



British Junior Academy of Brussels

Safeguarding Policy

Revised September 2020



The British Junior Academy of Brussels

Safeguarding Policy

This policy is for the whole school including the Early Years Foundation Stage

1.0 INTRODUCTION AND PURPOSE

1.1 Child protection statement

The British Junior Academy of Brussels (BJAB) recognise its moral and statutory responsibility to safeguard and promote the welfare of all pupils. We endeavour to provide a safe and welcoming environment where children are respected and valued. We are alert to the signs of abuse and neglect and follow our procedures to ensure that children receive effective support, protection and justice.

The procedures contained in this policy apply to all staff, volunteers and governors.

For a comprehensive understanding of safeguarding children and child protection practice at BJAB, this policy should be read in conjunction with the following school policies:

- Anti-Bullying Policy
- Behaviour Policy
- E-Safety and ICT Acceptable Use Policy
- Photograph Policy
- Whistleblowing Policy
- Health & Safety Policy
- Safer - Recruitment Policy
- SEND Policy
- Physical Intervention and Restraint Policy
- Code of Conduct for Staff
- Missing Child Policy
- Intimate Care Policy
- First Aid Policy

1.2 Policy principles:

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

- protecting children from maltreatment;
 - preventing impairment of children's mental and physical health or development;
 - ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and
 - taking action to enable all children to have the best outcomes.
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- BJAB is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment. Representatives of the school community of parents, staff, volunteers and governors will therefore be involved in reviewing, shaping and developing the school's safeguarding arrangements and child protection policy.

- The school's responsibility to safeguard and promote the welfare of children is of paramount importance. The school assesses the risks and issues in the wider community when consider the well-being and safety of its pupils.
- All children, regardless of age, gender, ability, culture, race, language, religion or sexual identity, have equal rights to protection.
- Children who are safe and feel safe are better equipped to learn.
- All staff have an equal responsibility to act on any suspicion or disclosure that may suggest a child is at risk of harm at home, in the community or in school.
- All staff members will maintain an attitude of 'It could happen here' where safeguarding is concerned. When concerned about the welfare of a child, staff members should always act in the interests of the child.
- If, at any point, there is a risk of immediate serious harm to a child a referral will be made to Kind in Nood immediately. **Anybody can make a referral.** If the child's situation does not appear to be improving, any staff member with concerns should press for re-consideration. Concerns should always lead to help for the child at some stage.
- Pupils and staff involved in child protection issues will receive appropriate support.
- This policy will be reviewed at least annually unless an incident, new legislation or guidance suggests the need for an interim review.

1.3 Policy aims:

- To provide all staff with the necessary information to enable them to meet their safeguarding and child protection responsibilities.
- To ensure consistent good practice.
- To demonstrate the school's commitment with regard to safeguarding and child protection to pupils, parents and other partners.
- To contribute to the school's safeguarding portfolio.

1.4 Safeguarding legislation

The policy is written with due regard to the following:

- Children Act 1989
- Education Act 2002 Section 157 (Regulatory Compliance – ISSRs and National Minimum Standards for Boarding or EYFS)
- Working Together to Safeguard Children 2018
- Keeping Children Safe in Education 2020
- Disqualification under the Childcare Act 2006 (by association)
- 'Prevent' Counter-Terrorism and Security Act 2015
- What to do if you are worried a child is being abused – Advice for practitioners
- Children and Social Care Act 2017
- Sexual Violence and Sexual Harassment between children in schools DfE 2018

and with regard to Belgian legal requirements.

2.0 CONTACTS, ROLES AND RESPONSIBILITIES

2.1 Safeguarding Contact details

Designated Safeguarding Lead (DSL)
Miss Victoria Cowx

Advanced Safeguarding Children Training 26/02/2019
Email: v.cowx@bjab.org
Phone: 0483 14 48 32

Deputy Safeguarding Lead
Mrs Sarah White
Advanced Safeguarding Children Training 15/05/2018
Email: s.white@bjab.org
Phone: 0470 64 14 95

Safeguarding Governor
Justine De Maertelaere
Advanced Safeguarding Children Training 15/05/2018
Email: j.demaertelaere@bjab.org
Phone: 0473 51 64 10

2.2 Role of the DSL and the management of referrals

The Designated Safeguarding Lead is responsible for safeguarding and child protection at [name of school]. The key role of the Designated Safeguarding Lead is:

- To manage referrals from school staff or any others from outside the school;
- To work with external agencies and professionals on matter of safety and safeguarding;
- To undertake training;
- To raise awareness of safeguarding and child protection amongst the staff and parents; and
- To ensure that child protection information is transferred to the pupil's new school
- To be aware of pupils who have a social worker
- To help promote educational outcomes by sharing the information about the welfare, safeguarding and child protection issues with teachers and school leadership staff.

2.3 Training of DSL

- To recognise how to identify signs of abuse.
- To consider when it is appropriate to:
 - talk to parents;
 - make a referral.
- To have a working knowledge of the child protection procedures in Belgium as well as guidance offered by the United Kingdom.
- To attend relevant DSL or refresher training at least every 2 years, through contact with safeguarding organisations in the UK and/or with external experts in Belgium.

- To share knowledge and information about the safeguarding of children with other members of staff.
- To suggest relevant INSET opportunities for other members of staff and volunteers.
- To run or organise INSET training for other members of staff.
- To maintain Child Safeguarding reference/training material.
- To be aware of the records of staff Child Safeguarding training stored in iSAMS and to ensure that staff training is refreshed at least every year.
- To ensure all staff read this policy and sign that they understand this policy on an annual basis before coming into contact with children in the educational setting.

2.4 Raising Awareness

- To liaise with parents on issues relating to the safeguarding of children.
- To ensure that the topic of safeguarding and child protection is covered with children in an age appropriate way through Values, in assemblies and through the PSHE curriculum, and that the children are aware of different mechanisms of support available to them in school and are able to recognise when they are at risk.

2.5 The Designated Governor

The school has a Designated Governor to oversee matters relating to safeguarding and child protection, Justine De Maertelaere. The Designated Governor will have undertaken Advanced Safeguarding Children Training and will attend refresher training at two-yearly intervals as well as relevant annual training.

- The DSL will ensure that the Designated Governor is informed of safeguarding matters.
- The Designated Governor is responsible for ensuring that the school's procedures are consistent with this policy.
- The Designated Governor is responsible for reviewing the Single Central Record annually and reporting that to the Board.
- In conjunction with the Chair of Governors, the Designated Governor will liaise with the Child Protection Services in Belgium in cases of allegations against the Headteacher or a Governor.

