

**THE DHARMA PRIMARY SCHOOL  
Child Protection and Safeguarding Policy  
This policy is for the whole school and includes  
EYFS**

## Designated Safeguarding Leads and Local Authority Contacts

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### The Dharma Primary School & EYFS Designated Safeguarding Leads are:

Head Teacher	Clare Eddison (Primary DSL)
Head of Early Years	Alison Mayo (Deputy DSL, EYFS)
Deputy Head of Early Years	Mei Mei Jacklin (Deputy DSL, EYFS)

### If the above are off site then contact / seek advice from:

Education Safeguarding Officer (with **Front Door for Families**) Gill Hibbert: **01273 – 294081**

Gill.Hibbert@brighton-hove.gov.uk

Social Services Emergency Duty Team (out of hours): **01273 – 335905**

### Governors/Trustees

Chair	Jeannette Adair
DSL Trustee	Lynne Weir

### Brighton and Hove City Council Designated Officer - LADO:

To report an allegation of abuse against a person who works with children, contact:

Local Area Designated Officer Darrel Clews: 01273 – 295643/ 07795 335879

darrel.clews@brighton-hove.gcsx.gov.uk

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### Front Door For Families

c/o Whitehawk Community Hub and Library  
179A Whitehawk Road  
Brighton  
BN2 5FL  
Telephone (01273) 290400

<http://www.brighton-hove.gov.uk/frontdoorforfamilies>

FrontDoorForFamilies@brighton-hove.gcsx.gov.uk

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Last ratified (at least annually)	September 2019	Board of Trustees
Last Safeguarding Audit	July 2019	Lauren Dent/ trustees
Last Revision (by Head)	February 2019	Board of Trustees
This Revision (by Head, in consultation with DDSL's)	October 2019	Board of Trustees

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## 1. Aims

The school aims to ensure that:

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

## 2. Links with other policies

The school has a number of other policies and procedures relevant to safeguarding. They can all be found on the school drive under, 'All School Policies 2020.' Some are available on the website as indicated. They are as follows:

- ATTENDANCE POLICY (website)
- STAFFING AND SAFER RECRUITMENT POLICY
- COLLECTION AND MISSING CHILD POLICY
- CODE OF CONDUCT FOR STAFF (staff handbook)
- HEALTH & SAFETY POLICY
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- WHISTLE BLOWING POLICY (staff handbook)
- PREVENT STRATEGY (website)
- ANTI-BULLYING POLICY (website)
- STAFF INDUCTION POLICY
- BEHAVIOUR POLICY (website)
- ACCEPTABLE USE POLICY

## 3. Legislation and Statutory Guidance

This policy has been written with regard to: *Keeping Children Safe in Education (KCSIE) September 2019*, and *Working Together to Safeguard Children July 2018*. In addition, *Information Sharing (2018)* and the *Prevent Duty Guidance July 2015* (and the *Prevent Duty: Departmental Advice for schools and childminders, June 2015*) have been consulted. Additionally, this policy has been written with regard to the guidance, *the use of social media for online radicalisation, (July 2015)*.

This policy also has regard to the following:

- *The Children Act 1989* (and *2004 amendment*)
- *Section 5B(11) of the Female Genital Mutilation Act 2003*, as inserted by *section 74 of the Serious Crime Act 2015*
- *Statutory guidance on FGM*

Furthermore, this policy also meets requirements relating to safeguarding and welfare in the *statutory framework for the Early Years Foundation Stage, (revised 2017)*.

The DfE's *Working Together to Safeguard Children 2018* places a general duty on schools to cooperate with other agencies in the protection of children. It also requires that schools have in place policies and procedures, which should be shared with parents, to address concerns about the safety and protection of children. This policy is available on our website at the bottom of the main page, <http://www.dharmaschool.co.uk/> and from the office as a hard copy.

The school is concerned that all pupils remain safe and free from harm and is committed and ready to play a full and active part in the multi-agency response to both child protection concerns and additional support for those children in need. The school operates in line with Brighton and Hove Safeguarding Children Partnership (BHSCP) procedures. This document sets out the school's position in relation to all aspects of the child protection and safeguarding process and ensures that the school has a culture of safety, equality and protection.

## 4. Definitions

Safeguarding and promoting the welfare of children means:

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

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

Abuse is a form of maltreatment of a child, and may involve inflicting harm or failing to act to prevent harm. Appendix 2 explains the different types of abuse.

Neglect is a form of abuse and is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Appendix 2 defines neglect in more detail.

Children includes everyone under the age of 18.

## 5. Informing principles

All children have an absolute right to a childhood free from abuse, neglect or exploitation.

All children in whatever setting have an equal right to protection from abuse, neglect or exploitation.

All staff members involved with children (teaching and non-teaching) have a responsibility to be aware of issues related to children's safety and welfare and a duty to report and refer any concerns.

Parents have a right to be informed about any concerns about a child's welfare or any action taken to safeguard and promote a child's welfare, providing this does not compromise the child's safety.

Children are best protected when professionals work effectively together and share responsibility for protective action.

There is not necessarily a conflict between a school's need to discharge its child protection responsibilities and its wish to work in partnership with parents.

Where there are possible concerns about a child's safety, unconditional confidentiality cannot be guaranteed and should not be offered. When a child is subject of a Child Protection Plan (CPP), information about the child and his/her circumstances should only be shared on a "need to know" basis.

The school takes positive steps to enable children to feel comfortable with expressing their fears or concerns. Children (regrettably) are sometimes abused and exploited by school staff. The school has in place systems that deter possible abusers and manage effectively any allegations or concerns about abuse when they arise. Please refer to *the Code of Conduct, the Whistleblowing Policy and the Staffing and Safer Recruitment Policy*.

When children make allegations about abuse or neglect they should always be listened to, have their comments taken seriously and, where appropriate, thoroughly investigated.

## 6. Equality statement

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

We give special consideration to children who:

- Have special educational needs or disabilities
- Are young carers
- May experience discrimination due to their race, ethnicity, religion, gender identification or sexuality

- Have English as an additional language
- Are known to be living in difficult situations – for example, temporary accommodation or where there are issues such as substance abuse or domestic violence
- Are at risk of FGM, sexual exploitation, forced marriage, or radicalisation
- Are asylum seekers

## 7. Roles and Responsibilities

Safeguarding and child protection is **everyone's** responsibility. This policy applies to all staff, volunteers and trustees in the school and is consistent with the procedures of Brighton and Hove Safeguarding Children Partnership (BHSCP). Our policy and procedures also apply to extended school and off-site activities.

### 7.1 All staff

All staff will read and understand part 1 and Annex A of the Department for Education's statutory safeguarding guidance, *Keeping Children Safe in Education (2019)*, and review this guidance at least annually and in the light of changes to it.

All staff will be aware of:

- Our systems which support safeguarding, including the staff code of conduct, the role of the designated safeguarding lead (DSL), the behaviour policy, and the safeguarding response to children who go missing from education
- The early help process, including the Team around the Child/Family (TAF) approach, and their role in it, including identifying emerging problems, liaising with the DSL, and sharing information with other professionals to support early identification and assessment
- The process for making referrals to local authority children's social care (Front Door for Families, FDF) and for statutory assessments that may follow a referral, including the role they might be expected to play
- What to do if they identify a safeguarding issue or a child tells them they are being abused or neglected, including specific issues such as FGM, and how to maintain an appropriate level of confidentiality while liaising with relevant professionals
- The signs of different types of abuse and neglect, as well as specific safeguarding issues, such as child sexual exploitation (CSE), FGM, radicalization, Domestic Abuse (DA) and peer on peer abuse.
- What the specific safeguarding arrangements are when children are engaged in close, 1:1 teaching
- How to manage a report of child-on-child sexual violence and harassment

### 7.2 The designated safeguarding lead (DSL)

Please read appendix 1 for information on the DSL and deputy DSL's (DDSL's).

### 7.3 The board of trustees

The board of trustees will approve this policy at each review, and hold the headteacher to account for its implementation.

The board of trustees will appoint a safeguarding trustee to monitor the effectiveness of this policy in conjunction with the full governing board. This is always a different person from the DSL.

The chair of trustees will act as the 'case manager' in the event that an allegation of abuse is made against the headteacher, where appropriate (see the Whistleblowing Policy and below).

### 7.4 The headteacher

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

- Ensuring that staff (including temporary staff) and volunteers are informed of this policy as part of their induction
- Communicating this policy to parents when their child joins the school and via the school website
- Ensuring that the DSL has appropriate time, funding, training and resources, and that there is always adequate cover if the DSL is absent
- Ensuring that all staff undertake appropriate safeguarding and child protection training and update this regularly
- Maintain a comprehensive record of staff training

- Acting as the 'case manager' in the event of an allegation of abuse made against another member of staff or volunteer, where appropriate (see the Whistleblowing policy)
- Ensuring the relevant staffing ratios are met, in all phases of the school
- Making sure each child in the Early Years Foundation Stage is assigned a key person

## 8. Recognising Abuse and Taking Action

This school recognises that the class teacher and assistants working within the team with that teacher offer the first stage in the pastoral care of the child in the school. Teachers and their team are well placed to observe outward signs of abuse, changes in behaviour or failure to develop or thrive. Staff, volunteers and trustees must follow the procedures set out below in the event of a safeguarding concern.

### 8.1 Categories for Concern

Categories for concern are:

- Neglect - the persistent or severe neglect of a child which results in serious impairment of the child's health or development.
- Physical Abuse - physical injury to a child - reasonable suspicion that the injury was inflicted or knowingly not prevented.
- Sexual Abuse - the involvement in sexual activities.
- Emotional Abuse - persistent or severe emotional ill treatment or rejection.
- Concern of immediate risk of harm.

Please see Appendix 2, Categories, Definitions and Indicators of Abuse and Neglect (from KCSIE, 2019) for detailed information.

If a teacher becomes aware of the above and is concerned for the child the Head teacher (primary DSL) will be informed immediately. If, in exceptional circumstances, the DSL or DDSL's are not available, this should **not** delay appropriate action being taken.

### 8.2 The Threshold Document

The Threshold Document (please see <http://www.brightonandhovelscb.org.uk/brighton-hove-threshold-framework/> - interactive) identifies four levels of need.

