

## CHILD PROTECTION POLICY (SAFEGUARDING)

*This policy forms part of our Pupil Care Policy (please see full list of policies on the website).*

**This policy was reviewed and adopted by the Governing body on 23 September 2016 and will be reviewed in September 2017.**

### **3.1 Child Protection** (Ref: ISSR 7a and 7b)

- 3.1.1 The school and its Governing body are committed to the welfare, protection and safekeeping of all its pupils. The school's policy complies with DCSF guidance *Keeping children safe in education September 2016*, *Working Together to Safeguard Children 2015* and locally agreed inter agency recommendations of Cheshire West and Chester LSCB.
- 3.1.2 The Governing body shall undertake an annual review of the school's child protection policies and procedures and of the efficiency with which the related duties have been discharged. The responsibility for the regulatory compliance and safeguarding lies with the whole board. The Governors monitor its implementation through their nominated governor, Mr David Monk.
- 3.1.3 All children have a fundamental right to be protected from harm and from all forms of neglect, abuse and exploitation and should feel safe and secure at school.  
The School's curriculum and pastoral systems are designed to foster the spiritual, moral, social and cultural development of all our pupils. All teaching staff play a vital role in this process, helping to ensure that all pupils relate well to one another and feel safe and comfortable within the school. We expect all the teaching staff to lead by example and to play a full part in promoting an awareness that is appropriate to their age amongst all our pupils on issues relating to health, safety and well-being. All staff, including all non-teaching staff, have an important role in insisting that pupils always adhere to the standards of behaviour set out in our behaviour policy and in enforcing our anti-bullying policy.
- 3.1.4 Parents should be reassured that it is the aim of the school always to act in the best interests of their child and to encourage the fullest possible involvement of and consultation with parents.
- 3.1.5 Pupils should know that they have a means of raising issues of personal concern. They should feel that they are encouraged to talk to staff, that the school is always prepared to listen to their concerns and will take them seriously.
- 3.1.6 Teaching, non-teaching and voluntary staff should be aware of their responsibilities in identifying and reporting possible cases of abuse. The Headmaster and all teaching staff, support staff, both full-time and part-time, and volunteers are required to undertake training in child protection updated every three years.
- 3.1.7 The school provides a structured internal procedure that shall be followed by all members of the school community in cases of suspected abuse. Staff are reminded of these procedures on an annual basis. [Appendices 1 to 3]
- 3.1.8 The school will support pupils' development in ways which will foster security, confidence and independence. Should there be children in need of additional support from one or more agencies, the school will ensure that they participate fully in any discussions to ensure that all available support is secured. A nominated teacher (usually the DSL) will oversee this process and co-ordinate the school's support. This includes Early Help [Appendix 1]
- 3.1.9 The School will take immediate action to safeguard the welfare of any pupil who it suspects is being harmed or is in danger of being harmed. The school will report any suspicion or disclosure of abuse to the appropriate welfare agency within 24 hours.
- 3.1.10 This policy requires that, when identified, any deficiencies or weaknesses in child protection arrangements are remedied without delay.
- 3.1.11 All staff appointed to the School will be subject to the procedures detailed in our Safe Recruitment policy (Staff policy 4.1) which follow the DfE guidance *Keeping children safe in education 2016*. Child protection training is part of the induction programme for all newly appointed staff including volunteers. All staff are provided with KCSIE part 1 and the school's document 'Child Protection and Staff Code of Conduct' [Appendices 1 & 2a].
- 3.1.12 The School will seek assurance that the appropriate checks have been carried out on staff of a different employer looking after the school's pupils on a site other than the school.
- 3.1.13 The designated persons for the senior school are the Deputy Head (Pastoral) (DSL) and the School Nurse (deputy) who will work in conjunction with the Headmaster on all child protection issues.

In the Junior School and Willow Lodge the designated persons are the Head of Junior School and Willow Lodge, and the Deputy Head Pastoral of the Junior School (deputy). The school medical officer may also be consulted when necessary. The designated persons are required to undertake regular training, updated every two years, in Child Protection and interagency working for designated persons. More frequent updates from the LSCB are discussed at regular team meetings. They hold contact details for welfare agencies and will provide them to parents on request.

- 3.1.14 Allegations made against members of staff, including volunteers, should usually be referred directly to and only to the Headmaster. The School will contact the local authority designated officer (LADO) prior to any investigation. In the most serious cases the School will contact the police directly and immediately. Should the allegation be about the Headmaster, the Chairman of Governors should be contacted directly within 24 hours without informing the Headmaster. [Appendix 3 and Staff Handbook pages 107-118]
- 3.1.15 If a member of staff has reasons to suspect emotional abuse or neglect, those concerns should be raised with the relevant designated person or the Headmaster and the concerns should be put in writing. The procedures for dealing with allegations of physical or sexual abuse are outlined in appendices 1 and 2b.
- 3.1.16 As much as possible should be recorded in written form. All relevant details will be held in a confidential file. The Headmaster and DSLs will have access. No explicit notes are to be put on the pupil's general file. [Appendix 2c]
- 3.1.17 Physical and sexual abuse may be perpetrated by pupils aimed at other pupils. Staff are reminded to be aware of this fact and to immediately report any concerns of such abuse to the appropriate DSL or the Headmaster. If this is not possible Staff should be prepared to report concerns directly. [Full local procedures are available from the Local Safeguarding Children Board (LSCB) website [www.cheshirewestlscb.org.uk](http://www.cheshirewestlscb.org.uk) and contact details for all relevant agencies can be found below]. Peer bullying can be an example of an abusive relationship and will be treated as a Child Protection concern if it is believed that the child may suffer significant harm. [Appendix 2f]
- 3.1.18 The School closely monitors daily registration as it recognises that regular attendance is vital for effective education. Absences are always checked as it is also recognised that a child missing from education is a potential indicator of abuse, sexual exploitation or neglect. [Appendices 1 and 2a-f]. Repeated absences without the school's permission would trigger referral to the appropriate agency.
- 3.1.19 In line with statutory guidance from the Department for Education (Oct 2012), the School will report to the Teaching Agency via the Disclosure and Barring Service, within one month of leaving any person (whether employed, contracted, a volunteer or student) whose services are no longer used because he or she is considered unsuitable to work with children. If an investigation leads to the dismissal or resignation prior to dismissal of a member of teaching staff, the school will consider making a referral to the National College for Teaching and Leadership (NCTL) and a prohibition order may be appropriate.
- 3.1.20 The School includes in its risk assessment and evaluation of the attendant risk that pupils may be drawn into terrorism or extremist activities. Awareness of radicalisation is included in safeguarding procedures and staff training. [Appendix 2d] The DSL is responsible for referral of concerns to Children's services or the Channel programme following discussion with local agencies. The DSL and all staff are trained in Prevent awareness.

#### **External Agency Contact Information**

The school's local authority is **Cheshire West and Chester**.

CWAC website for child protection: [www.cheshirewestlscb.org.uk](http://www.cheshirewestlscb.org.uk)

Integrated Access and Referral – 0300 123 7047

Email (ordinary): [i-ART@cheshirewestandchester.gov.uk](mailto:i-ART@cheshirewestandchester.gov.uk)

Out of Hours Emergency Duty Team - 01244 977 277

Police Emergency - 999                      Police Non-Emergency - 101

Local Police Non-Emergency – 0845 458 0000

**Disclosure and Barring Service** PO Box 181, Darlington, DL1 9FA Tel: 01325 953795

**National College for Teaching and Leadership** Tel: 0345 609 0009

**DfE advice helpline for staff and governors** Tel: 020 7340 7264

## **Appendices 1 – 4 and 5a: Child Protection** *(ref: ISI part 3)*

Appendix 1	Child Protection and Staff Code of Conduct
Appendix 2a	Keeping children safe in education (July 2015) part 1
Appendix 2b	What to do if you're worried a child is being abused (March 2015)
Appendix 2c	Information Sharing (March 2015)
Appendix 2d	Safeguarding pupils who are vulnerable to extremism
Appendix 2e	Safeguarding pupils who are vulnerable to exploitation, forced marriage, honour based violence, female genital mutilation, or trafficking
Appendix 2f	Peer on peer abuse
Appendix 2g	Sexting
Appendix 3	Allegations against staff
Appendix 4	Rewards for students
Appendix 5a	Sanctions and Punishments

## ***Appendix 1***

### **CHILD PROTECTION AND STAFF CODE OF CONDUCT**

*(ref: ISI part 3)*

#### **CHILD PROTECTION**

##### **STATEMENT OF INTENT**

The safety and welfare of all our pupils at The King's School, Chester is our highest priority. Our business is to know everyone as an individual and to provide a secure and caring environment so that every pupil can learn in safety. In all matters relating to child protection the school will follow the procedures laid down by Cheshire West and Chester (or where appropriate the relevant child's) Local Safeguarding Children Board (LSCB) together with DfE guidance contained in Working Together to Safeguard Children and Keeping Children Safe in Education. [Appendix 2a]

All members of staff have a duty to safeguard our pupils' welfare and must therefore familiarise themselves and comply at all times with the Child Protection Policy (3.1). All school staff should be aware that safeguarding incidents can happen at any time and anywhere and are required to be alert to any possible concerns.

