

**Educate Against Hate:** [Educate against hate](http://www.gov.uk/guidance/educate-against-hate)

**Role and Responsibilities of the Designated Teacher:**

[www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/269764/role\\_and\\_responsibilities\\_of\\_the\\_designated\\_teacher\\_for\\_looked\\_after\\_children.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/269764/role_and_responsibilities_of_the_designated_teacher_for_looked_after_children.pdf)

**AfC Virtual School:** [www.afcvirtualschool.org.uk](http://www.afcvirtualschool.org.uk)

**Early Help Assessment:** [www.achievingforchildren.org.uk/early-help-assessment](http://www.achievingforchildren.org.uk/early-help-assessment)

**Guidance for Safer Working Practice:** [www.safeguardingschools.co.uk/wp-content/uploads/2015/10/Guidance-for-Safer-Working-Practices-2015-final1.pdf](http://www.safeguardingschools.co.uk/wp-content/uploads/2015/10/Guidance-for-Safer-Working-Practices-2015-final1.pdf)

**London Child Protection Procedures: Allegations:**

[www.londoncp.co.uk/chapters/alleg\\_staff.html](http://www.londoncp.co.uk/chapters/alleg_staff.html)

**Contextual Safeguarding:** <https://contextualsafeguarding.org.uk/about/what-is-contextual-safeguarding>

**Sexual Violence and Sexual Harassment:** [www.gov.uk/government/publications/sexual-violence-and-sexual-harassment-between-children-in-schools-and-colleges](http://www.gov.uk/government/publications/sexual-violence-and-sexual-harassment-between-children-in-schools-and-colleges)

**Keeping Children Safe in Education 2019:** [www.gov.uk/government/publications/keeping-children-safe-in-education--2](http://www.gov.uk/government/publications/keeping-children-safe-in-education--2)

**Criminal Exploitation of Children and Vulnerable Adults: County Lines:**

<https://www.gov.uk/government/publications/criminal-exploitation-of-children-and-vulnerable-adults-county-lines>

**Teaching Online Safety:** <https://www.gov.uk/government/publications/teaching-online-safety-in-schools>