Level 1, universal:

- children who are achieving expected outcomes
- their needs are met by their parents and within universal provision
- may need limited intervention within the setting to avoid needs arising

Level 2, Early Help:

- children with additional needs
- parents need professional support or guidance to help them meet their children's needs
- extra support can usually be provided by agencies that already know the family, e.g. their pre-school, school and partnership working, within identified resources and through a single agency response.

Level 3, Early Help Partnership Plus:

- children with multiple and complex needs
- children and parents need targeted early help or specialist services to meet the children's needs
- needs are met through multi-agency co-ordinated support and the use of Early Help Strengthening Families Assessment and Plan – or an EHCP.

#### Level 4, Specialist Services:

- children with acute and/or chronic unmet and complex needs, including those in need of protection
- children and parents need multi-agency responses which include specialist intervention from Children's Social Work Services through the family assessment process
- If a child is at immediate risk, the police are contacted through 999.

In all of the above circumstances the school will keep a confidential record of its concerns and actions (see later).

### **8.3 Disclosure**

Any circumstance that is believed by a staff member to be a child disclosure indicating abuse should be written down immediately and reported to the Head teacher as primary DSL. If she is not available, it should be reported to a deputy DSL and to the Head teacher as soon as possible, and written down. If the DSL's are not available, it is emphasised that **anyone** can make a referral to the FDF, in accordance with referral thresholds, see below, and they should report to the primary DSL as soon as possible. See appendix 15.

If a disclosure is made, the member of staff or volunteer should:

- Allow the pace of the conversation to be dictated by the pupil.
- Ask open questions which encourage the pupil to talk such as "can you tell me what happened?"
- Accept what the pupil says and do not ask for further detail.
- Acknowledge how hard it was for them to tell you and show by voice tone and/or facial expression that you are taking their concerns seriously.
- Note carefully any clearly visible external signs of possible injury or neglect
- Reassure the pupil that they have done the right thing, that it is not their fault, and explain whom you will have to tell (Designated Safeguarding Lead, DSL) and why.

The member of staff or volunteer should **not**:

- Burden the pupil with guilt by asking questions such as "why didn't you tell me before?"
- Interrogate or pressure the pupil to provide information.
- Ask any potentially leading questions such as those that start with words, how, what, when, where and why.
- Undress the child or examine clothed parts of the child's body in an attempt to determine the nature of any such injuries/neglect.
- Promise confidentiality
- Make promises that they cannot keep such as "I'll stay with you all the time" or "it will be alright now".
- Put words in the child's mouth (i.e. finish their sentences), jump to conclusions or speculate about what happened or might have happened, or make accusations.
- Show an overly emotional reaction, such as expressing disgust, shock or disbelief.

- Attempt to investigate the allegations.

#### **8.4 If a child is in immediate danger or at risk of immediate danger**

If you, as a member of staff, receive information about a child that suggests that he/she has been/ is being actually abused or neglected or that this is likely, you have a duty to refer these concerns to Front Door for and/or the police on 999. In cases of serious harm, the police must always be informed from the outset. The school has no discretion in this matter and must act immediately. In these circumstances Brighton and Hove Safeguarding Children Partnership's investigation procedures apply. You must inform the DSL as soon as possible if you make a referral directly.

In the course of an investigation the social services department or police might wish to speak to a child, without parental knowledge or consent. The Head Teacher (DSL), acting 'in loco parentis' has discretion to agree to this to allow the authorities to explore concerns and determine whether there are grounds for further action. In these cases the Head Teacher (DSL) will ensure that the child's welfare is secured and he/she has access to a trusted adult.

The Head Teacher (DSL) will **not** allow a child to be removed from school premises without either:

- parental consent
- an order of the court or an emergency protection order (EPO)

#### **8.5 If you have concerns about a child (child not in immediate danger)**

Figure 1, page 14 illustrates the procedure to follow if you have concerns about a child's welfare and the child is not in immediate danger.

If the school receives information which suggests a child may have been abused or neglected or abuse or neglect may be likely, then it will consult with FDFP. In these circumstances Front Door for Families may decide to begin a child protection investigation in which case its procedures will apply.

In either case parents will be informed of what has happened at the earliest opportunity consistent with the child's best interests.

It is important to remember that a referral or consultation with Front Door for Families (FDFP) is an **expression of concern** about a child's welfare. It is not an accusation or a presumption of responsibility about a parent/carer.

If the school has general concerns about a child's welfare these will be raised with parents/carers in an attempt to work together to remedy the situation. If concerns persist over a period of time, the school may consult with FDFP to discuss a way forward.

Where possible, staff should speak to the DSL first to agree a course of action. Alternatively, staff can make a referral to FDFP directly (see 'Referral' below).

Staff can also contact the charity NSPCC on 0800 028 0285, or email [help@nspcc.org.uk](mailto:help@nspcc.org.uk), for advice on the appropriate action.

#### **Early Help**

Most parents can look after their children without the need of help other than from their families and friends. However, some may need additional help. Providing help early is effective in promoting the welfare of children rather than reacting later.

Early help is for children who have additional needs in one or more of these areas:

- Their growth and development
- Additional educational requirements
- Family and environmental issues and specific needs of the parent/carer

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

- Is disabled and has specific additional needs;
- Has special educational needs (whether or not they have an EHCP)
- Is a young carer:
- Is frequently missing from education /goes missing from care or home;
- Is misusing drugs or alcohol;
- Is in a challenging family circumstance, such as mental health problems, substance abuse or domestic abuse;
- Has returned to their home from care.

Our school will work together with other agencies to provide early help, in line with Working Together to Safeguard Children July 2018, and local guidance.

We will pool our knowledge within the school and with other agencies so we can work out how best to help children and families in need. We will use the Threshold Document to identify what level of need the child and or family has.

Early Help support will be accessed by making a referral to the Front Door For Families and Children's Social Work Services. Consent for this will be gained from the family first.

Staff will work closely with targeted early help services, via Front Door For Families and Children's Social Work with planning and coordination of interventions (the DSL will support this).

The DSL will keep the case under constant review and the school will reconsider a re-referral to FDF and Children's Social Work Services if the situation does not seem to be improving. Timelines of interventions will be monitored and reviewed.

## **8.6 Referral**

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

If you make a referral directly, you must tell the DSL as soon as possible. Staff can refer either by telephone to the FDF or online (form for professionals) at: [https://selfservice.brighton-hove.gov.uk/en/AchieveForms/?form\\_uri=sandbox-publish://AF-Process-68044e9a-41e1-43ab-a0b4-30360fd51a1c/AF-Stage7b29ef8c-29fc-4916-a2c8-1550278c3b64/definition.json&redirectlink=%2F&cancelRedirectLink=%2F&category=AF-Category-34ae0761-fc35-4751-b4b5-2f73047d94eb](https://selfservice.brighton-hove.gov.uk/en/AchieveForms/?form_uri=sandbox-publish://AF-Process-68044e9a-41e1-43ab-a0b4-30360fd51a1c/AF-Stage7b29ef8c-29fc-4916-a2c8-1550278c3b64/definition.json&redirectlink=%2F&cancelRedirectLink=%2F&category=AF-Category-34ae0761-fc35-4751-b4b5-2f73047d94eb)

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

### FDFE responses to Concerns about a Child

If FDFE and Children's Social Work Services has accepted our referral as needing a social-care-led response (Level 4 of the Threshold Document) they will make a decision on the course of action to take. An evaluation of the concerns and risks will be involved in deciding whether:

- the child needs immediate protection and urgent action is necessary; or
- the child is suffering, or at risk of suffering, significant harm and enquiries need to be made under section 47 of the Children Act 1989; or
- the child is in need and should be assessed under section 17 of the Children Act 1989.

The DSL or person who made the referral will follow up with the FDFE to know the outcome and this will be recorded.

The school will cooperate with Children's Work Services and the police in any emergency action they take using their legal powers for immediate protection of the child. Staff will participate in any multi-agency discussions and share information about the child and their family to plan response to concerns.

Relevant staff members may need to participate in initial and review child protection conferences if invited to attend.

The DSL or person who made the referral will continue to monitor the child after referral and once their plans are ended to ensure they are supported and kept safe. If the child's situation does not seem to be improving the DSL or person who made the referral must contact the FDFE for reconsideration.

### **8.7 Child protection conferences:**

If pupils become the subject of child protection conferences then the school will be represented and will provide information about the child and his/her family. This will be in the form of a written report, the contents of which will be shared with parents/carers prior to the meeting.

Occasionally the school may have information which is confidential and which will be shared in a closed section of the conference. If this is necessary the Chair of the conference will discuss the matter with parents/carers.

When any child becomes the subject of a conference, local procedures may require that all the other children of the family are considered. It may well be therefore that the school will be required to provide information on children about whom there appear to be no direct concerns. In these situations the same procedure on prior disclosure of information will apply.

The school will contribute to the process of risk assessment and the decision about whether the child will be subject of a Child Protection Plan (CPP).

### Child Protection Plans:

When a pupil is subject of a CPP, the school will be represented on the core group and will play an active part in the creation and implementation of the CPP.

For as long as a child's name appears on a CPP he/she will be supported by the school and his/her progress will be monitored. The school will keep a confidential record of the child's progress and any further concerns (should they arise) and share this information with other members of the core group in order to evaluate the progress of the child protection plan.

If the school receives information that a child whose name appears on a CPP already has suffered further abuse or neglect, this will be referred immediately to the child's key worker (as nominated by the child protection conference).

Confidentiality and Information Sharing:

The school recognises that all matters relating to child protection are confidential. The Data Protection Act 2018 is no barrier to sharing information with regard to safeguarding.

If the school receives information from any source that a child has suffered abuse or neglect or may suffer in this way, whether the child is a pupil or otherwise, it has a duty to pass this information to the social services department (FDFF).

If parents/carers wish to share such information with the school they must be aware that it will not be possible to guarantee confidentiality. The school can reassure parents/carers however that if they wish, the source of the information can remain anonymous.

When a pupil's name is subject of a CPP, this information will be shared on a 'need to know' basis with the minimum number of staff necessary to ensure the child's safety and welfare. These people will receive the minimum amount of information they need to enable them to implement the CPP. They will not have access to all the information shared at the initial child protection conference.