2.6 Good practice guidelines and staff code of conduct

To meet and maintain our responsibilities towards pupils, we need to agree standards of good practice which form a code of conduct for all staff. Good practice includes:

- treating all pupils with respect;
- setting a good example by conducting ourselves appropriately;
- involving pupils in decisions that affect them;
- encouraging positive, respectful and safe behaviour among pupils;
- being a good listener;
- being alert to changes in pupils' behaviour and to signs of abuse and neglect and exploitation;

- recognising that challenging behaviour may be an indicator of abuse;
- reading and understanding the school's Safeguarding Policy, Staff Handbook (code of conduct) and guidance documents on wider safeguarding issues, for example bullying, behaviour, physical contact, sexual exploitation, extremism, e-safety and information-sharing;
- asking the pupil's permission before initiating physical contact, such as assisting with dressing, physical support during PE or administering first aid;
- maintaining appropriate standards of conversation and interaction with and between pupils and avoiding the use of sexualised or derogatory language;
- being aware that the personal and family circumstances and lifestyles of some pupils lead to an increased risk of abuse;
- applying the use of reasonable force and physical intervention only as a last resort and in compliance with guidelines;
- referring **all** concerns about a pupil's safety and welfare to the DSL or, if necessary, directly to the Police or Kind in Nood;
- following the school's rules with regard to communication and relationships with pupils, including via social media.

Please also refer to the school's Staff Handbook (code of conduct) for all staff and volunteers.

3.0 ABUSE OF POSITION OF TRUST

All school staff are aware that inappropriate behaviour towards pupils is unacceptable and that their conduct towards pupils must be beyond reproach.

In addition, staff should understand that, under the UK Sexual Offences Act 2003, it is an offence for a person over the age of 18 to have a sexual relationship with a person under the age of 18, where that person is in a position of trust, even if the relationship is consensual. This means that any sexual activity between a member of the school staff and a pupil under 18 may be a criminal offence, even if that pupil is over the age of consent.

The school's Staff Handbook (code of conduct) sets out our expectations of staff and is signed by all staff members.

4.0 CHILDREN WHO MAY BE PARTICULARLY VULNERABLE

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

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

- disabled or have special educational needs;
- young carers;
- affected by parental substance misuse, domestic abuse and violence or parental mental health needs;
- asylum seekers;

- looked after and living away from home;
- vulnerable to being bullied, or engaging in bullying behaviours;
- living in temporary accommodation;
- frequently missing from school;
- living transient lifestyles;
- living in chaotic and unsupportive home situations;
- vulnerable to discrimination and maltreatment on the grounds of race, ethnicity, religion, disability or sexuality;
- at risk of child sexual exploitation (CSE);
- do not have English as a first language;
- at risk of female genital mutilation (FGM);
- at risk of forced marriage;
- at risk of being drawn into extremism;
- at risk of gang involvement and association with organised crime;
- misuse of drugs or alcohol themselves;
- at risk of modern slavery, trafficking, exploitation;
- at risk of radicalisation.
- children with a Social Worker

This list provides examples of vulnerable groups and is not exhaustive. At BJAB we understand that children who fall within these groups are more prone to peer group isolation than other children. As a result, they will also be considered for additional pastoral support.

A previously looked-after child potentially remains vulnerable and all staff have the skills, knowledge and understanding to keep previously looked children safe. When dealing with looked after children and previously looked after children, it is important that all those involved work together and prompt action is taken on concerns to safeguard these children.

On commencement of sections 4 to 6 of the Children and Social Work Act 2017, the Head of Pastoral Care along with the class teacher will have responsibility for promoting the educational achievement of children who have left care through adoption, special guardianship or who were adopted from outside the UK.

5.0 EARLY HELP

The school recognises that providing early help is more effective in promoting the welfare of children than reacting later. Early help means providing support as soon as a problem emerges, at any point in a child's life. All school staff are trained to notice any concerns about children which may help to identify that they would benefit from early help.

Teachers may be required to support other agencies and professionals in an early help assessment. Any such cases should be kept under constant review and consideration given to a referral to Kind in Nood if the child's situation does not appear to be improving or is getting worse.

6.0 ATTENDANCE

We recognise that full attendance at school is important to the well-being of all our pupils and enables them to access the opportunities made available to them at school. Attendance is monitored closely any issues should be reported to the DSL or Headteacher.

Where reasonably possible, BJAB holds more than one emergency contact phone number each pupil. This goes beyond the legal minimum and is good practice to give BJAB additional options to make contact with a responsible adult when attendance is also identified as a safeguarding concern.

Knowing where children are during school hours is an extremely important aspect of Safeguarding. Missing school can be an indicator of abuse and neglect and may also raise concerns about others safeguarding issues, including the criminal exploitation of children.

We monitor attendance carefully and address poor or irregular attendance without delay.

We will always follow up with parents/carers when pupils are not at school. This means we need to have a least two up to date contacts numbers for parents/carers. Parents should remember to update the school as soon as possible if the numbers change.

In response to the guidance in *Keeping Children Safe in Education (2020)* the school has:

1. Staff who understand what to do when children do not attend regularly
2. Appropriate policies, procedures and responses for pupils who go missing from education (especially on repeat occasions).
3. Staff who know the signs and triggers for travelling to conflict zones, FGM and forced marriage.

When a pupil leaves the school, we will record the name of the pupil's new school and their expected start date.

6.1 Child missing from education

A child missing from education is a potential indicator of abuse or neglect or sexual exploitation.

If the school becomes aware of a child having run away from, or having gone missing from home, this will be dealt with as a child protection matter.

The School follows its procedures for pupil absence should a pupil not appear for morning registration. However, if the pupil is known to have been on the school site but has subsequently become unaccounted for, then procedures outlined in the Missing Child Policy will be followed.

6.2 Children who run away or go missing from home

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

At BJAB we are aware of the recommendations outlined in *Keeping Children Safe in Education 2018 'Statutory Guidance on Children Who Run Away or go Missing from Home or Care' (DfE 2014)* that every child or young person who runs away or goes missing must be offered a Return Home Interview (RHI) within a period of 72 hours of their return. In this context the matter will be handled on an individual basis by the Headteacher and DSL.

7.0 HELPING CHILDREN KEEP THEMSELVES SAFE

At BJAB we are aware that abuse can take place wholly online or technology can be used to facilitate offline abuse. *Keeping Children Safe in Education 2020* requires governing bodies and proprietors to ensure that children are taught about safeguarding, including online, through teaching and learning opportunities, as part of providing a 'broad and balanced curriculum'.

Children are taught to understand and manage risk through our personal, social, health and economic (PSHE) education and sex and relationships lessons and through all aspects of school life. Our approach is designed to help children to think about risks they may encounter and with the support of staff work out how those risks might be reduced or managed. Discussions about risk are empowering and enabling for all children and promote sensible behaviour rather than fear or anxiety. Children are taught how to conduct themselves and how to behave in a responsible manner. Children are also reminded regularly about online safety, the risks of sharing content and images online and tackling bullying, including cyber bullying procedures. The school continually promotes an ethos of respect for children and pupils are encouraged to speak to a member of staff of their choosing about any worries they may have.

8.0 SUPPORT FOR CHILDREN, FAMILIES AND STAFF INVOLVED IN A CHILD PROTECTION ISSUE

Child abuse is devastating for the child and can also result in distress and anxiety for staff who become involved.