The DfE publication 'What to do if you're worried a child is being abused', should be referred to by all staff in raising their awareness of and helping them to identify the signs of child abuse. [Appendix 2b]

##### **TRANSPARENCY**

The King's School, Chester prides itself on its respect and mutual tolerance. Parents/guardians have an important role in supporting the School. Copies of this policy, together with our other policies relating to issues of child protection are on our website and we hope that parents and guardians will always feel able to take up any issues or worries that they may have with the school. Allegations of child abuse or concerns about the welfare of any child will be dealt with consistently in accordance with this policy. Open communications are essential.

##### **SAFER EMPLOYMENT PRACTICES**

The King's School, Chester follows the Government's recommendations for the safer recruitment and employment of staff who work with children and acts at all times in compliance with the Independent School Standards Regulations. In addition to carrying out safe recruitment procedures as set out in the DfE's guidance 'Keeping Children Safe in Education', members of the teaching and non-teaching staff at the school including part-time staff, temporary and supply staff, and visiting staff, such as musicians and sports coaches are subject to the necessary statutory child protection checks before starting work. All governors, volunteers, contractors working regularly during term-time, such as contract catering staff, are also subject to the relevant statutory checks. Confirmation is obtained that appropriate child protection checks and procedures apply to any staff employed by another organisation and working with the school's pupils at school or on another site. Our policies are reviewed by governors annually. Please refer to the school's Recruitment Policy (4.1) for further details.

##### **RAISING AWARENESS**

Mr David Monk is the liaison governor for child protection issues. The governors carry out an annual review of the school's child protection policy and procedures with day-to-day issues being delegated to the Headmaster and the Designated Safeguarding Leads. The governing body is responsible for:

- reviewing the procedures for and the efficiency with which the child protection duties have been discharged;
- ensuring that any deficiencies or weaknesses in child protection arrangements are remedied without delay;

- approving amendments to child protection arrangements in the light of changing regulations or recommended best practice.

## **DESIGNATED SAFEGUARDING LEAD**

Mr Michael Harle (Deputy Head Pastoral) is the Designated Safeguarding Lead School. Mrs Margaret Ainsworth (Head of the Junior School and Willow Lodge) is the Designated Safeguarding Lead for the Junior School and Willow Lodge. These staff have been fully trained for the demands of this role in child protection and inter-agency working. The School Nurse is deputy to the DSL's. Both the DSLs and deputy regularly attend courses with child support agencies to ensure that they remain conversant with best practice.

The DSLs undergo refresher training every two years and they have a job description for their safeguarding roles and key activities. Their training meets the requirements of the DfE's 'Keeping Children Safe in Education' (KCSIE 2016). They maintain close links with the LSCB for CWAC and report through the Headmaster at least once a year to the governors on the child protection issues outlined above.

The school's records on child protection are kept securely and are separated from routine pupil records. Access is restricted to the DSLs and the Headmaster.

## **INDUCTION AND TRAINING**

Every new member of staff, including part-timers, temporary, visiting and contract staff working in the school, receives appropriate induction training on their responsibilities in being alert to the signs of abuse and bullying and on the procedures for recording and referring any concerns to the DSL or the Headmaster and, if required, to the main points of local procedures of Cheshire West and Chester LSCB. Child protection training is also given to new governors and volunteers. Everyone attends regular refresher training in line with advice from the school's LSCB. Training in child protection is an important part of the induction process. Training includes a review of this document and the school's child protection policy, the identity of the DSLs and a copy of Part 1 of KCSIE (2016). It is recognised that Early Help (Provision of support as soon as the problem emerges at any stage in the child's life) is vital, and all staff are encouraged to report any concerns via the pastoral system or directly to the DSL, so that the pupils needs can be quickly identified and a suitable response can be made. Training also promotes staff awareness of child sexual exploitation, forced marriage and female genital mutilation. Staff are made aware of the signs, symptoms and indicators of such practices and are required to take action without delay if such a practice is suspected. Staff are also trained in all aspects of online safety.

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

The school treats the safeguarding of the pupils in its care as the highest priority and recognises the important role it has to play in the recognition and referral of children who may be at risk. All our school staff are made aware of their duty to safeguard and promote the welfare of children in the school's care. Staff members are alerted to the particular potential vulnerabilities of SEND and looked after children.

Every member of staff, including part-timers, temporary, visiting, contract and volunteer staff working in school is required to report instances of actual or suspected child abuse or neglect to the DSL. This includes alleged abuse by one or more pupils against another pupil. Where the allegation(s) concern the DSL the staff member should report the matter to the Headmaster, or where they concern the Headmaster to the Chairman of Governors.

The DSL will report safeguarding concerns to the Headmaster. Where there is reasonable cause to suspect that a child is suffering, or likely to suffer significant harm, a referral to local agencies will be made within 24 hours of the safeguarding issue being raised. Should there be children in need of additional support from one or more agencies, the school will ensure that they participate fully in any discussions to ensure that all available support is secured.

The guidance for adult receiving confidences from a pupil about alleged abuse includes:

- Listen and observe carefully and record in detail what you have seen and been told.
- Respond without showing signs of disbelief, anxiety or shock. Offer reassurance that the pupil is not to blame for any abuse experienced.
- Affirm the pupil's feelings as expressed; do not tell the pupil how to feel.
- Do not interrogate but enquire casually about how an injury was sustained or why the pupil appears upset.
- Do not confuse taking seriously what the pupil says with believing what is said.
- Do not guarantee confidentiality. Explain that you will have to speak to the DSL.

The responsibility of the adult to whom a disclosure about alleged abuse is made is to observe, record and report to the DSL. It is also their responsibility to follow up if they feel that no action has been taken.

It is the responsibility of those carrying out an investigation (police, social services) to question and to test the evidence. So the evidence will be tested later by trained professionals.

The subsequent treatment of pupils will include:

- Helping the pupil to have as much privacy as may be wished and to be as normal as possible.
- Being as observant as possible to stop the pupil being harassed by other children who know about the abuse.
- Being prepared to intervene.
- Being prepared for a decline in the pupil's work and behaviour.
- Doing everything possible to ensure that the pupil is supported rather than censured.

**If, at any point, there is a risk of immediate serious harm to a child a referral should be made to children's social care immediately. Anybody can make a referral.**

## **PROCEDURES FOR DEALING WITH ALL DISCLOSURES/ALLEGATIONS OF ABUSE**

Allegations of abuse may be made against a member of staff, a volunteer, a governor, a pupil, parent or other person connected to the school.

Allegations of abuse against teachers and other staff will be dealt with according to the statutory guidance set out in part four of KCSIE (2016).

If a member of staff is made aware of any allegation of abuse, or if knowledge of possible abuse comes to his/her attention it is his/her duty to listen to the child, to provide re-assurance and to record the child's statements, but not to probe or put words into the child's mouth.

On hearing an allegation of abuse or complaint about abuse directly from a child, a member of staff should limit questioning to the minimum necessary for clarification. Leading questions should be avoided. No inappropriate guarantees of confidentiality should be given; rather the child should be told that the matter will be referred in confidence to the appropriate people in positions of responsibility.

The member of staff should make and submit an accurate written record and inform the Headmaster and the DSL immediately so that appropriate agencies can be informed within 24 hours and the matter resolved without delay. The DSL will contact the Local Authority Designated Officer (LADO) for advice or direction.

Should the allegation of abuse concern the DSL the member of staff should inform the Headmaster. Should the allegation be against the Headmaster the DSL will immediately inform the Chairman of Governors without the Headmaster being informed.

## **EARLY CARE**

Where referral to Children's Social Care is not immediately needed, interagency assessment may be required. Ideally this will be completed following consultation with parents and the child. If there is a failure to co-operate with this process then referral will be made via the Integrated Access and Referral Team (CWAC) or equivalent for other local authorities.

It is recognised that concerns need to be continually re-evaluated to avoid inaction, if in doubt i-ART will always be contacted for advice. All staff are required to work with other agencies and professionals in any early help assessment and may be required to act as the lead professional under the guidance of the DSL. It is also recognised that if early help is appropriate the child will be kept under constant review and referral to children's social care would be considered if the situation does not appear to be improving.

## **PARENTS**

In general, we believe that parents should be informed about any concerns regarding their children. It is important that we are honest and open in our dealings with parents. However, concerns of this nature must be referred to the DSL or the Headmaster who will decide on the appropriate response. In a very few cases, it may not be right to inform them of our concerns immediately as that action could prejudice any investigation, or place the child at further risk. In such cases, advice will be sought from the LADO.

## **PROMOTING AWARENESS**

The School's curriculum and pastoral systems are designed to foster the spiritual, moral, social and cultural development of all our pupils. All teaching staff play a vital role in this process, helping to ensure that all pupils relate well to one another and feel safe and comfortable within the school. We expect all the teaching staff to lead by example and to play a full part in promoting an awareness that is appropriate to their age amongst all our pupils on issues relating to health, safety and well-being. All staff, including all non-teaching staff, have an important role in insisting that pupils always adhere to the standards of behaviour set out in our behaviour policy and in enforcing our anti-bullying policy and online safety procedures.

Time is allocated in PSHE and during Tutor periods to discuss what constitutes appropriate behaviour and on why bullying and lack of respect for others is never right. Assemblies, RS lessons and many other contact periods are used to promote tolerance and mutual respect and understanding.