The school will ensure that the confidentiality of information is maintained by keeping records in a safe and secure place with access strictly limited. All records of a child's progress while the subject of the CP Plan will be kept similarly secure.

The head teacher/DSL will disclose any information about a pupil to other members of staff on a need-to-know basis, and in the best interests of the child.

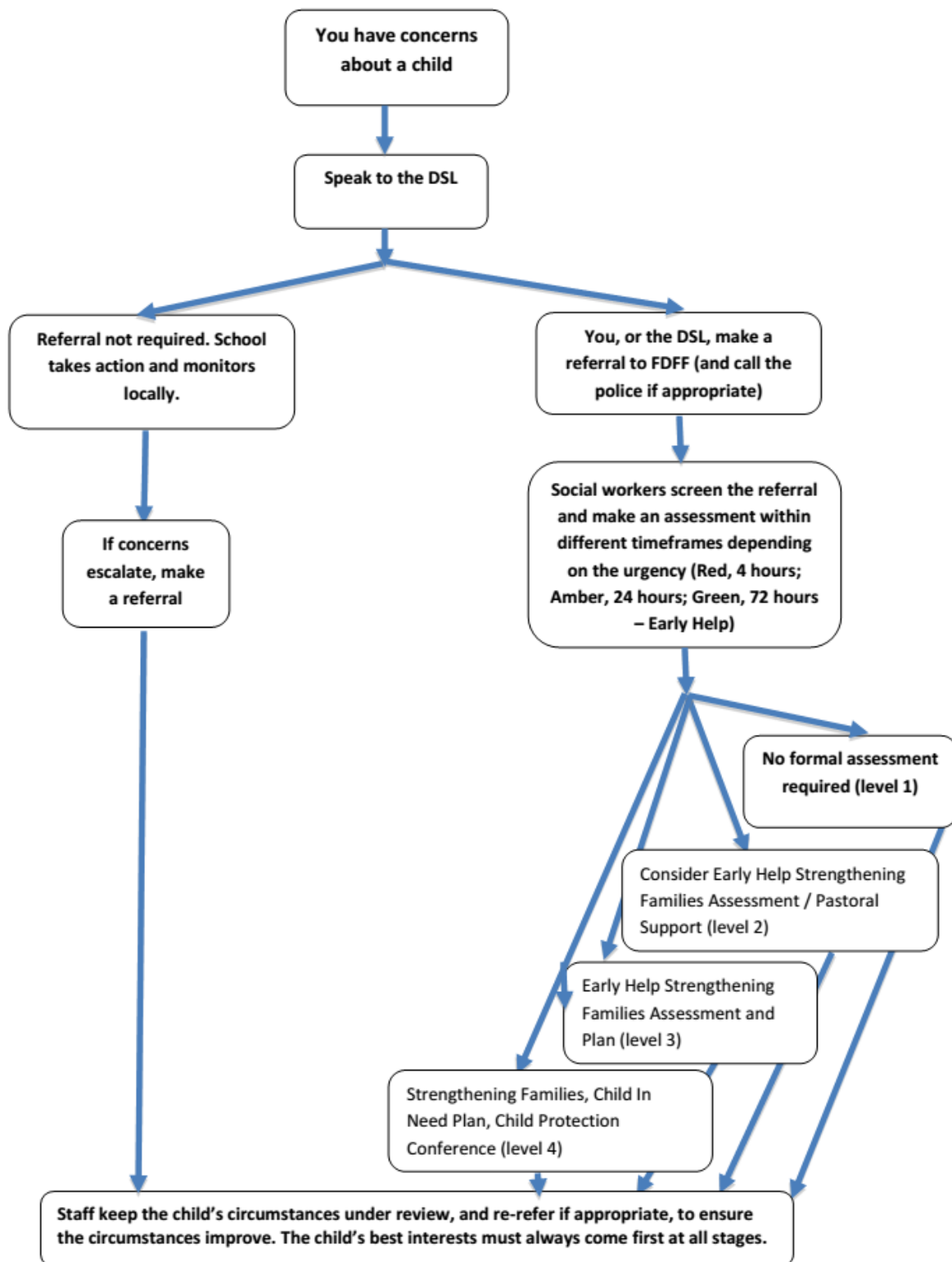
The Data Protection Act 2018 advises that information can be shared without consent if it is not possible to get that consent or if a child is at risk. The information shared will be necessary and proportionate, relevant, adequate and timely. It will be shared as securely as possible and records stored securely.

Children coming off a CPP:

A child's name can only be removed from a CPP by a child protection review conference. The school will be represented at these meetings and will play an active part in the process of risk re-evaluation and decisions.

In line with the policy above, the school will share with parents prior to any review the information they intend to present.

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



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

The Department for Education's *Keeping Children Safe in Education* explains that FGM comprises "all procedures involving partial or total removal of the external female genitalia, or other injury to the female genital organs". FGM is illegal in the UK and a form of child abuse with long-lasting, harmful consequences. It is also known as 'female genital cutting', 'circumcision' or 'initiation'.

Possible indicators that a pupil has already been subjected to FGM, and factors that suggest a pupil may be at risk, are set out in appendix 9.

**Any teacher** who discovers that an act of FGM appears to have been carried out on a **pupil at school** must immediately report this to the police, personally (Sussex Police, 999). This is a statutory duty, and teachers will face disciplinary sanctions for failing to meet it.

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

**Any other member of staff** who discovers that an act of FGM appears to have been carried out on a **pupil at school** must speak to the DSL and follow our local safeguarding procedures. The DSL will contact the police immediately, but, if the DSL or DDSL's are not available, the member of staff should contact the police and inform the DSL as soon as possible.

**Any member of staff** who suspects a pupil is *at risk* of FGM, or suspects people are carrying out FGM, must speak to the DSL and follow our local safeguarding procedures, by contacting FDFP and Sussex Police on 101.

**If a child is at immediate risk of harm always call 999.**

### **8.9 If you have concerns about extremism**

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

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

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

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

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

Please refer to Appendix 10 for more information.

### **8.10 Concerns about a Staff Member or Volunteer**

All allegations against any member of staff/trustees and volunteers which have implications for the safety and welfare of children will be taken seriously and investigated in line with this policy and the **Whistle Blowing Policy**. Should staff not feel able to raise concerns they can call the NSPCC whistleblowing advice line on 0800 028 0285 or email, [help@nspcc.org.uk](mailto:help@nspcc.org.uk).

When concerns come to the attention of the school staff they should immediately inform **the primary DSL (Head teacher)** or if it is the Head Teacher/primary DSL who is the cause for concern to the Chair of the Board of

Trustees or to the Designated Safeguarding Trustee who will contact the LADO (Darrel Clews T: 01273 295643 M: 07795335879) on the same day, without informing the Head teacher.

The local authority designated officer (LADO) is a source of support and advice when allegations have been made. They also have a responsibility to monitor cases in the authority and provide data at regular intervals. The contact details for the LADO are given here and in the whistleblowing procedures.

The LADO (Darrel Clews T: 01273 295643 M: 07795335879) should be contacted in all cases when an allegation is made either to the school or the police (and within one working day). This is to help the DSL and the LADO explore the nature, content and context of the allegation and to help identify whether the member of staff has harmed a child, committed a criminal offence or is unsuitable to work with children.

The LADO will advise the school on how the allegation should be investigated and what steps need to happen to support the individuals involved in the meantime.

The LADO will provide the liaison with children's services and the police in cases where this is relevant and monitor their progress.

Members of the public who have concerns should speak to the Head Teacher/DSL or if it is the Head Teacher or DSL who are the cause for concern to the Chair of the Board of Trustees or the Designated Safeguarding Trustee who will inform the LADO on the same working day, without informing the Head teacher.

If the concerns are in relation to any member of the board of trustees this should be reported to the DSL who will contact the LADO on the same day.

If a person has committed a criminal offence, the school should involve the police immediately.

Where we cease to employ any person (staff member, including supply staff), peripatetic teacher, volunteer or any other person) or they would have been dismissed had they not resigned, because it is considered that the person may be unsuitable to work with children, a referral will be made to the Disclosure & Barring Service (DBS) promptly and in any event within 28 days in accordance with our legal duty. Where a referral is made to the DBS, a referral will also be made to the TRA (Teaching Regulation Agency) as required, as a prohibition order may be appropriate. Reasons that an order would be considered are: 'unacceptable professional conduct', 'conduct that may bring the profession into disrepute' or a 'conviction, at any time, for a relevant offence.'

#### Whistleblowing:

All staff are required to report to the DSL or the trustees in their absence, any concern or allegations about school practices or the behaviour of colleagues which are likely to put pupils at risk of abuse or other serious harm. There will be no retribution or disciplinary action taken against a member of staff for making such a report provided that it is done in good faith.

The whistleblowing policy can be found in the staff handbook and on the drive in the folder, 'all school policies 2020'.

#### **8.11 Allegations of Abuse made against other Pupils (Peer on peer Abuse)**

All staff should recognise that children are capable of abusing their peers. Abuse will never be tolerated or passed off as "banter", "just having a laugh" or "part of growing up". Peer on peer abuse is more likely to be perpetrated by boys and it is more likely that girls are the victims. It is recognised that those with SEND have vulnerability to peer on peer abuse and staff are trained to be observant of this at all times, particularly play times.

All peer on peer abuse is unacceptable and will be taken seriously. It is potentially a criminal offence.

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

there is ‘reasonable cause to suspect that a child is suffering, or likely to suffer significant harm’. In the event of a disclosure about peer on peer abuse, all children, whether perpetrator or victim, will be treated as being “at risk”.