We will support pupils, their families, and staff by:

- taking all suspicions and disclosures seriously;
- the DSL will keep all parties informed and be the central point of contact;
- where a member of staff is the subject of an allegation made by a pupil, separate link people will be nominated to avoid any conflict of interest;
- responding sympathetically to any request from pupils or staff for time out to deal with distress or anxiety;
- maintaining confidentiality and sharing information on a need-to-know basis only with relevant individuals and agencies;
- storing records securely;
- offering details of helplines, counselling or other avenues of external support;
- following the procedures laid down in our Safeguarding, Whistleblowing, Complaints and Disciplinary policies;
- co-operating fully with relevant statutory agencies.

9.0 COMPLAINTS PROCEDURE

Our complaints procedure will be followed where a pupil or parent raises a concern about poor practice towards a pupil that initially does not reach the threshold for child protection action. Poor practice examples include unfairly singling out a pupil or attempting to humiliate them, bullying or belittling a pupil or discriminating against them in some way. Complaints are managed by the Headteacher, other members of the Senior Leadership Team and governors. An explanation of the complaints procedure is included in the safeguarding information for parents and pupils.

Complaints from staff are dealt with under the school's complaints and disciplinary and grievance procedures.

Complaints which escalate into a child protection concern will automatically be managed under the school's child protection procedures.

10.0 WHISTLEBLOWING

Staff who are concerned about the conduct of a colleague – including visiting professionals and volunteers – towards a pupil are undoubtedly placed in a very difficult situation. They may worry that they have misunderstood a situation and they will wonder whether a report could jeopardise a colleague's career. All staff must remember that the welfare of the child is paramount.

The school's Whistleblowing policy enables staff to raise concerns or allegations, initially in confidence, and for a sensitive enquiry to take place.

Staff are expected to report all concerns about poor practice or possible child abuse by colleagues – including what may seem minor contraventions of the school's Staff Handbook – to the Headteacher; to facilitate proactive and early intervention in order to maintain appropriate boundaries and a safe culture that protect children and reduce the risk of serious abuse in school.

Concerns or complaints about the Headteacher should be reported to the Chair of Governors.

10.1 Allegations against staff

When an allegation is made against a member of staff, set procedures must be followed. It is rare for a child to make an entirely false or malicious allegation, although misunderstandings and misinterpretations of events do happen.

A child may also make an allegation against an innocent party because they are too afraid to name the real perpetrator. Even so, we must accept that some professionals do pose a serious risk to pupils and we must act on every allegation.

Staff who are the subject of an allegation have the right to have their case dealt with fairly, quickly and consistently and to be kept informed of its progress.

Suspension is not the default option and alternatives to suspension will always be considered. However, in some cases staff may be suspended where this is deemed to be the best way to ensure that allegations are investigated fairly, quickly and consistently and that all parties are protected. In the event of suspension, the school will provide support and a named contact for the member of staff.

As stated above, all allegations against staff should be reported to the Headteacher. Allegations against the Headteacher should be reported to the Chair of Governors.

The full procedures for dealing with allegations against staff can be found in Part 4 of *Keeping Children Safe in Education 2020*. The guidance in KCSIE (Part Four) should be followed where it is alleged that anyone working in the school or college that provides education for children under 18 years of age, including supply teachers and volunteers has:

- behaved in a way that has harmed a child, or may have harmed a child;
- possibly committed a criminal offence against or related to a child;
- behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children; or behaved or may have behaved in a way that indicates they may not be suitable to work with children.

Staff, parents and governors are reminded that publication of material that may lead to the identification of a teacher who is the subject of an allegation is prohibited by law. Publication includes verbal conversations or writing, including content placed on social media sites. Allegations concerning staff

who no longer work at the school or historical allegations will be reported to the Police. In accordance with *Keeping Children Safe in Education 2018*, the school will make every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered.

11.0 STAFF TRAINING

It is important that all staff have training to enable them to recognise the possible signs of abuse, neglect and exploitation and to know what to do if they have a concern.

New staff, governors who will have direct contact with children and volunteers; will receive an explanation during their induction which will include:

- the school's Child Protection and Safeguarding policies;
- Online Safety;
- KCSIE Part 1, 2020
- KCSIE Annex A, 2020
- signs and symptoms of abuse and neglect;
- responding to disclosure of abuse or neglect by a child;
- reporting and recording arrangements;
- the Staff Handbook (code of conduct);
- the behaviour policy;
- response for children missing from education;
- details of the DSL.

NB: all of the above will be explained before a new member of staff, governor or volunteer has direct contact with children in school. The above listed documents will be sent with the letter confirming an appointment with a written requirement that the individual reads them in advance of starting work at the school. The individual will be given an opportunity to clarify any issues on their first day at work and then asked to sign to confirm that they have read and understood both policies and undertake to comply with them.

All staff, including the Headteacher, volunteers and governors will receive appropriate and regularly updated safeguarding and child protection training and thematic updates as required (at least annually) during inset days and regular discussions at staff meetings, to provide them with the requisite skills and knowledge to safeguard children effectively in line with statutory guidance. In addition, all staff receive training through via the online platform 'Gooseberry Planet'. As a result, all staff are able to understand the unique risks associated with online safety and are confident that they have the relevant knowledge and up to date capability required to keep children safe whilst they are online at school.

The DSL will attend training for newly appointed DSLs and refresher training every two years. In addition, the DSL will update their knowledge and skills at least annually to keep up with any developments relevant to their role.

All staff will be made aware of the increased risk of abuse to certain groups, including children with special educational needs and disabilities, looked after children, young carers and risks associated with specific safeguarding issues including child sexual exploitation, extremism, female genital mutilation and forced marriage.

In addition, the Headteacher and at least one governor will attend safer recruitment training and the school will ensure that there are at least two school leaders and/or governors that have attended safer recruitment training within the past three years.

12.0 SAFER RECRUITMENT

Our school endeavours to ensure that we do our utmost to employ 'safe' staff and allow 'safe' volunteers to work with children by following the guidance in *Keeping Children Safe in Education 2018*.

Our Safer Recruitment Policy is set out in a separate document and is reviewed regularly by the governing body. This policy is transparent to staff, parents and pupils.

All new members of staff and volunteers will undergo an induction that includes familiarisation with the school's Safeguarding Policy, Staff Handbook (code of conduct), Behaviour Policy, response to children missing in education and identification of their child protection training needs.

All staff are required to sign to confirm they have received, and read, a copy of the above documentation.

12.1 Governors

All governors will be the subject of Enhanced DBS checks as defined in *Keeping Children Safe in Education 2020*.

12.2 Volunteers

Volunteers will undergo checks commensurate with their work in the school and contact with pupils. Under no circumstances will a volunteer who has not been appropriately checked be left unsupervised or be allowed to engage in regulated activity.

12.3 Supervised volunteers

Volunteers who work only in a supervised capacity and are not in regulated activity will undergo the safer recruitment checks appropriate to their role, in accordance with the school's risk assessment process and statutory guidance.

12.4 Contractors

The school checks the identity of all contractors working on site and requests DBS checks where appropriate. Contractors who have not undergone checks will not be allowed to work unsupervised or in regulated activity.