All pupils know that there are adults to whom they can turn to if they are worried, including the school pastoral staff and the medical staff. If the school has concerns about a child there is always a recognised requirement for sensitive communication and designated staff members are aware of the need to avoid asking leading questions. Our support to pupils includes the following:

- All pupils would be given access to a telephone helpline enabling them to call for support in private if requested.
- Every child has access to an electronic copy of the Student Handbook which contains guidance on where to turn for advice, including confidential help lines and web addresses for external specialists such as ChildLine, Kidscape, Get Connected and the Samaritans.
- Our medical room and Year group notice board displays advice on where pupils can seek help.
- We provide leadership training to our head boys/girls and their team of prefects which specifically covers child protection issues and the importance of offering support and assistance to younger and to vulnerable pupils.
- We provide regular lessons to pupils on e-safety and ensure that all pupils understand and adhere to the school's guidelines in this area. For more details on online bullying please refer to the school's Pupil Care policy sections 3.2 and appendix 7.

## **POSITION OF TRUST**

As a result of their knowledge, position and/or the authority invested in their role, all adults working with children and young people in education settings are in positions of trust in relation to the young people in their care. A relationship between a member of staff and a pupil cannot be a relationship between equals. There is potential for exploitation and harm of vulnerable young people and all members of staff have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification. Wherever possible, staff should avoid behaviour which might be misinterpreted by others, and report and record any incident with this potential.

## **STAFF CODE OF CONDUCT**

In general, pupils should be encouraged to discuss with their parents or guardians issues that are troubling them. It may be appropriate to suggest that a pupil sees a member of the medical staff.

Staff must ensure that their behaviour does not inadvertently lay them open to allegations of abuse. They need to treat all pupils with respect and try, as far as possible, not to be alone with a child or young person. Where this is not possible, for example, in an instrumental music lesson, or sports coaching lesson, it is good practice to ensure that others are within earshot. Where possible, a gap or barrier should be maintained between teacher and child at all times. Any physical contact should be the minimum required for care, instruction or restraint.

The current climate of suspicion about child abuse poses a real dilemma for caring adults who, by reason of their profession, need to interact with young people in situations and about issues which may be sensitive or confidential. This is true in all schools which take a pride in fostering a family atmosphere. In order to protect children from abuse, and staff from suspicions of abuse, the natural inclination to comfort and reassure children through physical contact has to be curbed, and impulse restrained, by a considered assessment of each situation.

This does not mean that physical contact is never permissible. It does mean that adults touching children must operate within understood limits, and that contact outside those limits must be a considered response which can be justified if necessary.

Where those limits lie will vary according to the age of the child and the role of the member of staff. A young child may well require being comforted and reassured. Prohibition of any physical contact would clearly not be to the benefit of the child.

One would expect the need and desirability of such contact with older pupils to be considerably less, although situations could arise in which it would be a natural and human occurrence. The death of a pupil, for example, might make it natural for pupils and teachers to grieve together and touching would be neither unusual nor undesirable, so long as it was agreeable to both parties and limited.

It is impossible to lay down rigid rules about what is and is not permissible. Common sense is a good guide, but it must be informed common sense. Child abusers often seek to gain the trust and confidence of children by seeming to care and then exploiting that trust. It is important for caring adults to understand that too generous limits which can be operated satisfactorily by some can be exploited by others with less worthy motives.

Physical contact should never be secretive, or for the gratification of the adult, or represent a misuse of authority. If a member of staff believes that an action could be misinterpreted, the incident and circumstances should be recorded as soon as possible, the DSL informed and, if appropriate, a copy placed on the pupil's file.

If interviewing a pupil preferably have a colleague present or conduct the interview in a public place. Treat all young people with respect; watch the language and tone of voice used and where you put your body. If a private interview is essential sit away from the pupil and have furniture between you. Blinds and curtains should be open, and interviews should take place in rooms where the doors have glass panels.

Adults should not use toilets that are designated for pupil use.

You are strongly advised to share your concerns with a senior colleague if you suspect that a child or young person is becoming inappropriately attached to you or to another member of staff or adult. Do not use nicknames or terms of endearment to a pupil which may be open to misconstruction. The same advice applies if you feel that your relationship with or feelings towards a child or young person are placing you at risk of unprofessional behaviour.



## **BEHAVIOUR MANAGEMENT**

All children and young people have a right to be treated with respect and dignity even in those circumstances where they display difficult or challenging behaviour.

Adults should not use any form of degrading treatment to punish a child. The use of sarcasm, demeaning or insensitive comments towards children and young people is not acceptable in any situation. Do not ridicule and do not make pupils scapegoats.

Any sanctions or rewards used should be part of a behaviour management policy which is widely publicised and regularly reviewed.

**The use of corporal punishment is not acceptable.**

Where children display difficult or challenging behaviour, adults must follow the behaviour policy and use strategies appropriate to the circumstance and situation. The use of physical intervention can only be justified in exceptional circumstances and must be used as a last resort when other behaviour management strategies have failed.

This means that adults should try to defuse situations before they escalate and be mindful of factors which may impact upon a child or young person's behaviour e.g. bullying, abuse and where necessary take appropriate action.

## **INVESTIGATING BEHAVIOURAL INCIDENTS**

When a student needs to be interviewed the following general procedure will be followed:

Take the pupil reporting the matter out of the public arena.

The names of any witnesses and the time and location of the incident should be noted.

It may be appropriate to ask witnesses to write full, signed statements. Ask the pupil to sign and date the statement after agreeing that it is correct.

Interview the pupil in a place where you cannot be overheard. (Advice should be sought from a member of the pastoral team at this point)

See any pupil or pupils involved (although an individual member of staff may undertake initial interviews concerning incidents, where serious allegations have been made or where a serious incident has occurred, subsequent interviews should be conducted in the presence of another member of staff, preferably the Head of Year or a Deputy Head).

If more than one pupil is involved avoid the pupils concerned talking with each other until initial questioning has been completed. If a group is involved, see each pupil individually in the first instance.

Keep a written account of the statements each pupil makes (this account may be written up later), the questions you ask and the answers the pupils give.

Caution is required because the whole truth is not always forthcoming in the first instance. If subsequent actions are taken based on what amounts to half-truths this can serve only to exacerbate the situation.

Pupils may wish for confidence at this stage; this cannot be guaranteed. You can however assure them that they are doing right by talking to you and that you will do your best to protect them.

[Confidentiality: Parents policy 6]

At the close of an investigation:

An evaluation of the evidence should be made and any necessary consultation undertaken. Fair and appropriate sanctions should be imposed and should be clearly explained to the pupil. In evaluating evidence, the character and record of those making statements may be taken into account but should not be used prejudicially.

A conclusion should be reached. It is hoped that this will make clear the exact nature of the incident and the role of all parties involved. It will sometimes have to be admitted that, for stated reasons, no clear conclusion is possible.

All the notes and written statements concerned with the investigation must be kept on record until it has been concluded, punishments served and parents satisfied that the school has done what it could to sort matters out. Afterwards a summary of the incident should be placed in the files of all the major participants in the incident.

After the matter is closed, staff should be sensitive to possible recriminations or repetition. It should be made clear that recriminations or repetition are likely to lead to more serious punishment. In dealing with very serious matters following all investigations a copy of the written report must be given to the Headmaster.

## **PHOTOGRAPHS AND VIDEOS**

Working with children and young people may involve the taking or recording of images. Any such work should take place with due regard to the law and the need to safeguard the privacy, dignity, safety and wellbeing of children and young people.

Adults need to remain sensitive to any children who appear uncomfortable, for whatever reason, and should recognise the potential for such activities to raise concerns or lead to misunderstandings. It is not appropriate for adults to take photographs of children for their personal use.

This means that adults should:

- be able to justify images of children in their possession
- ensure the child/young person understands why the images are being taken and has agreed to the activity and that they are appropriately dressed.
- only use equipment provided or authorised by the organisation
- report any concerns about any inappropriate or intrusive photographs found

## **ACCESS TO INAPPROPRIATE IMAGES AND INTERNET USAGE**

There are no circumstances that will justify adults possessing indecent images of children. Adults who access and possess links to such websites will be viewed as a significant and potential threat to children. Accessing, making and storing indecent images of children on the internet is illegal. This will lead to criminal investigation and the individual being barred from working with children and young people, if proven.

Adults should not use equipment belonging to their organisation to access adult pornography; neither should personal equipment containing these images or links to them be brought into the workplace. This will raise serious concerns about the suitability of the adult to continue to work with children.

Adults should ensure that children and young people are not exposed to any inappropriate images or web links.

Where indecent images of children or other unsuitable material are found, the police and Local Authority Designated Officer (LADO) should be immediately informed. Adults should not attempt to investigate the matter or evaluate the material themselves, as this may lead to evidence being contaminated which in itself can lead to a criminal prosecution.

This means that adults should:

- follow guidance on the use of IT equipment
- ensure that children are not exposed to unsuitable material on the internet
- ensure that any films or material shown to children and young people are age appropriate

## **COMMUNICATION WITH PUPILS**

With increased electronic communication with pupils, staff must be aware of the nature and permanence of such contact. All such contact must be entirely appropriate. Staff should not give their personal mobile phone numbers or email addresses to pupils, nor should they communicate with them by text message or personal email. No teacher should be a 'friend' of a current student on any social media. The group leader on all trips and visits involving an overnight stay should take a school mobile phone with him/her and may ask the pupils for their mobile numbers before allowing them out in small, unsupervised groups. The school mobile should be used for any contact with pupils that may be necessary. The group leader will delete any record of pupils' mobile phone numbers at the end of the trip or visit and should ensure that pupils delete any school numbers that they may have acquired during the trip.