The following behaviours are different forms that peer on peer abuse can take:

- Physical abuse such as hitting, kicking, shaking, biting, hair-pulling; or otherwise causing physical harm;
- Sexting, please see Appendix 13 for more information and responding to it;
- Initiation/hazing type violence and rituals; and
- Bullying (including cyberbullying, please see the online safety policy and Appendix 5)
- Sexual violence, such as rape, assault by penetration and sexual assault (see Appendix 14);
- Sexual harassment, such as sexual comments, remarks, jokes, and online sexual harassment, which may be stand-alone or part of a broader pattern of abuse (see Appendix 14);
- Upskirting, which typically involves taking a picture under a person’s clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm (see Annex A, KCSIE 2019 and Appendix 14);

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

- You must tell the DSL and record the allegation, but do not investigate it
- The DSL will contact the FDFP and follow its advice, as well as the police if the allegation involves a potential criminal offence
- The DSL will put a risk assessment and support plan into place for all children involved – both the victim(s) and the child(ren) against whom the allegation has been made – with a named person they can talk to if needed
- The DSL will contact the children and adolescent mental health services (CAMHS), if appropriate

Where there is a safeguarding concern of peer on peer abuse, the school will ensure that the child’s wishes and feelings are taken into account when determining what action to take and what services to provide. The children will be asked for their views, with the best interests of the child at the centre of our approach.

If it emerges that a sibling who may not be a pupil is bullying a child then the school in the first instance will inform the children’s parents of its concerns. If the problem persists and the child continues to be the victim of abuse then the school will refer its concerns to the Front Door for Families depending on the nature of the concern.

In all matters of suspected sexual abuse, either victimisation or perpetration, the school will refer its concerns to FDFP.

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

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

### Supporting an abused child:

Staff recognise that abused children can have little self-esteem and assist children to learning that they are valued, accepted and unique. The school fosters an environment where children can build their self-esteem, assert themselves and see themselves as successful. Differences are valued enabling children to see themselves as having something to contribute that others appreciate. The school aims to foster a caring environment with consistent rules and boundaries and recognition of small successes.

### **8.12 Serious Violence**

All staff should be aware of indicators, which may signal that children are at risk from, or are involved with, serious violent crime. These may include increased absence from school, a change in friendships or relationships with older individuals or groups, a significant decline in performance, signs of self-harm or a significant change in wellbeing, or signs of assault or unexplained injuries. Unexplained gifts or new possessions could also indicate that children have been approached by, or are involved with, individuals associated with criminal networks or gangs. See Appendix 11 for information on Child Criminal Exploitation.

## **9. Notifying Parents**

The school believes that the best outcomes for children generally are achieved when professionals can work effectively in partnership with parents/carers. This belief holds equally in relation to child protection concerns. The school believes in open and honest communication and will always share with parents/carers any information or concerns that they have about their children at the earliest opportunity. The only exception to this would be where it is felt that such communication might compromise the child's safety.

If a child is deemed to be in need of protection and becomes the subject of a child protection plan (CPP), parents/carers should regard school as a source of help and support.

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

## **10. Record-Keeping and Transferring of Records**

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

Confidential information and records will be held securely and only available to those who have a right or professional need to see them. These records are held in the paper-based 'Safeguarding Log', kept in a double-locked cupboard in the Medical room next to the office. The Safeguarding Log for Nursery is kept in the Sunflower Classroom in a locked cupboard.

When recording Information Staff/volunteers should:

- Make brief notes at the time or immediately afterwards, which record the date, time, place and context of the disclosure or concern, and what has actually been said (wherever possible using the child's exact words, even if they seem childish, rude or inappropriate), not assumption or interpretation. Notes must be signed and dated.
- Clearly distinguish between fact, observation, allegation and opinion.
- Record any observed injuries and bruises.
- Note the non-verbal behaviour and the key words in the language used by the pupil (do not translate into "proper terms")
- Complete a Safeguarding Concern Form in the Safeguarding Log, attach any original notes and pass them to the DSL
- Understand that these records may be used in criminal proceedings or disciplinary investigations.

#### Child moving on from The Dharma School:

When a child moves school, in addition to handing over any child protection file securely, the DSL will share information proactively with the new school to enable the new school to have support in place when a child arrives and to ensure that key staff, such as the SENCo, are aware of any needs. Where a child is transferring to be Electively Home Educated or the destination school is unknown, any child protection documents will be transferred to the Local Authority.

If a child whose name appears on a Child Protection Plan (CPP) transfers to another school then the key worker will be notified of this change and the school will arrange for the transfer of the child's records including information about the Plan. The key worker will then notify the new school of the next core group meeting so that the responsibility for monitoring the child's progress can be officially transferred.

If a child whose name has appeared on a CPP in the past, but is no longer the subject of a CPP, transfers to another school then information about past registration may be transferred to the new school under the advice of the LADO.

In addition for EYFS children transferring to other schools information related to "active" concerns will be conveyed via telephone and in writing.

## **11. Training**

**All staff members** will undertake safeguarding and child protection training at induction, including on whistleblowing procedures, to ensure they understand the school's safeguarding systems and their responsibilities, and can identify signs of possible abuse or neglect. Safeguarding training will be annually updated and will be in line with advice from our local safeguarding children board. Staff who miss the annual safeguarding training will receive it as soon as possible from the DSL or from Educare.

Induction training will include:

- this policy, which includes information about the identity and role of the DSL and DDSL's – copy provided
- the staff Code of conduct, including the whistleblowing procedure and information on the acceptable use of technologies - emailed
- the school's safeguarding response to children who go missing from education (policy) – link provided
- the pupil behaviour policy (link provided – on website)
- the policy on online safety (link provided)
- a copy of Part 1 of KCSIE (and Annexe A for those who work directly with children) – copy provided
  
- All staff will have training on the government's anti-radicalisation strategy, Prevent, to enable them to identify children at risk of being drawn into terrorism and to challenge extremist ideas. They will also participate in training on how to manage a report of peer-on-peer sexual violence and sexual harassment.

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

Volunteers will also receive appropriate induction and training and temporary staff will be asked about their training prior to starting. Temporary staff will be asked to confirm that they have read and understood KCSIE Part 1 (2018) and be expected to read this policy as a minimum, signing a letter indicating this.

Please see Appendix 1 for information on the training that the DSL and DDSL's receive.

All **trustees** receive training about safeguarding, to make sure they have the knowledge and information needed to perform their functions and understand their responsibilities.

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

**All staff who have contact with children and families (EYFS)** will have supervisions which will provide them with support, coaching and training, promote the interests of children and allow for confidential discussions of sensitive issues.

**Contractors** will be informed of the identity of the DSL on arrival at the school, the duty to pass on any concerns and appropriate behavioural boundaries.

**All people involved with the school** are invited, free of charge, to the annual Safeguarding Refresher training.

## **12. Prevention**

The school takes seriously its duty of pastoral care and will be proactive in seeking to prevent children becoming the victims of abuse or neglect. It will do this in a number of ways:

- Through the creation of an open culture which respects all individuals' rights and discourages bullying and discrimination of all kinds.
- By identifying a member of staff who has overall responsibility for child protection matters. He/she has received specialist training in this field and acts as a source of advice and support to other school staff. This member of staff is Head Teacher (Clare Eddison Primary DSL). There is also a designated safeguarding trustee on the board (Lauren Dent) who has oversight of Child Protection and Safeguarding at the school. The school has two deputy DSL's, Alison Mayo, Head of Early Years, and Mei Mei Jacklin, Deputy Head of Early Years. They are responsible for child protection in the event of Clare Eddison not being at school. Alison Mayo is also DSL for EYFS.
- By informing children of their rights to be free from harm and encouraging them to talk to school staff if they have any concerns.
- Through an ongoing programme of support written up in the PHSE policy and which promotes self-esteem and social inclusion.
- Through support in online safety, via ICC and PSHE lessons and communication with parents about online safety
- Ensuring that children are given the opportunity and know who to go to if there is anything they wishes to discuss
- By addressing the issue of child protection in the wider context of child safety in general.

## **13. Looked After Children and Previously Looked After Children**

Both Looked After Children (LAC, also known as CiC, Children in Care) and previously LAC (also known as PiC, Previously in Care) will have a Designated Teacher, who has responsibility for promoting the educational achievement of Looked After Children and children who have left care through adoption, special guardianship or child arrangement orders, or who have been adopted from state care outside of England and Wales.

The Designated Teacher will be supported to have the skills, knowledge and understanding to keep these children safe as they are potentially vulnerable. The Designated Teacher has responsibility for their welfare and progress and, in the case of children who are looked after, has up-to-date assessment information from the

relevant local authority, the most recent care plan and contact arrangements with parents and delegated authority to carers.

## **APPENDIX 1**

### **DESIGNATED MEMBER OF STAFF AND ROLE OF THE DSL:**

All schools need to have a senior member of staff with responsibility for implementing the child protection policy and at least one deputy. The Designated Safeguarding Lead (DSL) and any deputies are most likely to have a complete safeguarding picture. The Head Teacher/ DSL takes lead responsibility for safeguarding and child protection in the school, which includes online safety. This is a responsibility that is not delegated.

In our school the designated member of staff with child protection responsibility is: Clare Eddison (Primary DSL) and Alison Mayo (Deputy DSL, Head of Early Years) will assume responsibility in the event of Clare's absence. Alison Mayo is the DSL for EYFS (referral to the primary DSL takes precedence.) In order to provide cover consistently during the school day, Mei Mei Jacklin (Deputy Head, Early Years) is also a deputy DSL.

As designated members of staff for child protection, all DSLs have the multi-agency core safeguarding training delivered through the Brighton and Hove LSCB. They attend multi-agency safeguarding training annually, in order to enhance their knowledge. The primary DSL attends termly LSCB network meetings and is informed by regular LSCB news updates and updates from associated organisations (eg Safety Net, <https://www.safety-net.org.uk/> ). These she shares with the deputy DSLs. The deputy DSL's attend LSCB network meetings annually.

The primary DSL delivers annual refresher training to all staff and the safeguarding induction training. In order to deliver this, the DSL attended the 'Train the Trainer' single agency workshop. Safeguarding induction training is delivered to all staff and volunteers and ensures that they know how to recognise and report any concerns or indications that a child is or has been neglected or abused.

The Head Teacher/DSL will provide information to the governing body/board of trustees regarding the number, nature and outcomes of referrals made termly. In addition the DSL will provide the governing body with an annual safeguarding audit and action plan.

The Head Teacher/DSL has regular termly meetings with the trustee with responsibility for safeguarding, for monitoring and information purposes and to assess progress on the Action Plan.

The DSL will generally make any necessary contact with social services or the police and she will make sure that the school follows the LSCB (Local Safeguarding Children's Board) procedures and contribute fully to the child protection process. This contact, either with FDFP, Channel, the police or the LADO will always be prompt.