13.0 SITE SECURITY

Visitors to the school, including contractors, are asked to sign in and are given an identity badge, which confirms they have permission to be on site. Parents who are simply delivering or collecting their children do not need to sign in. All visitors are expected to observe the school's safeguarding and health and safety regulations to ensure children in school are kept safe. The Headteacher will exercise professional judgement in determining whether any visitor should be escorted or supervised while on site.

14.0 BEHAVIOUR MANAGEMENT

Our behaviour policy is set out in a separate document and is reviewed regularly by the governing body. This policy is transparent to staff, parents and pupils and is proactive in order to minimise the need for force.

15.0 RECORD KEEPING

The school will:

- keep clear detailed written records of concerns about children (noting the date, event and action taken), even where there is no need to refer the matter to Kind in Nood immediately;
- keep records in a folder in a meticulous chronological order;
- ensure all records are kept secure and in locked locations;
- ensure all relevant child protection records are sent to the receiving school, college or other education establishment when a pupil moves.

Safeguarding and child protection records will be maintained independently from the pupil's school file and the school file will be 'tagged' to indicate that separate information is held. Such records will only be accessible to the Designated Safeguarding Lead and school leaders who need to be aware.

The recommended format for all staff in schools to record any safeguarding or child protection observations or concerns about a child can be found in Appendix 2.

Such records will include, in addition to the name, address and age of the child, timed and dated observations describing the child's behaviour, appearance, statements/remarks made to staff or other

children and observations of interactions between the child, other children, members of staff and/or parents/carers that give rise to concern. Where possible and without interpretation, the exact words spoken by the child or parent/carer will be recorded. Records will be signed, dated and timed by the member of staff making the record.

15.1 Confidentiality and Information Sharing

All staff will understand that child protection issues warrant a high level of confidentiality, not only out of respect for the pupil, family and staff involved but also to ensure that information being released into the public domain does not compromise evidence.

Staff will ensure confidentiality protocols are adhered to and information is shared appropriately. If in any doubt about confidentiality, staff will seek advice from the DSL, another SLT member or outside agency as required.

It is reasonable for staff to discuss day-to-day concerns about pupils with colleagues in order to ensure that children's general needs are met in school. However, staff should report all child protection and safeguarding concerns to the DSL or – in the case of concerns about the Headteacher – to the Proprietor. The person receiving the referral will then decide who else needs to have the information and they will disseminate it on a 'need-to-know' basis.

BJAB requests that previous schools share any safeguarding concerns regarding incoming pupils. Equally, safeguarding information will be shared, where necessary, with future schools. This information is treated with confidentiality.

All staff must be aware that they have a professional responsibility to share information with other agencies in order to safeguard children.

All staff must be aware that they cannot promise a child/parent to keep secrets.

Child protection information will be stored and handled in line with GDPR. Information is:

- processed for limited purposes;
- adequate, relevant and not excessive;
- accurate;
- kept no longer than necessary;
- processed in accordance with the data subject's rights;
- secure.

16.0 EXTENDED SCHOOL AND OFFSITE ARRANGEMENTS

All extended and offsite activities are subject to a risk assessment to satisfy health and safety and safeguarding requirements. When our pupils attend off-site activities, including day and residential visits, we will check that effective child protection arrangements are in place.

Where extended school activities are provided by and managed by the school, the school's child protection policy and procedures apply. If other organisations provide services or activities on the school site, the school will check that those organisations have appropriate procedures in place, including safer recruitment procedures.

17.0 PHOTOGRAPHY AND IMAGES

Our Staff Handbook (code of conduct) details the use of photography and images.

18.0 ONLINE SAFETY

Our e-Safety Policy is set out in a separate document and is reviewed regularly by the governing body. This policy is transparent to staff, parents and pupils.

Staff complete training every two years.

19.0 CHILD PROTECTION PROCEDURES

19.1 Recognising abuse

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

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

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

There are five categories of abuse: physical abuse, emotional abuse, sexual abuse, Domestic abuse and neglect.

19.2 Physical abuse

Physical abuse is a form of abuse which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child (this used to be called Munchausen's Syndrome by Proxy but is now more usually referred to as fabricated or induced illness).

19.3 Emotional abuse

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

19.4 Sexual abuse

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

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

19.5 Domestic abuse

Domestic Abuse is any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can encompass, but is not limited to: psychological; physical; sexual; financial; and emotional.

All children can witness and be adversely affected by domestic abuse in the context of their home life where domestic abuse occurs between family members. Exposure to domestic abuse and/or violence can have a serious, long lasting emotional and psychological impact on children. In some cases, a child may blame themselves for the abuse or may have had to leave the family home as a result.

19.5 Neglect

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

- provide adequate food, clothing and shelter (including exclusion from home or abandonment);
- protect a child from physical and emotional harm or danger;
- ensure adequate supervision (including the use of inadequate care-givers); or
- ensure access to appropriate medical care or treatment.
- It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

Definitions taken from *Working Together to Safeguard Children (HM Government, 2015)*.

The UK cross – government definition of domestic violence and abuse is:

Any incident or pattern of incidents of controlling, coercive, threatening behaviour between those who have been intimate partners or family members regardless of gender or sexuality. The abuse can encompass, but is not limited to:

- Psychological
- Physical
- Sexual
- Financial
- Emotional

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

19.6 Indicators of abuse

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

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

A child who is being abused or neglected may:

- have bruises, bleeding, burns, fractures or other injuries;
- show signs of pain or discomfort;
- keep arms and legs covered, even in warm weather;
- be concerned about changing for PE or swimming;
- look unkempt and uncared for;

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

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

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

19.7 Impact of abuse

The impact of child abuse, neglect and exploitation should not be underestimated. Many children do recover well and go on to lead healthy, happy and productive lives, although most adult survivors agree that the emotional scars remain, however well buried. For some children, full recovery is beyond their reach and the rest of their childhood and their adulthood may be characterised by anxiety or depression, self-harm, eating disorders, alcohol and substance misuse, unequal and destructive relationships and long-term medical or psychiatric difficulties.

19.8 Taking action

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

Key points for staff to remember when taking action are:

- in an emergency take the action necessary to help the child, for example, call 111;
- report your concern to the DSL as quickly as possible – immediately when there is evidence of physical or sexual abuse and certainly by the end of the day; all verbal conversations should be promptly recorded in writing.
- do not start your own investigation;
- share information on a need-to-know basis only – do not discuss the issue with colleagues, friends or family;
- complete a record of concern;

- if in exceptional circumstances, the DSL or Deputy DSL is not available, this should not delay appropriate action being taken. Staff can contact the DSL at any time via telephone or contact the Safeguarding Governor;
- following a report of Sexual Violence, the DSL will make an immediate risk and needs assessment, considering: the victim, alleged perpetrator and all other children;
- seek support for yourself if you are distressed or need to debrief.

19.9 If a member of staff or volunteer is concerned about a pupil's welfare

There will be occasions when staff may suspect that a pupil may be at risk but have no 'real' evidence. The pupil's behaviour may have changed, their artwork could be bizarre, they may write stories or poetry that reveal confusion or distress, or physical but inconclusive signs may have been noticed. In these circumstances, staff will try to give the pupil the opportunity to talk. The signs they have noticed may be due to a variety of factors, for example a parent has moved out, a pet has died, a grandparent is very ill, or an accident has occurred. It is fine for staff to ask the pupil if they are okay or if they can help in any way.