## **PHYSICAL RESTRAINT**

Any physical restraint is only permissible when a child is in imminent danger of inflicting an injury on himself/herself or on another, and then only as a last resort when all efforts to diffuse the situation have failed. Another member of staff should, if possible, be present to act as a witness. All incidents of the use of physical restraint should be recorded in writing and reported immediately to the DSL/Headmaster who will decide what to do next. Colleagues should, where possible, be summoned to witness and to assist if necessary. (DfE guidance Use of reasonable force July 2013)

## **ACTIVITIES REQUIRING PHYSICAL CONTACT**

Where exercises or procedures need to be demonstrated, extreme caution should be used if the demonstration involves contact with pupils and, wherever possible, contact should be avoided. It is acknowledged that some staff, for example, those who teach PE and games, or who offer music tuition, will, on occasions, have to initiate physical contact with pupils in order to support a pupil so they can perform a task safely, to demonstrate the use of a particular piece of equipment/instrument or assist them with an exercise. This should be done with the pupil's agreement. Contact under these circumstances should be for the minimum time necessary to complete the activity and take place in an open environment. Staff should remain sensitive to any discomfort expressed verbally or non-verbally by the child.

## **TRANSPORTING PUPILS**

It is inadvisable for a member of staff to give a lift in a car to a pupil alone. Wherever possible and practicable it is advisable that transport is undertaken other than in private vehicles, with at least one adult additional to the driver acting as an escort. If there are exceptional circumstances that make unaccompanied transportation of pupils unavoidable, the journey should be made known to a senior member of staff.

## **CONFIDENTIALITY**

Staff members should never give absolute guarantees of confidentiality to pupils or adults wishing to tell them about something serious. They should guarantee only that they will pass on information to the minimum number of people who must be told in order to ensure that the proper action is taken to sort out the problem and that they will not tell anyone who does not have a clear need to know. They will also take whatever steps they can to protect the informing pupil or adult from any retaliation or unnecessary stress that might be feared after a disclosure has been made.

## **PARENTAL RESPONSIBILITY**

The school will establish who has parental responsibility for each pupil and school records will accurately reflect the home situation so far as is possible.

Consent for school trips, medical attention, etc. must be obtained from those with parental responsibility. If a pupil is hurt in an accident, the school must contact those with parental responsibility.

## **CHILD MISSING FROM EDUCATION**

Full attendance at school is vital for the delivery of a comprehensive education. It is also recognised that a child missing from education is vulnerable. This can be an indicator of abuse or neglect, child sexual exploitation, FGM [Appendices 2a and 2b] and a number of risk taking behaviours. It is also a potential indicator of radicalisation [Appendix 2d]

The procedure to monitor attendance starts with the Tutor or subject teacher. In the case of absence during the working day:

- first check with the pupil's friends
- check the medical room

- check with reception who will check the signing out/in book and if necessary inform a senior member of staff who will then follow up this information, contact parents and locate the pupil.

All absences should be accompanied by a signed letter from the pupil's parents to explain the circumstances of the absence.

A record is kept by the school of any instances in which a pupil is missing from school without satisfactory permission and documentation, including the action taken and the pupil's explanation. This includes repeated lateness.

Repeated absences will result in action by the senior management and may result in referral to the DSL.

The CME officer at CWAC is informed regarding all pupils who leave or join the school at non-standard transition ages. [6. Parent-School Policy]

## **EQUAL TREATMENT**

We are committed to equal treatment for all pupils regardless of sex, race, disability, religion or belief. We keep a record of such incidents. We aim to create a friendly, caring and perceptive environment in which every individual is valued. We endeavour to contribute positively towards the growing autonomy, self-esteem and safety of each pupil. Staff undertake regular consultation activities with our pupils e.g through questionnaires, participation in anti-bullying week and speaking to children about their experiences at lunchtime and break-times. It is recognised that such behaviour can be used to challenge potential radicalisation.

## **BULLYING**

Bullying, harassment and victimisation and discrimination will not be tolerated. We treat all our pupils and their parents fairly and with consideration and we expect them to reciprocate towards each other, the staff and the school. Any kind of bullying is unacceptable and the school keeps a record of any incidents. Peer bullying is an example of an abusive relationship and will be treated as a Child protection concern if it is believed that the child may suffer significant harm. Please see the Pupil Care Policy 3.2 for further details regarding anti-bullying.

## **SEXTING**

Sexting among children and young people can be a common occurrence; where they often describe these incidents as 'mundane'. Children, involved in sexting incidents, will be dealt with (by the police) as victims as opposed to perpetrators (unless there are mitigating circumstances). The school will record all incidents of sexting. This includes both the actions the School did take together with the actions that the School did not take, together with justifications.

If you have a report of (or you suspect) a sexting incident (intimate sexting images are typically considered to be illegal images which is why incidents need very careful management for all those involved).

If a device is involved – secure the device and switch it off

Seek advice - report to your designated safeguarding lead via your normal safeguarding procedures

In applying judgement to each sexting incident the following are considered:

Significant age difference between the sender/receiver involved.

If there is any external coercion involved or encouragement beyond the sender/receiver.

If you recognise the child as more vulnerable than is usual (ie at risk).

If the image is of a severe or extreme nature.

If the situation is not isolated and the image has been more widely distributed.

If this is not the first time children have been involved in a sexting act.

If other knowledge of either the sender/recipient may add cause for concern (ie difficult home circumstances).

## **COMPLAINTS**

The school's complaints policy is available on the school website. Any complaint arising from the implementation of this policy will be considered under the school's complaints procedure.

## **WHISTLEBLOWING**

If a teacher or member of staff has concerns about the behaviour of another member of staff towards a pupil, he or she should report it at once to the Headmaster and to the DSL (or to the Chairman of Governors where the concern relates to the Headmaster). Any concern will be thoroughly investigated under the school's whistle-blowing procedures. Where there are allegations of criminal activity, the statutory authorities will always be informed. Wherever possible, and subject to the rights of the pupil, the member of staff will be informed of the outcome of the investigation. No one who reports a genuine concern in good faith needs to fear retribution. Under the Public Interest Disclosure Act 1998 the member of staff may be entitled to raise a concern directly with an external body where the circumstances justify it. [Staff Handbook pages 107 -118]

## **MONITORING AND EVALUATION OF THIS POLICY**

The school monitors and evaluates its child protection policy and procedures through the following activities:

- Governing body visits to the school;
- Senior leadership team discussion sessions with children and staff
- Pupil questionnaires
- Frequent scrutiny of attendance data
- Regular analysis of a range of risk assessments
- Regular analysis of appropriate provision for the fulfilment of other safeguarding responsibilities relevant to the school.
- Frequent scrutiny of governing body meeting minutes
- Logs of bullying and/or significant behaviour incidents are reviewed regularly by the senior leadership team and reported to the governing body
- Regular review of parental concerns and parental questionnaires
- Regular review of the use of pupil activities at lunchtime and after school
- Active monitoring of the site by duty staff

**Department for Education Publications**

***Appendix 2a***

*(ref: ISI part 3)*

**Keeping children safe in education (September 2016) part 1**

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/550499/Keeping\\_children\\_safe\\_in\\_education\\_Part\\_1.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/550499/Keeping_children_safe_in_education_Part_1.pdf)

***Appendix 2b***

*(ref: ISI part 3)*

**What to do if you're worried a child is being abused (March 2015)**

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/419604/What\\_to\\_do\\_if\\_you\\_re\\_worried\\_a\\_child\\_is\\_being\\_abused.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/419604/What_to_do_if_you_re_worried_a_child_is_being_abused.pdf)

***Appendix 2c***

*(ref: ISI part 3)*

**Information Sharing (March 2015)**

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/419628/Information\\_sharing\\_advice\\_safeguarding\\_practitioners.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/419628/Information_sharing_advice_safeguarding_practitioners.pdf)

## *Appendix 2d*

### **SAFEGUARDING PUPILS WHO ARE VULNERABLE TO EXTREMISM**

Since 2010, when the Government published the Prevent Strategy, there has been an awareness of the specific need to safeguard children, young people and families from violent extremism. There have been several occasions both locally and nationally in which extremist groups have attempted to radicalise vulnerable children and young people to hold extreme views including views justifying political, religious, sexist or racist violence, or to steer them into a rigid and narrow ideology that is intolerant of diversity and leaves them vulnerable to future radicalisation.

#### **The Prevent Strategy has three main objectives:**

- Respond to the **ideological challenge** of terrorism & the threat we face from those who promote it;
- **Prevent people from being drawn into terrorism** and ensure that they are given appropriate advice and support;
- Work with **sectors and institutions** where there are risks of radicalisation which we need to address.

Cheshire Police Prevent Coordinator Emma Hart <a href="mailto:Emma.hart@cheshire.pnn.police.uk">Emma.hart@cheshire.pnn.police.uk</a> 01606 362147
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The King's School values freedom of speech and the expression of beliefs / ideology as fundamental rights underpinning our society's values. Both pupils and teachers have the right to speak freely and voice their opinions. However, freedom comes with responsibility and free speech that is designed to manipulate the vulnerable or that leads to violence and harm of others goes against the moral principles in which freedom of speech is valued. Free speech is not an unqualified privilege; it is subject to laws and policies governing equality, human rights, community safety and community cohesion.