### **DSL key areas of responsibility:**

- Managing referrals, both to the FDFP and to the Channel Programme
- Support staff who make referrals
- Record Keeping
- Inter-agency working and Information Sharing
- Training staff (including Prevent training)
- Awareness Raising
- Quality Assurance

- Child Protection and Safeguarding Induction Training
- Be responsible overall for keeping children safe online whilst at school, particularly vulnerable children such as those with SEND
- Being alert to the specific needs of children in need, those with SEND and young carers

## APPENDIX 2

### **Categories, Definitions and Indicators of Abuse and Neglect (see KCSIE, 2019):**

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

Through their day to day contact with children and direct work with families, educational staff have a crucial role to play in noticing indicators of possible abuse or neglect and referring those concerns to the appropriate investigative agencies (social services and police).

All staff/volunteers are trained to be aware of the categories and indicators of abuse, and made aware of how to access the BHSCP (Brighton and Hove Safeguarding Children Partnership) Procedures or other advice and guidance (<http://www.brightonandhovelscb.org.uk/>). It may also be helpful to refer to the categories in the policy and to highlight relevant indicators.

Regular training is provided by our DSL for child protection and safeguarding (annual refresher training) and through on-line training resources. In addition staff receive regular updates via e-mail and in meetings. A copy of the BHSCP Procedures and other associated information is available for staff. Policies and Procedures related to safeguarding are accessible to all staff through our internal network system. All staff are provided with and expected to read Part 1 of KCSIE, including Annex A.

We acknowledge that some groups of children may be at a higher risk of abuse. These groups include children with SEND, Looked After Children (LAC) and children from certain ethnic minority groups (Please see Appendix 9 on Female Genital Mutilation – FGM and Forced Marriage – FM).

Children with SEN or disabilities can face additional safeguarding challenges. Additional barriers can exist in recognising abuse and neglect in this group of children. These can include:

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

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

### **Physical abuse indicators:**

Non-accidental injuries, bruising, wounding burns, fractures - indicators include:

obvious signs of injury;

injuries which are unusual or unexplained; and

injuries, which while explained are frequent.

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

**Emotional abuse indicators:** low self-esteem, unhappiness, fear, distress or anxiety; attention seeking behaviours; and emotional developmental delay.

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

**Sexual abuse indicators:**

physical difficulties such as wetting or soiling;

extreme variations in behaviour;

sexualised language, behaviour of play; and

indirect disclosure through play, drawing or written work.

**Neglect:** the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to: provide adequate food, clothing and shelter (including exclusion from home or abandonment); protect a child from physical and emotional harm or danger; ensure adequate supervision (including the use of inadequate care-givers); or ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

**Neglect indicators include:**

dirty, unkempt appearance;

developmental delay;

low self-esteem;

hunger.

Staff at The Dharma Primary School are trained to recognise and respond to the categories and potential indicators of abuse.

We ensure that staff understand the difference between a safeguarding concern and a child in immediate danger or at risk of significant harm.

**Action to be taken:**

It is possible that concerns that a child or young person is suffering or is likely to be suffering some form of abuse will build up slowly over time, and some will be as a response to a child presenting an injury or mark. As these concerns become evident they should be written up by the observing staff member and referred to the DSL. Records should be made as soon as possible by the member of staff to maintain a current record. This should include what the member of staff noticed or was told by the child and should be signed and dated. If relevant include a diagram of who was in the room and where they were situated. The DSL will provide support and guidance. There is duty to refer to social services and if necessary the police, with or without the parent or child's consent.

Sometimes children and young people who are suffering abuse choose a trusted adult to tell. If a child discloses abuse in school, the person hearing the disclosure should:

- listen, allowing the child to recall freely;
- reassure the child that they are believed;
- make notes as soon as possible recording as accurately as possible the word used by the child;
- be clear with the child that the information will have to be passed on and that there are people who will be able to help; and refer to Head teacher/DSL, who will contact the FDFE and the police if necessary.

**APPENDIX 3****PUPIL ABSENCE and CHILDREN MISSING FROM EDUCATION**

Where reasonably possible, the school will hold more than one emergency number for each pupil.

Parents are asked to inform the school by 9.30am in the event of their child being absent. The reason for their absence will be recorded in the attendance register using the appropriate national codes. In the event a parent has not contacted the school, office staff will call to ascertain the reason for absence and once obtained a record will be made in the attendance register.

In the event of persistent or regular absence parents will be asked to meet with teachers or the Head teacher to ascertain the cause and work to resolve any difficulties.

Staff need to be aware that a child going missing from education, particularly repeatedly, can be an indicator of safeguarding possibilities. Staff should follow the school's procedure for unauthorised absences and for children missing from education. It is important that all staff keep both the admission register and the attendance register accurate and up to date.

These possibilities may include potential abuse or neglect, which may include Child Sexual Exploitation and Child Criminal Exploitation, (see Appendix 11). It may indicate mental health problems, risk of substance abuse, risk of travelling to conflict zones, so-called Honour-Based Violence (HBV), FGM and Forced Marriage. Early intervention is necessary to identify the existence of any underlying safeguarding risk and to prevent the risks of a child going missing in future. Staff should be aware of the Collection and Missing Child Policy and the Attendance Policy, which are both in 'All School Policies 2020'.

The school has a legal duty to report to report certain attendance issues to Brighton & Hove Authority: if a child has ten days of unauthorised absence (other than for reasons of sickness or leave of absence), failure to attend regularly, and when the school removes or adds a pupil's name to the admissions register at non-standard transitions. The school will report the circumstances as soon as possible to Sarah Barker, Children Missing Education/EOTAS Officer Access to Education T: 01273 291310 or email: [cme@brighton-hove.gov.uk](mailto:cme@brighton-hove.gov.uk).

## APPENDIX 4 – VISUAL IMAGES and MOBILE PHONES

### USE OF PHOTOGRAPHS AND VIDEO:

Occasionally, we may take photographs of the children at our school. We may use these images in our school prospectus or in other printed publications that we produce, as well as on our website, social media or on project display boards at the school or to record activities and children's work. We may also make videos for educational use.

From time to time, our school may be visited by the media who will take photographs or film footage of a visiting dignitary or other high profile event. Pupils will often appear in these images, which may appear in local or national newspapers, or on televised news programmes.

To comply with the Data Protection Act 2018, we will obtain written consent before photographs are taken or any recordings are made of children for any of the purposes mentioned above. There will be the option to opt-out.

- We will endeavour not re-use any photographs or recordings of a child after they have left the school except in the case of existing promotional material which may continue in use for some time.
- We will not use the personal details or full names (which means first name **and** surname) of any child or adult in a photographic image, on video or on our website, in our school prospectus or in any of our other printed publications.
- We will not include personal e-mail or postal addresses, or telephone or fax numbers on video, on our website, in our school prospectus or in other printed publications.
- If we use photographs of individual pupils, we will not use the name of that child in the accompanying text or photo caption, except with express consent of the parent or at the request of the parent.
- If we name a pupil in the text, we will not use a photograph of that child to accompany the article.
- We may include pictures of pupils and teachers that have been drawn by the pupils.
- We may use group or class photographs or footage with very general labels, such as "a science lesson" or "making Christmas decorations".
- We will only use images of pupils who are suitably dressed, to reduce the risk of such images being used inappropriately
- We are in a position to exclude a child's image from use whilst on the school's premises; however we are unable to prevent parents or media from taking photographs **outside** of the school.
- Through our **Social Media Guidelines and Acceptable Usage Policy** we request that parents do not post pictures taken within the school which contain images of children other than their own on social networking sites.

### 1. USE OF MOBILE PHONES

The EYFS now requires that safeguarding policies and procedures must cover the use of cameras and mobile phones with cameras in the setting, and this applies to the whole school.

No photographs may be taken of children with the staff's own cameras, including those on mobile phones. Staff and volunteers are requested not to use mobile phones when in the classroom or at any time when supervising children. Personal mobiles must be kept securely away during the school working day. It is permissible to take photos on a SCHOOL CAMERA as long as consent has been given. Images must be downloaded onto a SCHOOL COMPUTER and not for private use by staff.

In addition, parents, guardians or carers may not use mobile phones, cameras or other electronic devices with cameras when in the EYFS (nursery and Rainbow). Parents, contractors and visitors to the school are asked not to use their mobile technology devices in the public areas, where there are children present during the school day, when children are supervised by the school.

Children in years 5 and 6 may, with permission, bring in mobile phones if there is a specific purpose for them having them. An example would be if the family has requested that the child take the bus home on their own and this has been carefully discussed and considered by the family and school. The phone would be kept off during the school day, however, and deposited in the school office.

## **2. USE OF IMAGES OF CHILDREN BY THE PRESS;**

There may be occasions where the press take photographs of the school and its pupils. The press enjoy special rights under the Data Protection Act, which permit them to publish material for journalistic purposes.

Some parents are not happy for their children's photos to appear in the press. As a result the School will ensure that the consent of parents is sought prior to giving the press access to children. The standard consent form is issued to every parent on admission to the school as part of our admission procedure. The manner in which the press use images is controlled through relevant industry codes of practice as well as the law. In this way a check is put on the potential improper use of images of children by the press. The school will ensure that it politely checks that broadcasters and press photographers who may be on the school premises are aware of the sensitivity involved in detailed captioning, one to one interviews, and close-up or sports' photography.

### **1. PARENTAL RIGHT TO TAKE PHOTOGRAPHS:**

Parents are not covered by the Data Protection Act 2018 if they are taking photographs or making a video recording for their own private use. The Act does not, therefore, stop parents from taking photographs or making video recordings at school events.

However, parents are not permitted to take photographs or to make a video recording for anything other than their own personal use (e.g. with a view to selling videos of a school event, see also paragraph 4). Recording and/or photographing other than for private use would require the consent of the other parents whose children may be captured on film. Parents are reminded of this particularly in connection with the use of images on social media. Without this consent the Data Protection Act 2018 would be breached.

The School will make every effort to ensure that people with no connection to the School do not have any opportunity to film covertly. Staff members have the authority to quiz anyone they do not recognise who is using a camera or video recorder at events and productions.