Staff must use the same record of concern form to record these early concerns. If the pupil does begin to reveal that they are being harmed, staff should follow the advice below. Following an initial conversation with the pupil, if the member of staff remains concerned, this staff member must discuss their concerns with the DSL, who will help decide what to do next.

Concerns which do not meet the threshold for child protection intervention will be managed through the Early Help as in section 5 of this policy.

19.10 If a pupil discloses to a member of staff or volunteer

It takes a lot of courage for a child to disclose that they are being abused. They may feel ashamed, particularly if the abuse is sexual. Their abuser may have threatened what will happen if they tell. They may have lost all trust in adults. Or they may believe, or have been told, that the abuse is their own fault. Sometimes they may not be aware that what is happening is abusive.

If a pupil talks to a member of staff about any risks to their safety or wellbeing, **the staff member will need to let the pupil know that they must pass the information on** – staff are not allowed to keep secrets. The point at which they tell the pupil this is a matter for professional judgement. If they jump in immediately the pupil may think that they do not want to listen but if left until the very end of the conversation, the pupil may feel that they have been misled into revealing more than they would have otherwise.

During their conversations with pupils, staff will:

- allow them to speak freely;
- remain calm and not overreact – the pupil may stop talking if they feel they are upsetting their listener;
- give reassuring nods or words of comfort – 'I'm so sorry this has happened', 'I want to help', 'This isn't your fault', 'You are doing the right thing in talking to me';
- not be afraid of silences – staff must remember how hard this must be for the pupil;
- **under no circumstances** ask investigative questions – such as how many times this has happened, whether it happens to siblings too, or what does the pupil's mother think about all this;
- (**however**, it is reasonable to ask questions to clarify understanding and to support a meaningful

referral if that is required, e.g. when did this happen, where did this happen?)

- at an appropriate time tell the pupil that in order to help them, the member of staff must pass the information on;
- not automatically offer any physical touch as comfort. It may be anything but comforting to a child who has been abused;
- avoid admonishing the child for not disclosing earlier. Saying things such as ‘I do wish you had told me about this when it started’ or ‘I can’t believe what I’m hearing’ may be the staff member’s way of being supportive but may be interpreted by the child to mean that they have done something wrong;
- tell the pupil what will happen next;
- let them know that someone (either you or another named person, e.g. the DSL) will come to see them before the end of the day;
- report verbally to the DSL;
- write up their conversation as soon as possible on the **record of concern form** (appendix 2) and hand it to the DSL; and
- seek support if they feel distressed or need to debrief.

19.11 Notifying parents

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

However, if the school believes that notifying parents could increase the risk to the child or exacerbate the problem, advice will be sought first from Children’s Social Care.

19.12 Making a referral to Kind in Nood

The DSL will make a referral to Kind in Nood if it is believed that a pupil is suffering or is at risk of suffering significant harm.

However, ***Keeping Children Safe in Education 2018*** emphasises that **any member of staff may make a direct referral to Kind in Nood if they genuinely believe independent action is necessary to protect a child.**

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

20.0 BULLYING

While bullying between children is not a separate category of abuse and neglect, it is a very serious issue that can cause considerable anxiety and distress. At its most serious level, bullying can have a disastrous effect on a child’s well-being.

All incidences of bullying, including cyber-bullying and prejudice-based bullying should be reported and will be managed through our anti-bullying procedures.

All staff are aware that safeguarding issues can manifest themselves via peer on peer abuse. This is most likely to include, but may not be limited to, bullying, sexual violence, sexual harassment and sexting. Please also refer to issues in relation to children who are sexually harmful or abusive towards other children below.

21.0 CHILDREN WITH SEXUALLY HARMFUL OR INAPPROPRIATE BEHAVIOUR

Children may be harmed by other children or young people. Staff will be aware of the harm caused by bullying and will use the school's **anti-bullying procedures** as above where necessary. However, there will be occasions when a pupil's behaviour warrants a response under child protection rather than anti-bullying procedures. In particular, research suggests that up to 30 per cent of child sexual abuse is committed by someone under the age of 18.

Abusive behaviour by one child towards another will not be tolerated, minimised or dismissed as 'banter' or 'part of growing up'.

When dealing with abuse of pupils by other pupils, staff will be mindful of the potential for prejudice-based bullying; racist, disability, homophobic and transphobic abuse; gender-based violence and teenage relationship abuse. Whilst mindful of the particular vulnerability of women and girls to violence, it is also recognised that boys as well as girls can be abused by members of the opposite as well as the same gender group.

Members of staff who become concerned about a pupil's sexualised behaviour, including any known online sexualised behaviour, should record their concerns and report them to the DSL as soon as possible, as with any other safeguarding concern.

The management of children and young people with sexually harmful behaviour is complex and the school will work with other relevant agencies to maintain the safety of the whole school community. Young people who display such behaviour may be victims of abuse themselves and the child protection procedures will be followed for both victim and perpetrator.

In deciding the most appropriate response, relevant considerations will include:

- the nature and extent of the inappropriate/abusive behaviours. In respect of sexual abuse, it is necessary to distinguish between normal childhood sexual development and experimentation; and sexually inappropriate or aggressive behaviour;
- the context of the abusive behaviours;
- the child/young person's development, family and social circumstances;
- the need for services, specifically focusing on the child/young person's harmful behaviour as well as other significant needs; and/or
- the risks to self and others, including other children in the school, household, extended family, peer group and wider social network.

22.0 YOUTH PRODUCED SEXUAL IMAGERY ('SEXTING')

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

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

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

All incidents of YPSI should be reported to the DSL as with all other safeguarding issues and concerns. Staff will not make their own judgements about whether an issue relating to YPSI is more or less serious enough to warrant a report to the DSL. What may seem like less serious concerns to individual

members of staff may be more significant when considered in the light of other information known to the DSL, which the member of staff may not be aware of.

If staff become concerned about a YPSI issue in relation to a device in the possession of a student (e.g. mobile phone, tablet, digital camera), the member of staff will secure the device (i.e. it should be confiscated). This is consistent with DfE advice *Searching, Screening and Confiscation – Advice for headteachers, school staff and governing bodies (DfE February 2014)*, page 11 ‘After the search’.

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

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

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

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

The DSL will make a judgement about whether a reported YPSI incident is experimental or aggravated.

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

Examples of aggravated incidents include:

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

The DSL will make a judgement about whether or not a situation in which indecent images have been shared with a small number of others in a known friendship group with no previous concerns constitutes an aggravated incident; or whether the school is able to contain the situation in partnership with all parents of the students involved, arrange for the parents to ensure that all indecent images are

deleted and that the young people involved learn from the incident in order to keep themselves safe in future.

In the latter instance, the DSL will usually consult with the Police and/or Kind in Nood to check that no other relevant information is held by those agencies and to ensure an agreed response is documented before proceeding.