The current threat from terrorism in the United Kingdom may include the exploitation of vulnerable people, to involve them in terrorism or in activity in support of terrorism. The normalisation of extreme views may also make children and young people vulnerable to future manipulation and exploitation. The King's School is clear that this exploitation and radicalisation should be viewed as a safeguarding concern.

The school governors, the Headmaster and the Designated Safeguarding Lead will assess the level of risk within the school and put actions in place to reduce that risk. This risk assessment will be reviewed annually alongside all aspects of safeguarding.

Our school, like all others, is required to identify a Prevent **Single Point of Contact** (SPOC) who will be the lead within the organisation for safeguarding in relation to protecting individuals from radicalisation and involvement in terrorism: this will normally be the Designated Safeguarding Person. The SPOC for The King's School is Mr Michael Harle. If a member of staff has concerns that a pupil may be at risk of radicalisation or involvement in terrorism, they should speak with the SPOC/DSL.

Numerous factors can contribute to and influence the range of behaviours that are defined as violent extremism, but most young people do not become involved in extremist action. For this reason the appropriate interventions in any particular case may not have any specific connection to the threat of radicalisation, for example they may address mental health, relationship or drug/alcohol issues.

## **Indicators of vulnerability to radicalisation**

1. Radicalisation refers to the process by which a person comes to support terrorism and forms of extremism leading to terrorism.
2. Extremism is defined by the Government in the Prevent Strategy as:  
Vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. We also include in our definition of extremism calls for the death of members of our armed forces, whether in this country or overseas.
3. Extremism is defined by the Crown Prosecution Service as:  
The demonstration of unacceptable behaviour by using any means or medium to express views which:
  - Encourage, justify or glorify terrorist violence in furtherance of particular beliefs;
  - Seek to provoke others to terrorist acts;
  - Encourage other serious criminal activity or seek to provoke others to serious criminal acts; or
  - Foster hatred which might lead to inter-community violence in the UK.
4. There is no such thing as a “typical extremist”: those who become involved in extremist actions come from a range of backgrounds and experiences, and most individuals, even those who hold radical views, do not become involved in violent extremist activity.
5. Pupils may become susceptible to radicalisation through a range of social, personal and environmental factors - it is known that violent extremists exploit vulnerabilities in individuals to drive a wedge between them and their families and communities. It is vital that school staff are able to recognise those vulnerabilities.
6. Indicators of vulnerability include:
  - Identity Crisis – the student / pupil is distanced from their cultural / religious heritage and experiences discomfort about their place in society;
  - Personal Crisis – the student / pupil may be experiencing family tensions; a sense of isolation; and low self-esteem; they may have dissociated from their existing friendship group and become involved with a new and different group of friends; they may be searching for answers to questions about identity, faith and belonging;
  - Personal Circumstances – migration; local community tensions; and events affecting the student / pupil’s country or region of origin may contribute to a sense of grievance that is triggered by personal experience of racism or discrimination or aspects of Government policy;
  - Unmet Aspirations – the student / pupil may have perceptions of injustice; a feeling of failure; rejection of civic life;
  - Experiences of Criminality – which may include involvement with criminal groups, imprisonment, and poor resettlement / reintegration;
  - Special Educational Need – students / pupils may experience difficulties with social interaction, empathy with others, understanding the consequences of their actions and awareness of the motivations of others.
7. However, this list is not exhaustive, nor does it mean that all young people experiencing the above are at risk of radicalisation for the purposes of violent extremism.
8. More critical risk factors could include:
  - Being in contact with extremist recruiters;
  - Accessing violent extremist websites, especially those with a social networking element;
  - Possessing or accessing violent extremist literature;
  - Using extremist narratives and a global ideology to explain personal disadvantage;
  - Justifying the use of violence to solve societal issues;
  - Joining or seeking to join extremist organisations; and
  - Significant changes to appearance and / or behaviour;
  - Experiencing a high level of social isolation resulting in issues of identity crisis and / or personal crisis.

## **Channel**

Channel is a key element of the Prevent strategy. It is a multi-agency approach to protect people at risk from radicalisation. Channel uses existing collaboration between local authorities, statutory partners (such as the education and health sectors, social services, children’s and youth services and offender management services), the police and the local community to:

- Identify individuals at risk of being drawn into terrorism
- Assess the nature and extent of that risk



- Develop the most appropriate support plan for the individuals concerned.

Channel is about safeguarding children and adults from being drawn into committing terrorist-related activity. It is about early intervention to protect and divert people away from the risk they face before illegality occurs.

Channel is one tactical option employed by Prevent and has recently been placed on a statutory footing.

To understand more about the Channel Programme further information can be found at

[www.gov.uk/government/publications/channel-guidance](http://www.gov.uk/government/publications/channel-guidance)

There is an online training package that covers Prevent and Channel

[http://course.ncalt.com/Channel\\_General\\_Awareness](http://course.ncalt.com/Channel_General_Awareness)

## *Appendix 2e*

### **SAFEGUARDING PUPILS WHO ARE VULNERABLE TO EXPLOITATION, FORCED MARRIAGE, HONOUR BASED VIOLENCE, FEMALE GENITAL MUTILATION, OR TRAFFICKING**

The King's School Pupil Care policy through the school's values, ethos and behaviour policies provides the basic platform to ensure children and young people are given the support to respect themselves and others, stand up for themselves and protect each other.

The school keeps itself up to date on the latest advice and guidance provided to assist in addressing specific vulnerabilities and forms of exploitation.

The staff are supported to recognise warning signs and symptoms in relation to specific issues, include such issues in an age appropriate way in their curriculum,

The school works with and engages our families and communities to talk about such issues,

The staff are supported to talk to families about sensitive concerns in relation to their children and to find ways to address them together wherever possible.

The Designated Safeguarding Leads knows where to seek and get advice as necessary.

The school brings in experts and uses specialist material to support the work we do.

## *Appendix 2f*

### **PEER ON PEER ABUSE**

There is no clear boundary between incidents that should be regarded as abusive and incidents that are more properly dealt with as bullying, sexual experimentation etc. This is a matter of professional judgement.

If one child or young person causes harm to another, this should not necessarily be dealt with as abuse: bullying, fighting and harassment between children are not generally seen as child protection issues. However, it may be appropriate to regard a young person's behaviour as abusive if:

- There is a large difference in power (for example age, size, ability, development) between the young people concerned; or
- The perpetrator has repeatedly tried to harm one or more other children; or
- There are concerns about the intention of the alleged perpetrator.

If the evidence suggests that there was an intention to cause severe harm to the victim, this should be regarded as abusive whether or not severe harm was actually caused.

Particular difficulties arise in responding to a child or young person who abuses another child because:

- There is no clear dividing line between abusive behaviour and normal childhood behaviour;
- Many adults who abuse children repeatedly established this pattern of behaviour in childhood or adolescence, but a single incident of abuse does not indicate that a young person is likely to abuse again; and
- Some young people who abuse have themselves been abused, but this cannot be assumed in any particular case.

The guiding principles for dealing with these situations are:

- The needs of the victim and the needs of the alleged perpetrator must be considered separately;
- In addition to safeguarding the identified victim, agencies must consider whether the alleged perpetrator seems to pose a risk to any other children;
- Children and young people who abuse others are responsible for their abusive behaviour, and safeguarding action must include addressing their behaviour and its causes;
- The alleged perpetrator is likely to have considerable unmet needs as well as posing a significant risk of harm to other children;
- There should be a co-ordinated approach. No agency should start a course of action that has implications for any other agency without appropriate consultation.

### Procedures

Responses to behavioural incidents and abuse are outlined in **CHILD PROTECTION AND STAFF CODE OF CONDUCT [Appendix 1]**.

Discussion with pastoral leaders and the DSL will be needed to determine which procedures should be followed initially. Review will be required if new information comes to light or circumstances change.

## SEXTING: Policy and procedures

### Context

There is no clear definition of ‘sexting’. Many consider sexting to be ‘sending or posting sexually suggestive images, including nude or semi-nude photographs, via mobiles or over the Internet.’ Yet when young people are asked ‘What does sexting mean to you?’ they are more likely to interpret sexting as ‘writing and sharing explicit messages with people they know’. Similarly, many parents think of sexting as flirty or sexual text messages rather than images.

The policy and guidance that follows only covers the sharing of sexual imagery by young people.

On this basis the phrase ‘youth produced sexual imagery’ is used rather than ‘sexting.’ This is in line with guidance from UKCCIS in ‘Sexting in schools and colleges: responding to incidents and safeguarding young people’

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

- ‘Youth produced’ includes young people sharing images that they, or another young person, have created of themselves.
- ‘Sexual’ is clearer than ‘indecent.’ A judgement of whether something is ‘decent’ is both a value judgement and dependent on context.
- ‘Imagery’ covers both still photos and moving videos.

The types of incidents covered are:

- A person under the age of 18 creates and shares sexual imagery of themselves with a peer under the age of 18
- A person under the age of 18 shares sexual imagery created by another person under the age of 18 with a peer under the age of 18 or an adult
- A person under the age of 18 is in possession of sexual imagery created by another person under the age of 18

This advice does not cover:

- The sharing of sexual imagery of people under 18 by adults as this constitutes **child sexual abuse and the school will always inform the police.**
- Young people under the age of 18 sharing adult pornography or exchanging sexual texts which don’t contain imagery.

The increase in the speed and ease of sharing imagery has increased concerns about young people producing and sharing sexual imagery of themselves. This can expose them to risks, particularly if the imagery is shared further, including embarrassment, bullying and increased vulnerability to sexual exploitation. Producing and sharing sexual images of under-18s is also illegal.