### **4. USE OF A PROFESSIONAL PHOTOGRAPHER:**

The School will ensure that any professional photographer engaged to record a school event is prepared to work according to the terms of this policy document and the following guidelines:

- In the context of Data Protection legislation, the photographer will be considered as a "Data Processor" and any agreement with them will be in accordance with the Data Protection Act 2018.
- Photographers will only be used if they guarantee to act appropriately to prevent unauthorised or unlawful processing and against accidental loss or destruction of, or damage to, the personal data including photographs.
- Photographers will be asked to sign up to an agreement with the school which will include:

- Compliance with the Data Protection Act 2018 (most professional photographers will be aware of these requirements).
- That material may only be used for the School's own purposes and that permission has not been given to use the photographs for any other purpose.
- That the photographer may not disclose the photographs to any other party unless specifically required to do so in order to fulfil the requirements under the contract or where written permission has been given by the school.
- The photographer must comply with the steps set out above. The photographer will be responsible for keeping his own records as evidence that he has carried out the above.

#### **5. NOMINATING A NON-PROFESSIONAL TO BE AN AUTHORISED PHOTOGRAPHER:**

Should the School nominate another individual, say a parent, staff member or director, to be the photographer, it will be made clear that the images may not be used for anything other than the purpose indicated by the School. Where digital or similar photography is used, the School will require, wherever possible, the parent, staff member or director to leave all images or image holding equipment at the school premises and to subsequently process and/or develop final images on the school site. Such action will protect the parent, staff member or governor from future allegations of impropriety.

**6. CHARGING FOR PHOTOGRAPHS/VIDEOS:** Where a nominated photographer (professional or otherwise) is used, the proceeds from any sale of photographs or copies of videos will go to the school funds.

**7. STUDENT PLACEMENTS AND PHOTOGRAPHS:** If students request photographs of children engaged in activities for the purpose of their study, they must first obtain the permission of the school who will in turn gain the permission of parents. Any photographs taken can only to be used in connection with the students' work and may not be used or published in any way other than that for which permission has been originally sought.

## **APPENDIX 5**

### **ONLINE SAFETY**

For more detail on this and about online or cyber-bullying, read the ONLINE SAFETY POLICY ('All School Policies 2020' on the school drive) and refer to 'Teaching Online Safety in Schools, 2019', see below. Other school documents that assist in keeping our school safe online are the Social Media Guidelines and the Acceptable Usage Policy, both at the location on the drive given.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/811796/Teaching\\_online\\_safety\\_in\\_school.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/811796/Teaching_online_safety_in_school.pdf)

The school acknowledges that skillful use of internet can assist in children's education but due to its nature it can also expose children to unsuitable material and hidden dangers. This statement is to provide some protection for the use of the internet by pupils in the school and during the ICC lessons.

- The school computer system is enabled to bar unsuitable material from being accessed (filtered and monitored).

- Pupils are not to use the system for personal use which includes the downloading of games.
- Pupils are requested to deposit mobile phones in the school office during the school day.

Pupils are instructed and advised to use the following safety rules for the use of the internet at school.

- To only use the computers for school work and homework.
- To not bring in CD Roms from outside without the permission of the school.
- To ask for permission of staff before using the internet.
- To only email people they know or who have been approved by the teacher.
- To only send messages that are polite and responsible.
- Not to give out personal information – address, phone number, or arrange to meet anyone unless their parent, carers or teachers have given permission.
- To report any unpleasant material or messages sent to them. This report will be confidential and would protect other pupils and themselves.

### **Disclaimer**

As with other media sources such as magazines, books and video, some material accessed through the Internet is unsuitable for pupils. The school undertakes to supervise pupils, and take all reasonable precautions to ensure that pupils access only appropriate material. However, due to the international scale and linked nature of information available via the Internet, it is not possible to guarantee that particular types of materials will never appear on the school system.

Staff, parents and advisers will work to establish agreement that every reasonable measure is being taken. The head teacher, with support of the ICC coordinator, bursar and office staff, will ensure that the policy is implemented effectively.

## **APPENDIX 6**

### **SCHOOL SECURITY:**

It is vital to make the school secure during the day. The perimeter gate is fitted with a bell and intercom. The gate will be unlocked during drop off and pick up times. The gate will be locked at all other times. **The internal gate is to be shut at all times.**

#### **Visitors**

- All visitors to the school are directed to the main office by signs outside.
- Visitors, even regular visitors and student placements, must sign the Visitors Book at the office.
- Visitors will be escorted to where they are going and introduced.
- If unknown visitors are encountered in the school, or not wearing a valid lanyard, they will be requested to sign in at the office.
- Visitors should sign out at the end of the visit.

## APPENDIX 7

### Early Years Foundation Stage

Particular attention is given to the Early Years and this policy applies to the School's provision for the EYFS. The DSL named in Appendix 1 is responsible for safeguarding. All staff in Early Years will receive appropriate training in Safeguarding Children and will work closely with the Head Teacher/DSL for the School. The Head of Early Years is a Deputy DSL for the school. The Deputy Head of Early Years is also a deputy DSL for the school.

The School undertakes to inform Ofsted of any allegations of serious harm or abuse by any person living, working or looking after children at the premises (whether that allegation relates to harm or abuse committed on the premises or elsewhere), or any other abuse which is alleged to have taken place on the premises. This must be reported as soon as possible but at the latest within 14 days of the allegations being made.

## APPENDIX 8

### SAFER RECRUITMENT:

The school undertakes to ensure that appropriate child protections checks and procedures apply to all staff, volunteers or staff employed by another organisation working with pupils. ***See the Staffing and Safer Recruitment Policy.*** We will also ensure that any agency worker presenting for work is the same person on whom the checks have been made.

All staff and volunteers working with children will be asked to sign a declaration with regard to "Disqualification from Childcare".

The Head Teacher (DSL) with the support of the bursar, will carry out an **induction programme** of all new employees/volunteers to include all relevant policies and procedures around safeguarding and child protection. As part of this training, new employees/ volunteers are required to read the staff code of conduct, the online safety guidelines, the whistleblowing policy and the social media guidelines. New employees are required to read and understand policies relating to Safeguarding within one week of appointment and to complete Safeguarding Induction Training within four weeks of starting the job.

Head Teacher, Clare Eddison (Primary DSL) is trained in Safer Recruitment in Education. In addition, Lauren Dent, (trustee with responsibility for Safeguarding) and Jeannette Adair (chair of trustees) for the board have been trained in Safer Recruitment which is renewed on a five yearly cycle.

**Contact info:** Brighton & Hove LADO Darrel Clews T: 01273 295643 M:07795335879  
E: [darrel.clews@brighton-hove.gov.uk](mailto:darrel.clews@brighton-hove.gov.uk)

**Social Services/Children's Services numbers:**

**Front Door for Families:**

c/o Whitehawk Community Hub and Library

179A Whitehawk Road  
Brighton  
BN2 5TL  
Tel: (01273) 290400  
E-mail:FrontDoorforFamilies@brighton-hove.gcsx.gov.uk

EMERGENCY OUT OF HOURS SOCIAL CARE SERVICES  
MONDAY to SUNDAY from 16:30 to 08:30  
Tel: 01273 335905/6

USEFUL INFO Brighton and Hove Safeguarding Children Partnership  
<http://www.brightonandhovelscb.org.uk/>

### **APPENDIX 9: So-Called 'Honour-Based' Violence (HBV) including Forced Marriage and Female Genital Mutilation (KCSIE, 2019, Annex A)**

All forms of so-called HBV are abuse (regardless of the motivation) and should be handled and escalated as such. If in any doubt, speak with the DSL. Teachers need to be alert to the possibility of a child being at risk from HBV, or already having suffered HBV.

There are a range of potential indicators that a child may be at risk of HBV, see pages 59-61 of the Multi-Agency statutory guidance on FGM, <https://www.gov.uk/government/publications/multi-agency-statutory-guidance-on-female-genital-mutilation> and pages 13-14 and [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/322307/HMG\\_MULTI\\_AGENCY\\_PRACTICE\\_GUIDELINES\\_v1\\_180614\\_FINAL.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/322307/HMG_MULTI_AGENCY_PRACTICE_GUIDELINES_v1_180614_FINAL.pdf) on Forced Marriage.

#### **Forced Marriage (FM)**

This is an entirely separate issue from arranged marriage. A forced marriage is one entered into without the full and free consent of one or both parties and where violence, threats or any other form of coercion is used to cause a person to enter into a marriage. It is a human rights abuse and falls within the Crown Prosecution Service definition of domestic violence. As such it is a crime. Young men and women can be at risk in affected ethnic groups. Whistle-blowing may come from younger siblings. Other indicators may be detected by changes in adolescent behaviours. Never attempt to intervene directly as a school or through a third party.

#### **Female Genital Mutilation (FGM)**

It is essential that staff are aware of FGM practices and the need to look for signs, symptoms and other indicators of FGM.

#### **What is FGM?**

It involves procedures that intentionally alter/injure the female genital organs for non-medical reasons.

Since 31 October 2015, there has been a mandatory reporting duty placed on teachers that requires them to personally report to the police cases where they discover that an act of FGM appears to have been carried out. Unless the teacher has a good reason not to, they should also still discuss any such case with the school's DSL and involve children's social care as appropriate. The duty does not apply in relation to at risk or suspected cases. In these cases, teachers should follow local safeguarding procedures.