22.1 Viewing the imagery

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

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

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

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

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

- never copy, print or share the imagery; this is illegal;
- discuss the decision with the Headteacher;
- ensure viewing is undertaken by the DSL with delegated authority from the Headteacher;
- ensure viewing takes place with another member of staff present in the room, ideally the Headteacher;
- wherever possible ensure viewing takes place on school or college premises, ideally in the Headteacher's office;
- ensure wherever possible that images are viewed by a staff member of the same sex as the young person in the imagery;
- record the viewing of the imagery in the pupil's safeguarding record, including who was present, why the image was viewed and any subsequent actions; and ensure this is signed and dated.

22.2 Deletion of images

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

23.0 SEXUAL EXPLOITATION OF CHILDREN

Like all forms of child sex abuse, child exploitation:

- Can affect any child (male or female) under the age of 18 years, including those who can legally consent to have sex;
- Can still be abuse even if the sexual activity appears consensual;

- Can include both contact (penetrative and non-penetrative acts) and non-contact sexual activity;
- Can take place in person or via technology, or a combination of both;
- Can involve force and/or enticement-based methods of compliance and may, or may not, be accompanied by violence or threats of violence;
- May occur without the child's immediate knowledge (e.g. through others copying videos or images they have created and posted on social media);
- Can be perpetrated by individuals or groups, males or females, and children or adults. The abuse can be a one off or a series of incidents over time, and range from opportunistic to complex organised abuse; and
- Is typified by some form of power imbalance in favour of those perpetrating the abuse. Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, sexual identity, cognitive ability, physical strength, status, and access to economic or other resources.

The school teaches children about consent and the risks of sexual exploitation in the PSHE and SRE curriculum. A common feature of sexual exploitation is that the child often does not recognise the coercive nature of the relationship and does not see her/himself as a victim. The child may initially resent what she/he perceives as interference by staff, but staff must act on their concerns, as they would for any other type of abuse.

24.0 SO CALLED 'HONOUR-BASED' ABUSE

So-called 'honour-based' abuse (HBA) encompasses crimes which have been committed to protect or defend the honour of a family and/or community. Abuse committed in the context of preserving 'honour' often involves a wider network of family or community pressure and can include multiple perpetrators. It is important to be aware of this dynamic and additional risk factors when deciding what form of action to take. Such crimes include Female Genital Mutilation (FGM), forced marriage, and practices such as breast ironing. Staff will be alert to the possibility of a child being at risk of HBA or already having suffered HBA.

All forms of so-called HBA are abuse (regardless of the motivation) and staff will record and report any concerns about a child who might be at risk of HBA to the Designated Safeguarding Lead as with any other safeguarding concern. The DSL will consider the need to make a referral to the Police, and/or Kind in Nood as with any other child protection concern.

25.0 FEMALE GENITAL MUTILATION

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

FGM is carried out on girls of any age, from young babies to older teenagers and adult women, so school staff are trained to be aware of risk indicators. Many such procedures are carried out abroad and staff should be particularly alert to suspicions or concerns expressed by female pupils about going on a long holiday during the summer vacation period.

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

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

Teachers in that situation will record their concerns and inform the DSL and Headteacher, who will support the teacher in making a direct report to the Police.

26.0 FORCED MARRIAGE

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

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

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

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

27.0 RADICALISATION AND EXTREMISM

As part of the Counter Terrorism and Security Act 2015, schools have a duty to ‘prevent people being drawn into terrorism’. This has become known as the ‘Prevent Duty’.

Where staff are concerned that children and young people are developing extremist views or show signs of becoming radicalized, they should discuss this with the Designated Safeguarding Lead.

The Designated Safeguarding Lead has received training about the Prevent Duty and tackling extremism and is able to support staff with any concerns they may have.

We use the curriculum to ensure that children and young people understand how people with extreme views share these with others, especially using the internet.

Staff should be alert to changes in children’s behaviour, which could indicate that they may be in need of help or protection. Staff should use their judgement in identifying children who might be at risk of radicalisation and act proportionately which may include the designated safeguarding lead (or deputy) making a Prevent referral.

We are committed to ensuring that our pupils are offered a broad and balanced curriculum that aims to prepare them for life in modern Britain. Teaching the school’s core values alongside the fundamental British Values supports quality teaching and learning, whilst making a positive contribution to the development of a fair, just and civil society.

Recognising Extremism

Early indicators of radicalisation or extremism may include:

- showing sympathy for extremist causes

- glorifying violence, especially to other faiths or cultures
- making remarks or comments about being at extremist events or rallies outside school
- evidence of possessing illegal or extremist literature
- advocating messages similar to illegal organisations or other extremist groups
- out of character changes in dress, behaviour and peer relationships (but there are also very powerful narratives, programmes and networks that young people can come across online so involvement with particular groups may not be apparent.)
- secretive behaviour
- online searches or sharing extremist messages or social profiles
- intolerance of difference, including faith, culture, gender, race or sexuality
- graffiti, art work or writing that displays extremist themes
- attempts to impose extremist views or practices on others
- verbalising anti-Western or anti-British views
- advocating violence towards others

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

The school recognises the importance of providing a safe space for children to discuss controversial issues; and building their resilience and the critical thinking skills they need in order to challenge extremist perspectives. However, the school will make appropriate referrals to the Belgian Police in respect of any pupil whose behaviour or comments suggest that they are vulnerable to being radicalised and drawn into extremism and terrorism in order to ensure that children receive appropriate support.

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

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

28.0 CHILD CRIMINAL EXPLOITATION: COUNTY LINES

Criminal exploitation of children is a geographically widespread form of harm that is a typical feature of county lines criminal activity: drug networks or gangs groom and exploit children to carry drugs and money from urban areas to suburban or rural areas, market and seaside towns. Key to identifying potential involvement in county lines are missing episodes, when the victim may have trafficked for the purpose of transporting drugs and a referral to the Belgian police should be considered. Like all forms of abuse and exploitation, county lines exploitation can:

- affect any child under the age of 18 years;

- involve force and / or enticement – based methods of compliance and is often accompanied by violence and / or threats of violence;
- still be exploitation even if the activity appears consensual;
- be perpetrated 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 factors including gender, cognitive ability, physical strength, and access to economic or other resources.

29.0 PEER ON PEER ABUSE

Children can abuse other children. This is generally referred to as peer on peer abuse and can take many forms. This can include (but is not limited to) bullying (including cyberbullying); sexual violence and sexual harassment; physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm; sexting and initiating/hazing type violence and rituals.

At BJAB we believe that abuse is abuse and should never be passed off as ‘banter’ or ‘just having a laugh’ or ‘part of growing up’. All staff have received training in identifying and dealing with Peer on Peer abuse.

Sign and symptoms of Peer on Peer abuse can include:

- absence from school or disengagement from school activities
- physical injuries
- mental or emotional health issues
- becoming withdrawn – lack of self esteem
- lack of sleep
- alcohol or substance misuse
- changes in behaviour
- inappropriate behaviour for age
- abusive towards others

At BJAB we are aware that as in all Safeguarding matters some groups are more vulnerable. These include:

- those aged 10 and upwards (although victims as young as 8 identified)
- girls and young women are more likely to be victims and boys and young men more likely to be abusers
- black and minority ethnic children often under identified as victims and over-identified as perpetrators
- young people with intra-familial abuse in their histories or those living with domestic abuse are more likely to be vulnerable
- young people in care and those who have experienced loss of a parent, sibling or friend through bereavement
- young people who have been abused or have abused their peers
- abusers can be younger than their victims.