Although the production of such imagery will likely take place outside of school, these issues often manifest in schools. The School will respond swiftly and confidently to ensure that children are safeguarded, supported and educated.

These procedures are part of the school’s safeguarding arrangements and all incidents of youth produced sexual imagery are dealt with as safeguarding concerns. The response to these incidents is guided by the principle of proportionality and the primary concern at all times is the welfare and protection of the young people involved.

## The law

Much of the complexity in responding to youth produced sexual imagery is due to its legal status. Making, possessing and distributing any imagery of someone under 18 which is 'indecent' is illegal. This includes imagery of yourself if you are under 18.

The relevant legislation is contained in the Protection of Children Act 1978 (England and Wales) as amended in the Sexual Offences Act 2003 (England and Wales).

Specifically:

- It is an offence to possess, distribute, show and make indecent images of children.
- The Sexual Offences Act 2003 (England and Wales) defines a child, for the purposes of indecent images, as anyone under the age of 18.

'Indecent' is not defined in legislation. When cases are prosecuted, the question of whether any photograph of a child is indecent is for a jury, magistrate or District Judge to decide based on what is the recognised standard of propriety. For most purposes, if imagery contains a naked young person, a topless girl, and/or displays genitals or sex acts, including masturbation, then it will be considered indecent. Indecent images may also include overtly sexual images of young people in their underwear.

The aim is not, however, to unnecessarily criminalise children. Children with a criminal record face stigma and discrimination in accessing education, training, employment, travel and housing and these obstacles can follow a child into adulthood.

Whilst young people creating and sharing sexual imagery can be very risky, it is often the result of young people's natural curiosity about sex and their exploration of relationships. Often, young people need education, support or safeguarding, not criminalisation.

## Crime recording

Where the police are notified of incidents of youth produced sexual imagery they are obliged, under the Home Office Counting rules and National Crime Recording Standards, to record the incident on their crime systems. The incident will be listed as a 'crime' and the young person involved will be listed as a 'suspect.' **This is not the same as having a criminal record.**

However, there have been concerns that young people could be negatively affected should that crime be disclosed, for example, on an enhanced Disclosure and Barring Service (DBS) check. To mitigate this risk, the NPCC have worked with the Home Office and the Disclosure and Barring Service and provided policing with a new way of recording the outcome of an investigation into youth produced sexual imagery. This is called outcome 21.

## Outcome 21

Every 'crime' recorded on police systems has to be assigned an outcome from a predefined list of outcome codes. As of January 2016 the Home Office launched a new outcome code (outcome 21) to help formalise the discretion available to the police when handling crimes such as youth produced sexual imagery.

### Outcome 21 states:

***Further investigation, resulting from the crime report, which could provide evidence sufficient to support formal action being taken against the suspect is not in the public interest. This is a police decision.***

This means that even though a young person has broken the law and the police could provide evidence that they have done so, the police can record that they chose not to take further action as it was not in the public interest. That said, it is not possible to categorically say that an incident of youth produced sexual imagery recorded on police systems with outcome 21 would never be disclosed on a DBS certificate.

## Procedures

These procedures should be read in conjunction with Appendices A to D of *Sexting in schools and colleges: responding to incidents and safeguarding young people*, and the DfE advice *Searching, screening and confiscation* (February 2014)

## Handling incidents

When an incident involving youth produced sexual imagery comes to a school's attention:

- The incident will be referred to the DSL as soon as possible.
- The DSL will hold an initial review meeting with appropriate school staff.
- There will be subsequent interviews with the young people involved (if appropriate).
- Parents 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.
- At any point in the process if there is a concern a young person has been harmed or is at risk of harm a referral will be made immediately to children's social care and/or the police.

## Handling disclosures

All staff are made aware of the procedures regarding pupil disclosures as part of the Basic Awareness training in addition specific guidance is provided regarding youth produced sexual imagery. **This needs to be scheduled as a 30 min inset activity this term**

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

## Initial review meeting

The initial review meeting will consider the initial evidence and aim to establish:

- Whether there is an immediate risk to a young person or young people
- If a referral should be made to the police and/or children's social care
- If it is necessary to view the imagery in order to safeguard the young person – **in most cases, imagery should not be viewed**
- What further information is required to decide on the best response
- Whether the imagery has been shared widely and via what services and/or platforms. This may be unknown.
- Whether immediate action should be taken to delete or remove images from devices or online services
- Any relevant facts about the young people involved which would influence risk assessment
- If there is a need to contact another school, college, setting or individual
- Whether to contact parents or carers of the pupils involved - in most cases parents should be involved

An immediate referral to police and/or children's social care will be made if at this initial stage:

1. The incident involves an adult
2. There is reason to believe that a young person has been coerced, blackmailed or groomed, or if there are concerns about their capacity to consent (for example, owing to special educational needs)
3. 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
4. The imagery involves sexual acts and any pupil in the imagery is under 13
5. There is reason to believe a young person is at immediate risk of harm owing to the sharing of the imagery, for example, the young person is presenting as suicidal or self-harming.

Annex A of *Sexting in schools and colleges: responding to incidents and safeguarding young people* will be used as a guide to inform the questioning and decision making in the initial review.

If none of the above apply then the school may decide to respond to the incident without involving the police or children's social care, although the school may choose to escalate the incident at any time if further information/concerns come to light.

The decision to respond to the incident without involving the police or children's social care will be made by the DSL with input from the Headteacher and input from other members of staff if appropriate. The decision will be clearly recorded and explained.

The decision will be in line with the school's child protection procedures and will be based on consideration of the best interests of the young people involved. This should take into account proportionality as well as the welfare and protection of the young people. The decision will be reviewed throughout the process of responding to the incident.

### **Informing parents (or carers)**

Parents (or carers) will be informed and involved in the process at an early stage unless informing the parent will put the young person at risk of harm. Any decision not to inform the parents would generally be made in conjunction with other services such as children's social care and/or the police, who would take the lead in deciding when the parents should be informed.

The DSLs may work with the young people involved to decide on the best approach for informing parents. In some cases the DSL may work to support the young people to inform their parents themselves. The advice and information about involving parents and carers in Annex C of *Sexting in schools and colleges: responding to incidents and safeguarding young people* will be followed.

### **Reporting incidents to the police**

If it is necessary to refer to the police, contact will be made through existing arrangements.

Once a report is made to the police, the report has to be recorded and the police will conduct an investigation. This may include seizure of devices and interviews with the young people involved.

### **Securing and handing over devices to the police**

If any devices need to be seized and passed onto the police then the device(s) should be confiscated and the police should be called. The device should be turned off and placed under lock and key until the police are able to come and retrieve it.

### **Searching devices, viewing and deleting imagery**

#### **Viewing the imagery**

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

The decision to view imagery will be based on the professional judgement of the DSL and will always comply with the child protection policy and procedures of the school. Imagery will never be viewed if the act of viewing will cause significant distress or harm to the pupil.

If a decision is made to view imagery, the DSL would need to be satisfied that viewing:

- is the only way to make a decision about whether to involve other agencies (i.e. 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 should:

- Never copy, print or share the imagery; this is illegal
- Discuss the decision with the Headteacher
- Ensure viewing is undertaken by the DSL or another member of the safeguarding team with delegated authority from the Headteacher
- Ensure viewing takes place with another member of staff present in the room, ideally the Headteacher or a member of the senior leadership team. This staff member does not need to view the images.
- Wherever possible ensure viewing takes place on school or college premises, ideally in the Headteacher or a member of the senior leadership team'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 school's safeguarding records including who was present, why the image was viewed and any subsequent actions. Ensure this is signed and dated and meets the wider standards set out by Ofsted for recording safeguarding incidents

If youth produced sexual imagery has been unavoidably viewed by a member of staff either following a disclosure from a young person or as a result of a member of staff undertaking their daily role (such as IT staff monitoring school systems) then the DSL will ensure that the staff member is provided with appropriate support.

### **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.

The *Searching, Screening and Confiscation advice* confirms that schools have the power to search pupils for devices, search data on devices and delete youth produced sexual imagery.

The Education Act 2011 amended the power in the Education Act 1996 to provide that when an electronic device, such as a mobile phone, has been seized, a teacher who has been formally authorised by the Headteacher can examine data or files, and delete these, where there is good reason to do so. This power applies to all schools and there is no need to have parental consent to search through a young person's mobile phone.

If during a search a teacher finds material which concerns them and they reasonably suspect the material has been or could be used to cause harm or commit an offence, they can decide whether they should delete the material or retain it as evidence of a criminal offence or a breach of school discipline. They can also decide whether the material is of such seriousness that the police need to be involved.

However, just as in most circumstances it is not recommended that school staff view imagery, it is recommended that schools should not search through devices and delete imagery unless there is good and clear reason to do so.

It is recommended that in most cases young people are asked to delete imagery and to confirm that they have deleted the imagery. Young people should be given a deadline for deletion across all devices, online storage or social media sites.

Young people should be reminded that possession of youth produced sexual imagery is illegal. They should be informed that if they refuse or it is later discovered they did not delete the image they are committing a criminal offence and the police may become involved. All of these decisions need to be recorded, including times, dates and reasons for decisions made and logged in the safeguarding records. Parents and carers should also be informed unless this presents a further risk to the young person.