4 types of procedure:

Type 1 Clitoridectomy –partial/total removal of clitoris

Type 2 Excision –partial/total removal of clitoris and labia minora

Type 3 Infibulation entrance to vagina is narrowed by repositioning the inner/outer labia

Type 4 all other procedures that may include: pricking, piercing, incising cauterising and scraping the genital area

### **Why is it carried out?**

Belief that:

- FGM brings status/respect to the girl –social acceptance for marriage
- Preserves a girl's virginity
- Part of being a woman / rite of passage
- Upholds family honour
- Cleanses and purifies the girl
- Gives a sense of belonging to the community
- Fulfils a religious requirement
- Perpetuates a custom/tradition
- Helps girls be clean / hygienic
- Is cosmetically desirable
- Mistakenly believed to make childbirth easier

### **Is FGM legal?**

FGM is internationally recognised as a violation of human rights of girls and women. It is illegal in most countries including the UK and must be reported to the police. Circumstances and occurrences that may point to a girl being at risk from FGM include (the list is not exhaustive):

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

Signs that may indicate a child has undergone FGM:

- Prolonged absence from school and other activities
- Behaviour change on return from a holiday abroad, such as being withdrawn and appearing subdued
- Bladder or menstrual problems
- Finding it difficult to sit still and looking uncomfortable
- Complaining about pain between the legs
- Mentioning something somebody did to them that they are not allowed to talk about
- Secretive behaviour, including isolating themselves from the group
- Reluctance to take part in physical activity
- Repeated urinary tract infection
- Disclosure

## APPENDIX 10

### THE PREVENT DUTY

- The school ensures the provision of a safe place in which pupils and staff can discuss all manners of issues including those related to the challenging of extremists views.
- Values such as the development of compassion, empathy and tolerance of all faiths and beliefs are at the core of our ethos, along with fundamental values such as democracy, the rule of law, individual liberty and mutual respect.
- As part of our safeguarding procedures we assess the risk of those vulnerable to radicalisation, assess training needs and ensure all staff are aware of their duty to safeguard children.
- Both Primary and Secondary DSLs undertake training: “The Prevent Duty” to support staff and parents and to raise awareness of the issue.
- [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/445977/3799\\_Revised\\_Prevent\\_Duty\\_Guidance\\_England\\_Wales\\_V2-Interactive.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/445977/3799_Revised_Prevent_Duty_Guidance_England_Wales_V2-Interactive.pdf)
- A section on Prevent is included as an essential part of the school’s annual safeguarding refresher training.

Additional information on how we prevent radicalisation and actively promote British Values can be found in our Prevent Strategy, found on the front page of the website.

DFES dedicated helpline: 020 7340 7264

Non-emergency situations: [counter.extremism@education.gov.uk](mailto:counter.extremism@education.gov.uk)

## APPENDIX 11

### CHILD SEXUAL EXPLOITATION AND CHILD CRIMINAL EXPLOITATION: COUNTY LINES

Child Sexual Exploitation (CSE), as detailed in Annex A of KCSIE (2019), is a form of sexual abuse where children are exploited for money, power or status. In some cases, young people are persuaded or forced into exchanging sexual activity for money, drugs, gifts, affection or status. Consent cannot be given, even where a child may believe they are voluntarily engaging in sexual activity with the person who is exploiting them. CSE does not always involve physical contact and can happen online. A significant number of children who are victims of CSE go missing from home, care or education at some point. Some of the following may be indicators of sexual exploitation:

- Children who appear with unexplained gifts or new possessions
- Children who associate with other young people involved in CSE
- Children who have older boyfriends or girlfriends
- Children who suffer from sexually transmitted infections or become pregnant
- Children who suffer from changes in emotional well-being
- Children who misuse drugs and alcohol
- Children who go missing for periods of time or regularly come home late; and
- Children who regularly miss school or education or do not take part in education.

If staff have any concerns that a child is being sexually exploited, then it is important to follow the BHSCP procedures, given here: [http://www.brightonandhovelscb.org.uk/professionals/prof\\_cse/](http://www.brightonandhovelscb.org.uk/professionals/prof_cse/)

If there is an immediate risk of harm, then the police should be called on 999. If the risk is not immediate, they should be called on 101, quoting ‘Operation Kite’ (set up to deal with CSE). In addition, staff must follow the Safeguarding Procedures detailed in this policy.

Child Criminal Exploitation (CCE) or County Lines is a geographically widespread form of harm which involves criminal activity, drugs and gangs. Gangs and drug networks groom and exploit children and young people to carry drugs and money from urban areas to suburban and rural areas, markets and, in the case of Brighton and Hove, seaside towns. Key to identifying potential involvement in county lines are missing episodes, when the victim may have been trafficked for the purpose of transporting drugs and a referral to the NATIONAL REFERRAL MECHANISM should be considered, (<https://www.ecpat.org.uk/national-referral-mechanism>).

CCE, County Lines exploitation:

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

## APPENDIX 12

### DOMESTIC ABUSE/VIOLENCE (DA/V)

#### What is Domestic Violence?

The Government, in the Domestic Violence, Crime and Victims Act 2004, defines domestic violence as *'any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults who are, or have been intimate partners or family members, regardless of gender or sexual orientation'*.

Domestic Violence/abuse is a crime. Family members includes mother, father, son, daughter, brother, sister, and grandparents, whether directly related, in-laws or step-family.

#### How does it affect children?

- Domestic violence may teach children to use violence.
- Violence can affect children in serious and long-lasting ways.
- Where there is domestic violence there is often child abuse.
- Children will often blame themselves for domestic violence.
- Alcohol misuse is very common contributing factor when violence occurs in families.
- Pregnant women are more vulnerable to domestic violence.

#### Effects upon children

Children are affected in many ways by abuse, even after a short time. These effects include: feeling frightened, becoming withdrawn, bedwetting, running away, aggressiveness, behavioural difficulties, problems with school, poor concentration and emotional turmoil.

The longer children are exposed to abuse, the more severe the effects on them are. These can include:

- A lack of respect for the non-violent parent.
- Loss of self-confidence, which will affect their ability to form relationships in the future.
- Being over-protective of parent.
- Loss of childhood.
- Problems at school.
- Running away.

In our school, staff are expected to be alert to potential indicators of DV and follow the school's Safeguarding Procedures accordingly.

The school is part of 'Operation Encompass' in collaboration with Brighton and Hove police. If a DA/V event occurs between the end of a school day and the beginning of another, the DSL will be notified directly by the police before the beginning of the new school day, should a child/children at the school be involved. This enables the DSL and staff around the children to respond proactively to the situation.

## **APPENDIX 13**

### **SEXTING: How to respond to an incident**

#### **What is 'sexting'?**

This term only covers the sharing of sexual imagery by young people. Creating and sharing sexual photos and videos of under-18s is **illegal** and therefore causes a great amount of complexity when responding. It also presents a range of risks which need careful management.

On this basis the phrase 'youth produced sexual imagery' is advised (UKCCIS, Jan 2017) instead of 'sexting.' This is to ensure clarity about the issues this addresses. '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 which this covers 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.

The following are not covered:

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

#### **The Law**

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 legal framework was created before the internet and 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.

The National Police Chiefs Council (NPCC) has made clear that incidents involving youth produced sexual imagery should primarily be treated as safeguarding issues. Schools may respond to incidents without involving the police, please see procedures below.

The police may, however, need to be involved in cases to ensure thorough investigation including collection of all evidence (for example, through multi-agency checks), and there are some incidents which should **always** be referred to the police (see below).

### **Procedures**

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

- The incident should be referred to the DSL as soon as possible
- The DSL should hold an initial review meeting with appropriate school staff
- There should be subsequent interviews with the young people involved (if appropriate)
- Parents should be informed at an early stage and involved in the process unless there is good reason to believe that involving parents would put the young person at risk of harm (by the DSL)
- 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 should be made to FDFP (the MASH section) and/or the police immediately.

The following is imperative for staff:

- NEVER view, download or share the imagery yourself, or ask a child to download or share. **THIS IS ILLEGAL.**
- If you have viewed it by accident, report this to the DSL.
- DO NOT delete the imagery or ask the young person to delete it.
- DO NOT share information about the incident with other members of staff, pupils or parents/carers.
- DO NOT say or do anything to shame or blame any young people involved.
- DO explain that you need to report it and reassure them that they will receive support and help from the DSL.

### **Disclosures**

All members of staff (including non-teaching) should be aware of how to recognise and refer any disclosures of incidents involving youth produced sexual imagery.

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.

Staff should follow the protocols and procedures to be found earlier in the main body of this policy.

### **Referral**

The decision to refer to the police will in most instances be made by the DSL in collaboration with other relevant staff. It will generally occur at the initial stage of investigating and when:

- the incident involves an adult,

- there is reason to believe that a young person has been coerced, blackmailed or groomed, or if there are concerns about their capacity to consent (for example owing to special educational needs),
- what you know about the imagery suggests the content depicts sexual acts which are unusual for the young person's developmental stage, or are violent,
- the imagery involves sexual acts and any pupil in the imagery is under 13 or,
- you have reason to believe a pupil or pupil 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.

The decision should be in line with the school's child protection procedures and should 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 should be reviewed throughout the process of responding to the incident.

#### **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.

#### **Supporting Young People in Relation to 'Sexting'**

- **Education**

Sexting cannot be separated from other areas of Personal, Social and Health Education (PSHE) / Sex and Relationship Education (SRE).

Young people need to be educated about their rights and responsibilities related to sexting. The school intends to do this and in particular, we will:

- Help young people develop the skills and attitudes that ensure consent and respect
- Help young people develop the skills and attitudes that encourage mutual trust and appropriate privacy in relationships
- Help young people to see that coerced sexting is a form of sexual harassment and to develop the skills to resist coercion
- Help children develop peer support skills, knowledge of how to report problems and access adult support
- Rebalance the view that sexting is a problem for girls who send pictures of themselves whereas boys may bear little responsibility or be innocent targets.
- Challenge stereotyped attitudes that present sexual pressure and manipulation as normal behaviour for boys and men
- Help young people say no to sexting or develop respectful sexting etiquette
- Work with young people in ways which do not normalise the phenomenon of sexting or associated behaviours
- Avoid heteronormative assumptions and approaches to the sexting phenomena to acknowledge that sexting affects lesbian, gay and bisexual young people and those young people who are transgender.

Education addressing sexting should try to question the assumption that sexual pressure or manipulation (in respect to both 'real life' and digital sexual activities) is a 'normal' part of adolescent male sexuality. Teaching and learning about sexting therefore, will be set in the wider context of challenging sexist notions of gender roles and responsibilities.

- **Victim Support and Next Steps**

The DSL within the school will offer support to victims of 'sexting', which includes all young children involved in the incident. If the image was sent by an adult, we will contact CEOP, the Child Exploitation and Online Protection Centre, as this may be part of the grooming process.

Various organisations are available to support schools in responding to youth produced imagery and when a child has shared an explicit image or video, lost control of a sexual image or been sent an explicit image.