### **Reporting youth produced sexual imagery online**

Young people may need help and support with the removal of imagery from devices and social media, especially if they are distressed. It is recognised that most online service providers offer a reporting

function for account holders and some offer a public reporting function to enable a third party to make a report on behalf of the young person. This information is readily available to parents and pupils.

### **Interviewing and talking to the young person/people involved**

Once a school has assessed a young person as not at immediate risk, it may be necessary to have a conversation with them and decide the best course of action. If possible, the DSL will carry out this conversation. However, if the young person feels more comfortable talking to a different teacher, this will be facilitated where possible.

When discussing the sharing of youth produced sexual imagery, the DSL will:

- Recognise the pressures that young people can be under to take part in sharing such imagery and, if relevant, supports the young person's parents to understand the wider issues and motivations around this.
- Remain solution-focused and avoids questions such as 'why have you done this?' as this may prevent the young person from talking about what has happened.
- Reassure the young person that they are not alone and the school or college will do everything that they can to help and support them.
- Help the young person to understand what has happened by discussing the wider pressures that they may face and the motivations of the person that sent on the imagery.
- Discuss issues of consent and trust within healthy relationships. Explain that it is not ok for someone to make them feel uncomfortable, to pressure them into doing things that they don't want to do, or to show them things that they are unhappy about.
- Let them know that they can speak to the DSL if this ever happens.

The purpose of the conversation is to:

- Identify, **without looking**, what the image contains and whether anyone else has been involved.
- Find out who has seen or shared the image and how further distribution can be prevented.

### **Recording incidents**

All incidents relating to youth produced sexual imagery will be recorded. This includes incidents that have been referred to external agencies and those that have not.

Records will:

- be kept up to date and complete.
- demonstrate both effective identification and management of the risk of harm.
- demonstrate sound decision-making, appropriate responses to concerns and evidence of relevant referrals made in a timely manner.
- will indicate that appropriate action is taken in response to concerns and allegations in a timely manner.

If appropriate records will also:

- show evidence of tenacity in following up concerns with relevant agencies.
- provide evidence of effective partnership working and sharing of information.
- show evidence of attendance at or contribution to inter-agency meetings and conferences.
- indicate clarity about the school's policy relating to the sharing of information internally, safe keeping of records, and transfer when a pupil leaves the school.

In addition, where schools do not refer incidents out to police or children's social care they should record their reason for doing so and ensure that this is signed off by the Headteacher.

01 September 2016



## Appendix 3

### ALLEGATIONS AGAINST STAFF

(ref: ISI part 3)



### **Guidance for Senior Managers regarding the Referral Process to the Local Authority Designated Officer [LADO]**

#### **INTRODUCTION**

The procedures in Cheshire West and Chester Council for managing allegations or concerns about adults working with children provide an independent service that ensures at all referrals are appropriately monitored by the Local Authority Designated Officer [LADO]. This service will respond to concerns/allegations of "harm" and other concerns, which may render an adult unsuitable to work with children. The key principles of this service are that children are appropriately safeguarded, and that the process is proportionate, consistent, transparent and timely. The process of any investigation can be very difficult and stressful for those involved, and it is therefore crucial that support is offered for both the children and adult/s involved. Working Together to Safeguard Children states that each LSCB member organisation should have a named senior officer who has overall responsibility for:

- 1] Ensuring the organisation operates procedures for dealing with allegations in accordance with the guidance in Appendix 5
- 2] Resolving any inter-agency issues and
- 3] Liaising with the LSCB on the subject

Local authorities may also designate officers to be involved in the management and oversight of individual cases.

#### **REFERRAL PROCESS (please also refer to Flow Chart)**

If you have a concern or an allegation is made about a person who works with children, whether a professional, staff member, foster carer or volunteer and they may have: -

behaved in a way that has harmed a child, or may have harmed a child  
possibly committed a criminal offence against or related to a child or  
behaved towards a child or children in a way that indicates s/he is unsuitable to work  
with children, then the process outlined below should be followed:-

1. Your member of staff should first discuss this matter with you, the named senior officer in your organisation with responsibility for allegations management who will liaise with the LADO within the children's safeguarding unit. This will not necessarily be the line manager for the staff member. If, however the concern/ allegation relates to the named senior officer, then the concern/allegation should be notified to another senior officer within the organisation, who would then liaise with the LADO.
2. If the concern/allegation meets the criteria set out in Cheshire West and Chester's Local Safeguarding Children Board Procedures [http://www.cheshirewestlscb.org.uk/?page\\_id=12](http://www.cheshirewestlscb.org.uk/?page_id=12) , then the named senior officer must make contact within one working day with the LADO. The **LADO** contact details are: **0151 337 4570**. The LADO together with the conference chairs operate a duty system to

ensure advice and guidance is available when an initial discussion can take place regarding how the matter will be progressed.

3. If it is agreed that it is an appropriate referral to the LADO, then a referral form, (available at [http://www.cheshirewestlscb.org.uk/?page\\_id=12](http://www.cheshirewestlscb.org.uk/?page_id=12) ) should be completed by the referrer and sent immediately to the Safeguarding Unit. –

[SafeguardingLado@cheshirewestandchester.gov.uk.cjsm.net](mailto:SafeguardingLado@cheshirewestandchester.gov.uk.cjsm.net)

4. If a strategy meeting or discussion is required, it will normally be chaired by the LADO, or Independent Conference Chair.

5. There are six possible outcomes to a referral being made:

- The referral does not meet the threshold for investigation
- The referring agency undertakes their own investigation within agreed timescales and advises the LADO of the outcome
- The LADO assists the referring agency with an investigation (i.e. in the voluntary sector or for the purpose of independence) within agreed timescales.
- A social worker from children's services social care undertakes an investigation regarding "significant harm" as defined in Section 47 of the Children Act (1989) within agreed timescales
- A social worker from the appropriate Local Authority social care service assists with some investigative functions where there are concerns about harm to a child.
- A criminal investigation is conducted by the Police, working with other relevant agencies.

Each case will be reviewed monthly in accordance with the 'Working Together to Safeguard Children' 2006 [Appendix 5, Revised 2010]] and LCSB Procedures by the LADO, to monitor progress and ensure that matters are appropriately progressed.

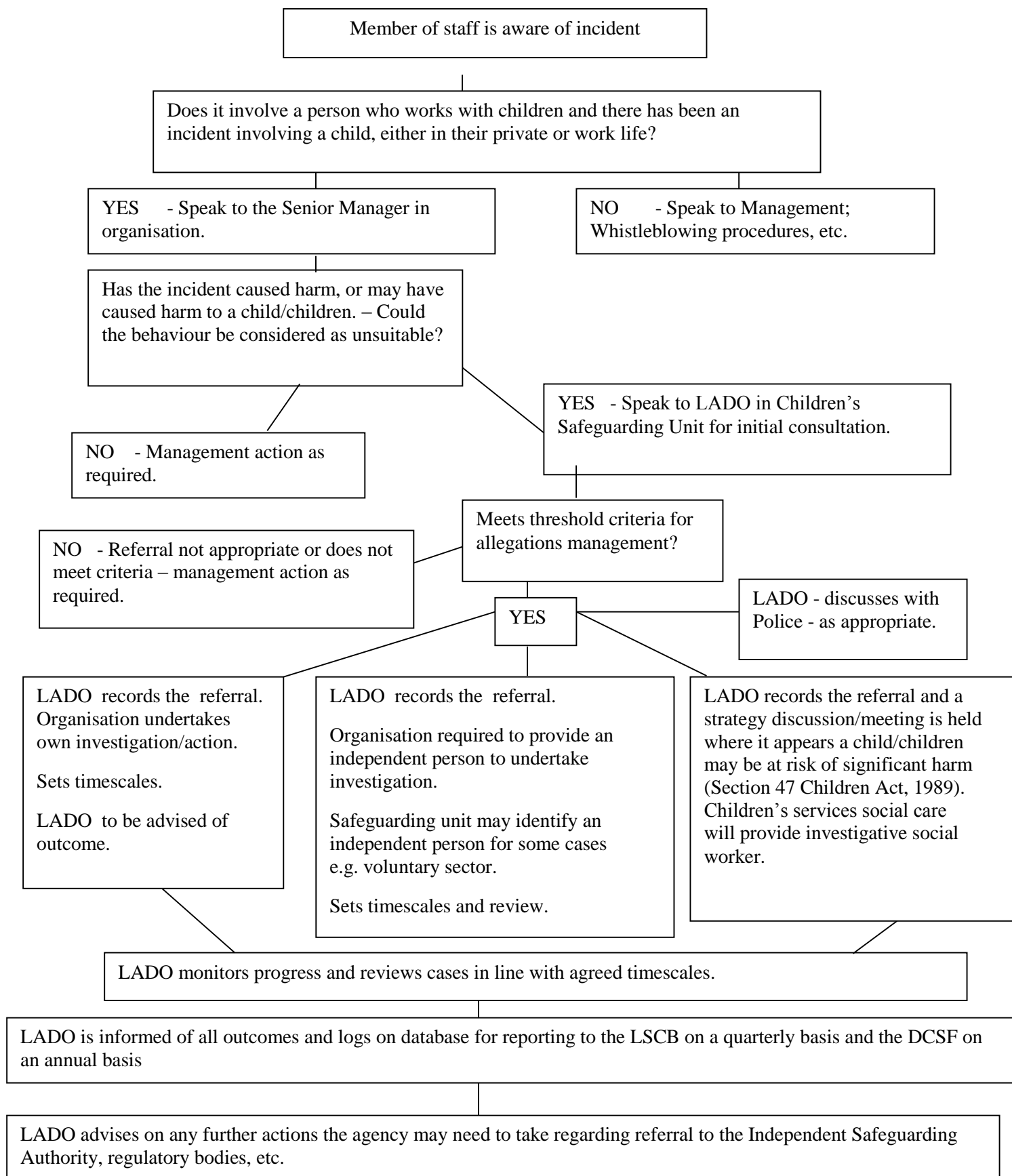
7. As the named senior officer in your organisation, you will be informed about whether a referral has been accepted, and if so, you will be kept informed of the progress of the case.