These include: the O2 and NSPCC online safety helpline on 0800 800 5002, and Childline, through which children can report youth produced imagery. <https://contentreporting.childline.org.uk/> . and Net Aware (for parents and carers) <https://www.net-aware.org.uk/>

Together, Childline and the Internet Watch Foundation (IWF) can try to get an image removed. Alternatively, a report can be made directly to the Internet Watch Foundation (IWF), <https://report.iwf.org.uk/en/> on behalf of children.

## **APPENDIX 14**

### **Child on Child Sexual Violence and Harassment**

Child on Child Sexual Violence and Harassment can occur between two children of any age and sex, and between one child and a group of children or between groups of children.

Sexual violence and sexual harassment exist on a continuum and may overlap, they can occur online and offline (both physically and verbally) and are never acceptable. It is important that all victims are taken seriously and offered appropriate support.

Reports of sexual violence and sexual harassment are extremely complex to manage. It is essential that victims are protected, offered appropriate support and every effort is made to ensure their education is not disrupted. It is also important that other children and staff are supported and protected as appropriate.

Sexual violence and sexual harassment is not acceptable, will never be tolerated and is not an inevitable part of growing up; it is not “banter”, “part of growing up”, “just having a laugh” or “boys being boys”. Members of staff should challenge any behaviour (potentially criminal in nature), such as grabbing bottoms, breasts and genitalia and flicking bras and lifting up skirts. Dismissing or tolerating such behaviours risks normalising them.

Children with Special Educational Needs and Disabilities (SEND) are three times more likely to be abused than their peers and, as mentioned elsewhere, additional barriers can sometimes exist when recognising abuse in SEND children. These can include:

- assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child’s disability without further exploration;
- the potential for children with SEND being disproportionately impacted by behaviours such as bullying and harassment, without outwardly showing any signs; and
- communication barriers and difficulties overcoming these barriers.

Any reports of abuse involving children with SEND will therefore require close liaison with the DSL (or deputy) and the SENCo.

Children who are lesbian, gay, bi, or trans (LGBT) can be targeted by their peers. In some cases, a child who is perceived by their peers to be LGBT (whether they are or not) can be just as vulnerable as children who identify as LGBT.

#### **Sexual Violence includes:**

- Rape
- assault by penetration
- sexual assault - intentionally touching another person in a way that is sexual.

**Sexual harassment** is defined as 'unwanted conduct of a sexual nature' that can occur online and offline. Sexual harassment is likely to:

- violate a child's dignity, and/or
- make them feel intimidated, degraded or humiliated and/or
- create a hostile, offensive or sexualised environment.

The guidance (*Sexual violence and sexual harassment between children in schools and colleges, May 2018*) describes *harmful sexual behaviours* as problematic, abusive and violent sexual behaviours that are developmentally inappropriate and may cause developmental damage. Sexual behaviour between children can be considered harmful if one of the children is much older, particularly if there is more than 2 years' difference in age or if one of the children is pre-pubescent and the other is not. Children displaying harmful sexual behaviours have often experienced their own abuse and trauma.

The school will

- consider the makeup of their own student body, including the gender and age range of its pupils, and whether additional support for children with protected characteristics (Equality Act 2010) - who are potentially at greater risk - is appropriate
- consider what we can do to foster healthy and respectful relationships between boys and girls including through relationship and sex education (RSE) and personal, social, health and economic education (PSHE)
- ensure that our response to boy on boy and girl on girl sexual violence and sexual harassment is equally robust as it is for sexual violence and sexual harassment between children of the opposite sex.

We aim to deliver high-quality, whole school RSE and PSHE programmes of preventative education. Such a programme will tackle such issues as:

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

## **Managing Reports of sexual violence and sexual harassment**

### **1. Managing the disclosure**

The school's initial response to a disclosure from a child is important. It is essential that victims are reassured that they are being taken seriously and that they will be supported and kept safe.

We will:

- not promise confidentiality at this initial stage as it is very likely a concern will have to be shared further
- listen carefully to the child, being non-judgmental, being clear about boundaries and how the disclosure will be progressed
- only record the facts as the child presents them.
- inform the designated safeguarding lead, or deputy, as soon as practically possible.

### **Confidentiality**

Staff taking a disclosure should never promise confidentiality. The victim may ask the school not to tell anyone about the sexual violence or sexual harassment. The designated safeguarding lead, or a deputy, should consider the following:

- parents or carers should normally be informed unless this would put the victim at greater risk

- the basic safeguarding principle is: if a child is at risk of harm, is in immediate danger or has been harmed then a referral should be made to children's social care (FDFF)
- rape, assault by penetration and sexual assaults are crimes. The starting point is that reports should be passed to the police.
- Ultimately, the designated safeguarding lead or a deputy will have to balance the child or young person's wishes against their duty to protect them and other children.

### **Anonymity**

Where an allegation of sexual violence or sexual harassment is progressing through the criminal justice system, the school should be aware of anonymity, witness support and the criminal process in general so we can offer support and act appropriately.

### **Risk Assessment**

When there has been a report of sexual violence, the DSL or a deputy should make an immediate risk and needs assessment. Where there has been a report of sexual harassment, the need for a risk assessment should be considered on a case-by-case basis.

The risk and needs assessment will consider the:

- victim
- alleged perpetrator
- both other children and, if appropriate, staff at the school.

Risk assessments will be recorded, either written or electronically, and kept under review. The DSL or a deputy should ensure they are engaging with FDFF and specialist services as required. Where there has been a report of sexual violence it is likely that professional risk assessments by social workers and or sexual violence specialists will be required.

## **2. Action Following a Report of Sexual Violence and/or Sexual Harassment**

The DSL or deputy is likely to have a complete safeguarding picture and be the most appropriate person to decide on the school's initial response. In all cases, schools and colleges should follow general safeguarding principles outlined in KCSIE, 2019. Important considerations will include:

- the wishes of the victim in terms of how they want to proceed. Victims should be given as much control as is reasonably possible over decisions regarding how any investigation will be progressed and any support that they will be offered
- the nature of the alleged incident(s), including might a crime have been committed and consideration of harmful sexual behaviour
- the ages of the children involved
- the developmental stages of the children involved
- any power imbalance between the children, for example if the alleged perpetrator is significantly older
- if the alleged incident is an isolated incident or a sustained pattern of abuse.

The starting point regarding any report should always be that sexual violence and sexual harassment are not acceptable and will not be tolerated.

## **3. Children Sharing a Classroom, following a report of sexual violence or harassment**

Following reports of rape and assault by penetration, while the school establishes the facts of the case and starts the process of liaising with children's social care (FDFE) and the police, the guidance states that:

- the alleged perpetrator should be removed from any classes they share with the victim
- the school should also consider how best to keep the victim and alleged perpetrator a reasonable distance apart on school premises and on transport to and from the school.
- For other reports of sexual violence and sexual harassment, the proximity of the victim and alleged perpetrator and considerations regarding shared classes, sharing school premises and school transport, should be considered immediately.

In all but the most exceptional of circumstances, the rape or assault is likely to constitute a serious breach of discipline and lead to the view that allowing the perpetrator to remain in the same school would seriously harm the education or welfare of the victim and potentially other pupils.

Where a criminal investigation into sexual assault leads to a conviction or caution, the perpetrator will be permanently excluded, owing to the size of the school and that it would not be practicable to keep victim and perpetrator separated.

In all cases, we will record and be able to justify our decision making. All of the above should be considered with the needs and wishes of the victim at the heart of the process, supported by parents and carers as required. Any arrangements should be kept under review.

#### **4. Ongoing Response**

##### **Safeguarding and supporting the victim**

Victims may not disclose the whole picture immediately. They may be more comfortable providing information on a piecemeal basis. It is essential that dialogue is kept open and encouraged. When it is clear that ongoing support will be required, we will ask the victim if they would find it helpful to have a designated trusted adult, for example their teacher or the DSL, to talk to about their needs.

A victim of sexual violence is likely to be traumatised and, in some cases, may struggle in a normal classroom environment. There may be times when the victim finds it difficult to maintain a full-time timetable and may express a wish to withdraw from lessons and activities.

If the trauma results in the victim being unable to remain in school, alternative provision or a move to another school should be considered to enable them to continue to receive suitable education. This should only be at the request of the victim and following discussion with their parents or carers.

##### **Safeguarding and supporting the alleged perpetrator**

The school will balance safeguarding the victim, and the wider student body, with providing the alleged perpetrator with an education, safeguarding support as appropriate and implementing any disciplinary sanctions.

Consideration will be given to:

- the age and the developmental stage of the alleged perpetrator and nature of the allegations. Any child will likely experience stress as a result of being the subject of allegations and/or negative reactions by their peers to the allegations against them
- the proportionality of the response. Support and sanctions should be considered on a case-by-case basis.

##### **Discipline and the alleged perpetrator**

Disciplinary action can be taken whilst other investigations by the police and/or FDFE are ongoing. The fact that another body is investigating or has investigated an incident does not in itself prevent a school from coming to its own conclusion, on the balance of probabilities, about what happened, and imposing a penalty accordingly.

##### **Working with parents and carers**

We will, in most instances, engage with both the victim's and the alleged perpetrator's parents or carers when there has been a report of sexual violence. This might not be necessary or proportional in the case of sexual

harassment and should be considered on a case-by-case basis. The exception to this rule is if there is a reason to believe informing a parent or carer will put a child at additional risk.

We aim to meet the victim's parents or carers with the victim present to discuss what arrangements are being put in place to safeguard the victim and understand their wishes in terms of support they may need and how the report will be progressed.

We will also meet with the alleged perpetrator's parents or carers to discuss any arrangements that are being put into place that impact the alleged perpetrator.

### Safeguarding other children

We will support children who have witnessed sexual violence, especially rape and assault by penetration. Witnessing such an event is likely to be traumatic and support may be required.

We commit to doing all we can to ensure both the victim and alleged perpetrator, and any witnesses, are not being bullied or harassed, including online or by social media

We also commit to a strong preventative education programme within our ethos that will help create an environment in which all children at the school are supportive and respectful of their peers when reports of sexual violence or sexual harassment are made.

### APPENDIX 15 (from KCSIE, Sept 2019)

#### Actions where there are concerns about a child