A representative of your organisation would be invited to participate in the strategy meeting/discussion. On completion of the investigation you will be informed of the outcome of the investigation.

**The Local Authority Designated Officer is Catherine Appleton and she is based at**

**The Children's Safeguarding Unit  
4, Civic Way [Floor 4]  
Ellesmere Port  
Cheshire  
Tel: 0151 337 4570  
Fax : 0151 355 4692**

## **FLOW CHART FOR REPORTING ALLEGATIONS AGAINST ADULTS WORKING WITH CHILDREN**



The Headmaster/DSL will refer all allegations or suspicions of abuse or cases where there is reasonable cause to suspect a child is suffering, or is likely to suffer significant harm, to the local authority designated officer (LADO) within 24 hours.

Borderline cases will be discussed with the LADO without identifying individuals in the first instance and following discussions the LADO will judge whether or not an allegation or concern meet the relevant threshold. The LADO and the Headmaster/DSL will decide in the circumstances what further steps should be taken. This could involve informing parents and calling the police.

If the allegation concerns a member of staff, a volunteer or another pupil he/she would normally be informed as soon as possible after the result of any initial investigation authorised or conducted by the LADO is known. Advice will always be sought from the LADO first, however. The school will normally appoint a member of staff to keep the person informed of the likely course of action and the progress of the case.

The outcome of investigation of an allegation will record whether it is substantiated (sufficient evidence either to prove or disprove it), unsubstantiated (insufficient evidence either to prove or disprove it), false (sufficient evidence to disprove it) or malicious (sufficient evidence to disprove it and that there has been a deliberate act to deceive). If it is established that the allegation is malicious, no details of the allegation will be retained on the individual's personnel records. In all other circumstances a written record will be made of the decision and retained on the individual's personnel file in accordance with DfE advice.

If the LADO or any of the statutory child protection authorities decide to take the case further, any staff member concerned may be suspended if this is felt appropriate. The reasons and justification for suspension will be recorded and the staff member informed of them. In the case of staff the matter will be dealt with in accordance with the Disciplinary Procedure. In the case of a pupil the matter will be dealt with under the School's behaviour Policy.

During the course of the investigation the school in consultation with the LADO will decide what information should be given to parents, staff and other pupils and how press enquiries are to be dealt with. In reaching their decision due consideration will be given to the provisions in the Education Act 2011 relating to reporting restrictions identifying teachers who are the subject of allegations from pupils. Any pupils who are involved will receive appropriate care. If an investigation leads to the dismissal or resignation prior to dismissal of a member of teaching staff, the school will consider making a referral to the National College for Teaching and Leadership (NCTL) and a prohibition order may be appropriate (because that teacher has displayed unacceptable professional conduct, conduct that may bring the profession into disrepute or a conviction at any time for a relevant offence). The school will make a serious incident report to the Charity Commission whenever the Commission's guidelines deem it appropriate to do so.

We follow Disclosure and Barring Services (DBS) guidance and procedures regarding referrals and barring decisions and the Safeguarding Vulnerable Groups Act 2006 and the Safeguarding Vulnerable Groups Act (Prescribed Criteria and Miscellaneous Provisions) Regulations 2009. The school will report to the DBS, within one month of leaving the school any person (whether employed, contracted, a volunteer or a student) whose services are no longer used because he or she is considered unsuitable to work with children. This includes dismissal, non-renewal of a fixed term contract, no longer using a supply teacher engaged directly or supplied by an agency, terminating the placement of a trainee or volunteer, no longer using staff employed by a contractor and resignation and voluntary withdrawal from any of the above.

## *Appendix 4*

### **REWARDS FOR STUDENTS**

#### **Rewards in the Senior School**

The following system is based on the suggestions of the students obtained through the School Council and is built on the following observations.

- The students suggested that recognition of effort provides motivation and is less divisive than recognition of achievement. It was also recognised, however, that outstanding achievement should be rewarded.
- All staff should use this reward system to provide parity of opportunity.
- Students appreciate verbal recognition by teachers and would welcome a culture of deserved praise.
- Student credits should be accumulated by the Tutor group as well as individually, to create group responsibility
- Parents need to be informed so that they are fully aware of the student's efforts and outstanding achievements.
- Credits will be awarded to students in ALL year groups.

#### Credits – Explanation of the current system

Any member of staff can award a credit to a student who has shown a high level of engagement or effort in any activity.

A credit can also be awarded for exceptional achievement.

The credit will be recorded on 3Sys and can be viewed through Firefly.

For each 10 credits awarded, students will be awarded a token by their Head of Year.

The students who gain the highest number of personal credits in their Year Group at the end of each term will receive a letter of commendation from their Head of Year.

When any student accumulates 30 credits their parents will receive a letter of commendation from the Headmaster.

#### **Rewards in the Junior School**

**Rewards informal:** Emotional feedback – smiles, thank-yous, gestures  
Positive comments in exercise book  
Positive comments in Homework diary  
Work displayed

#### **Rewards formal:**

House points for good work/behaviour and for improvements in work and behaviour

House points are awarded to pupils who contribute time and effort to any aspect of school life, for example helping at Open Mornings, concerts, plays etc.

House point certificates (10, 25 etc.)

Praise and celebration in assembly

Head of Junior School Commendation

Notes:

Once given, rewards should never be taken away

- Rewards must be given out fairly and not used as bribes with the most troublesome children
- 'Catch them being good'. The reinforcement of good behaviour is always more effective than punishment for misbehaviour eg. sensible behaviour around school, organisation, Homework Diary completed for the week

## *Appendix 5a*

### **SANCTIONS AND PUNISHMENTS**

#### **The Senior School**

Centralised records of sanctions are held and monitored by the Deputy Head (Pastoral).

**Staff Detention:** A staff detention may be imposed without notice by a member of staff, to be served during your free time within the school day. If detained after school finishes, at least 24 hours' notice will be given, so that your parents know that the pupil will be home late. Prior engagements with other members of staff will generally take precedence, resulting in the postponement, but not the cancellation, of the staff detention. Tutors will usually be informed if such sanctions are used.

**All the sanctions below will now be visible to the pupil and their parents via Firefly**

**Lunchtime behavioural and work detention:** A lunchtime academic detention can be awarded for failure to produce homework. Behavioural detentions are awarded for poor behaviour either in or out of lessons. These detentions are recorded on 3Sys and served from 12.45 to 13.15 with a Head of Year or the Deputy Head (Pastoral).

**School Detention:** A school detention may be given for more serious offences and this will be preceded by at least 24 hours' notice to parents. These detentions take place on Fridays for one hour immediately after school. These detentions are recorded on 3Sys. They are not optional and will take precedence over all other activities, although in certain circumstances a detention may be postponed, but not cancelled, if there is a prior commitment to represent the school in a sporting or musical activity.

**Head of Year Detention:** These are given for more serious or repeated offences and take place on Friday for two hours immediately after school.

**Deputy Head's Detention:** A Deputy Head's detention may be given for the most serious offences which do not warrant suspension from school. These detentions take place on Saturday morning for 2 or 3 hours. They are not optional and take precedence over all other activities.

**Suspension and Expulsion:** In very serious matters, parents will be contacted and a pupil may be suspended from school for a period of time. If suspended for a number of days, the pupil will work for the good of the school community for the same number of days at the start of the next school holiday. In the last resort the pupil may be expelled.

**Sanction against bullies aim to:** impress on the perpetrator that what he/she has done is unacceptable; deter him/her from repeating that behaviour; and signal to other pupils that the behaviour is unacceptable and deter them from doing it. The sanctions used are in line with others used by the school and begin with the use of school detentions in conjunction with pastoral meetings involving both the bully and the victim. For more serious cases of bullying the sanctions outlined below are used in conjunction with parental interview with a member of SLT. Ultimately, there is no place in the school for persistent transgressors.

## **The Junior School**

### **Detention**

- Accumulation of 3 detention points obtains a detention.
- An automatic detention for a serious offence.
- Lunchtime or breaktime academic detentions are given for e.g. a late homework, a homework that is incomplete or inadequate or inadequate work in a lesson.
- Detention used primarily in J3 and J4.
- A record of the Detention will be kept in the pupil's Pastoral file.
- J1 and J2 detention likely to be served during lunchtime. The record of points awarded will be cleared at each half term.
- For J3/4 pupils, the detention may be served either at lunchtime or after school. The record of points awarded will be cleared at each half term.

**Head teacher's Detention:** A Head teacher's detention may be given for the most serious offences which do not warrant suspension from school.

**Suspension and Expulsion:** In very serious matters, parents will be contacted and a pupil may be suspended from school for a period of time. In the last resort the pupil may be expelled.

**Other Sanctions:** Apart from the formal sanctions mentioned above, informal sanctions are applied as necessary for minor misdemeanours.