It is important to remember that as with all safeguarding issues, peer on peer abuse can impact on children and young people without these characteristics.

When an allegation is made by a pupil against another student, which is of a safeguarding nature it should be reported to the designated safeguarding lead (DSL) as soon as possible.

- A factual record must be kept (as normal safeguarding child protection procedures) and updated with all actions and outcomes.
- If the allegation indicates that a potential crime has taken place BJAB will refer the case to the police.
- Parents of both the alleged victim and the student being complained about should be informed.
- A risk assessment will be considered at this time to protect all parties involved.
- It may be appropriate to exclude the alleged culprit against whom the report has been made for a fixed time in line with our schools exclusion policy.
- Police and Kind in Nood will lead any investigation, however where neither police nor social care thresholds are met, our school will then undertake a thorough investigation following our schools policies and procedures.

30.0 VOYEURISM

'Upskirting' 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. It is now a criminal offence as of September 2019.

31.0 CHILD SEXUAL EXPLOITATION

Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology.

Indicators of child sexual exploitation may include:

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

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

Potential vulnerabilities include:

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

More information can be found in: Child sexual exploitation: Definition and a guide for practitioners (DfE 2017)

33.0 CHILD CRIMINAL EXPLOITATION

CCE is where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child into any criminal activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial or other advantage of the perpetrator or facilitator and/or (c) through violence or the threat of violence.

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

Some of the following can be indicators of CCE:

- children who appear with unexplained gifts or new possessions;
- children who associate with other young people involved in exploitation;
- 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.

33.0 MENTAL HEALTH

All BJAB staff are aware that mental health problems can, in some cases, be an indicator that a child has suffered or is at risk of suffering abuse, neglect or exploitation.

School staff are not expected or trained to diagnose mental health conditions or issues, but may notice behaviours that may be of concern.

Where staff have a mental health concern about a child that may also be a safeguarding concern, they should raise the issue by informing the designated safeguarding lead or a deputy.

This policy is the responsibility of Sarah White, Headteacher, and Madame De Maertelaere, Proprietor	Revised: September 2020
<p>Sarah White Headteacher</p> <p>Madame De Maertelaere School Proprietor</p>	
To be reviewed:	September 2021

APPENDIX 1

External Contacts

Teacher Regulatory Agency (TRA)

employer.access@education.gov.uk

Disclosure and Barring Service (DBS)

c/o COBIS, PO Box 181, Darlington DL1 9FA
tel. +(44) 0300 123 1111

Child Protection Services in Belgium

Kind in Nood

Kind in Nood Centrum Kindermishandling +(32) 02 477 6060

Belgian Federal Police

101

Centre for Missing and Sexually Exploited Children

116 000

www.childfocus.be

Please note: In theory, the child and family should always be told that school will be informing Kind in Nood of its concerns. This obligation does not have to be respected if school staff senses that informing the family would endanger the child or the professional.

APPENDIX 2

Child Safeguarding – Concern Form

Concern Form

Please complete this form if you have any concerns about a pupil

Pupil Name			
Day/Date/Time		DoB	
Member(s) of staff noting concern			

Concern (Please describe as fully as possible)

Signature:

Date:

Actions Taken			
Date	Person taking action	Action	Signature

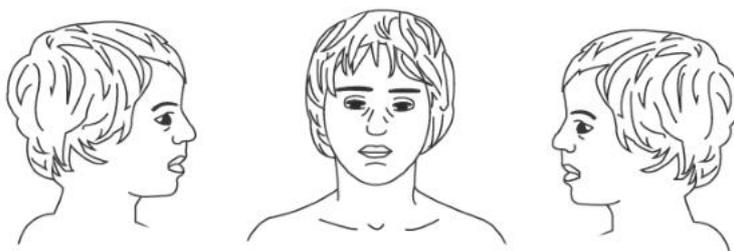
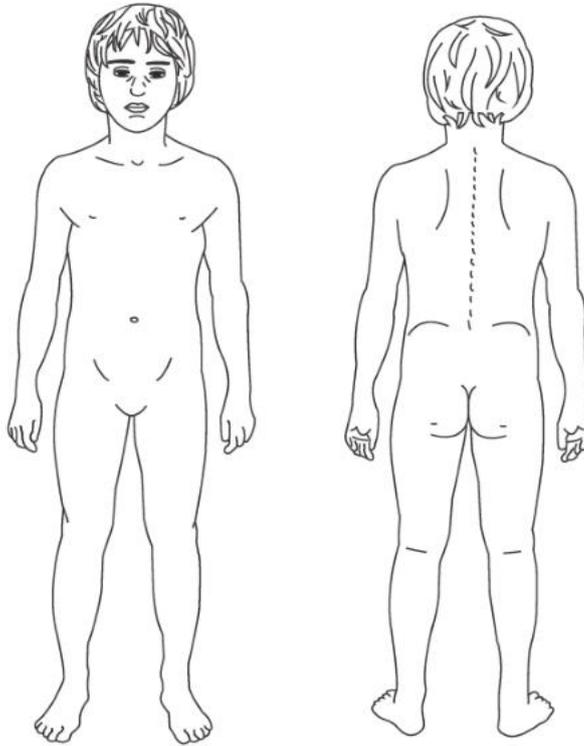
Date Given

Please pass this form to the Designated Safeguarding Lead when completed

Body Chart

This chart must be used together with the Concern Form
Show clearly the location of your concern and label with a number and a brief description, eg. '1. Burn about 4cm.' On the Concern Form refer to the injury using the same number and description.

Child's Name _____



Observations made by _____ Signed _____ Date _____

APPENDIX 3

REPORT OF SEXUAL VIOLENCE – RISK ASSESSMENT



When completing this risk assessment, the following considerations should be made:

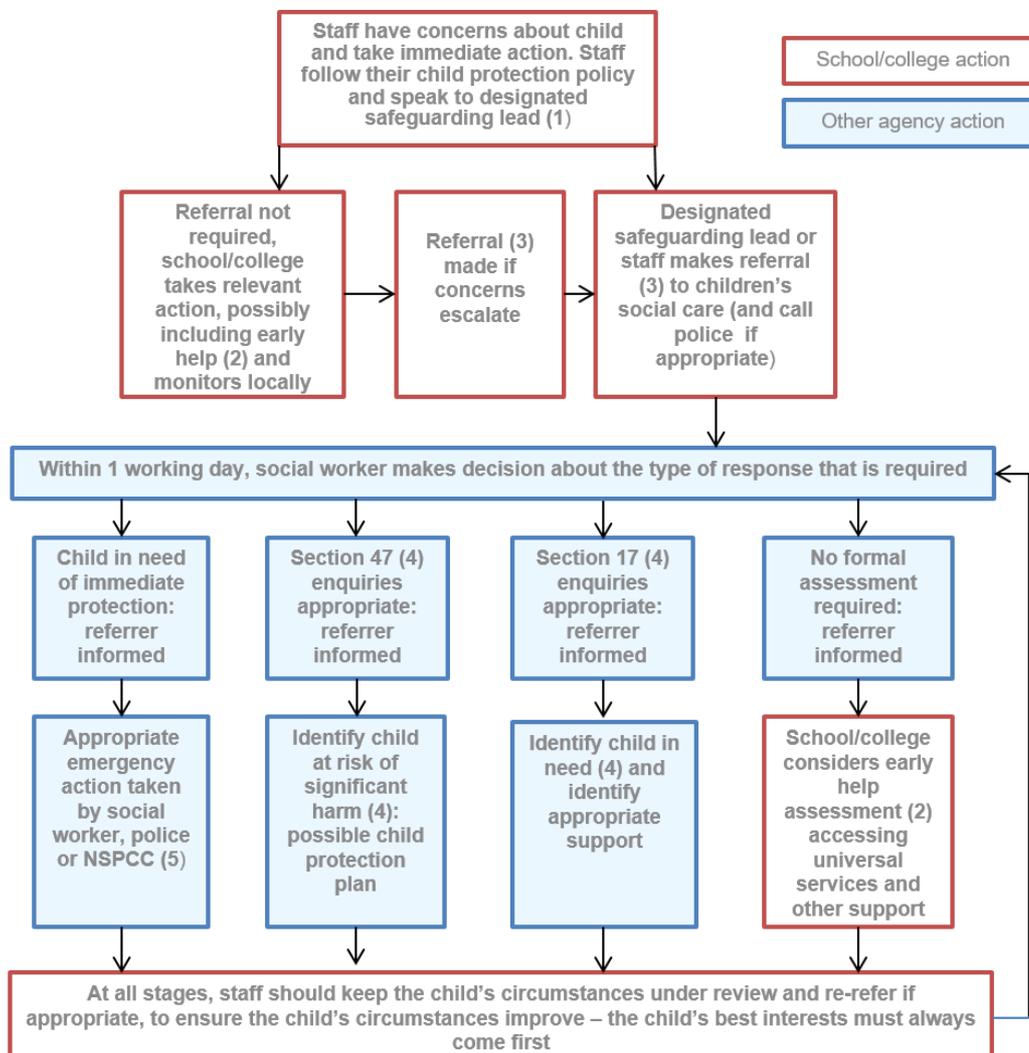
- The wishes of the victim in terms of how they wish to proceed
- The nature of the alleged incident
- The ages of the children involved
- The development stages of the children involved
- Any power imbalance between the child and victim
- Is the incident a one off or a sustained pattern of abuse?
- Are there ongoing risks to the victim, other children or school staff?
- Contextual safeguarding issues

	Hazard	Risk resulting from hazard	Existing control measures	New control measures
Victim				
Alleged perpetrator				
All other children				

APPENDIX 4



Actions where there are concerns about a child



- (1) In cases which also involve an allegation of abuse against a staff member, see Part Four of this guidance.
- (2) Early help means providing support as soon as a problem emerges at any point in a child's life. Where a child would benefit from co-ordinated early help, an early help inter-agency assessment should be arranged. Chapter one of [Working together to safeguard children](#) provides detailed guidance on the early help process.
- (3) Referrals should follow the local authority's referral process. Chapter one of [Working together to safeguard children](#).
- (4) Under the Children Act 1989, local authorities are required to provide services for children in need for the purposes of safeguarding and promoting their welfare. This can include section 17 assessments of children in need and section 47 assessments of children at risk of significant harm. Full details are in Chapter One of [Working together to safeguard children](#).
- (5) This could include applying for an Emergency Protection Order (EPO).

APPENDIX 5 – DISCLOSURE AND BARRING SERVICE CHECKS

Job role	Enhanced DBS check	Barred list check*	Notes
New school staff	Yes	If in regulated activity*	New school staff need an enhanced DBS check, and barred list check if they're engaging in regulated activity. Most staff employed by the school will be in regulated activity, as they'll be working at the school regularly in a position that provides the opportunity for contact with pupils.
Appointees from another school/college	No, unless there has been a break in employment of 3 months or more	If in regulated activity*	Schools don't have to obtain new enhanced DBS checks for appointees who have worked in a similar position without a break in service of 3 months or more but may do so if they wish. However, a new, separate barred list check must always be obtained where staff will be working in regulated activity.
Agency/third party staff	Yes (to be completed by employer organisation)	If in regulated activity* (to be completed by employer organisation)	Schools must obtain written notification from the organisation that employs the staff member that the necessary checks have been carried out.
Contractors	<p>Where a contractor is unlikely to have the opportunity for contact with pupils, they don't need a DBS or barred list check, but you can conduct a DBS check if you feel it's appropriate.</p> <p>Where a contractor has the opportunity for contact with pupils during their work, but the work takes place on an occasional or temporary basis, an enhanced DBS check without barred list information is appropriate.</p> <p>Where the contractor is engaging in regulated activity*, including if they work regularly or frequently at the school in work that would give them the opportunity for contact with pupils, an enhanced DBS check with barred list information will be required.</p>		
Governors/trustees	Yes	If in regulated activity*	Maintained school governors, academy trustees and academy local governors will all require enhanced DBS checks. They'll only need barred list checks if also engaging in regulated activity. Being a governor or trustee does not automatically entail engaging in regulated activity.
Trainee teachers (salaried)	Yes	If in regulated activity*	<p>Trainee teachers who are salaried by the school will need the same pre-appointment checks as other school staff and will need to be recorded on the single central record (SCR).</p> <p>The school is responsible for carrying out these checks.</p>

Trainee teachers (fee-funded)	Yes (to be completed by initial teacher training provider)	If in regulated activity* (to be completed by initial teacher training provider)	Where trainee teachers are fee-funded, it's the responsibility of the initial teacher training provider to carry out the necessary checks. Schools should obtain written confirmation from the training provider that these checks have been carried out and the trainee has been judged by the provider to be suitable to work with children. There's no requirement for the school to record details of fee-funded trainees on the SCR.
Volunteers (supervised)	No	No	There's no requirement to obtain an enhanced DBS check for supervised volunteers, though schools may do so if they wish. If supervised, a volunteer is not in regulated activity, and so you can't get a barred list check.
Volunteers (unsupervised)	Yes	If in regulated activity*	A volunteer is in regulated activity if they're unsupervised and will teach or look after children regularly or provide one-off personal care. Volunteers must never be left unsupervised if no checks have been carried out on them.
Visitors	No	No	Schools don't have the power to request DBS or barred list checks for visitors, or to ask to see their DBS certificates. Headteachers should use their professional judgement to decide whether a visitor needs to be escorted or supervised.

* Barred list checks can only be carried out on those who are engaging in regulated activity. The definition of 'regulated activity' includes where individuals:

- Are responsible, on a regular basis in a school or college, for teaching, training, instructing, caring for or supervising children; or
- Carry out paid, or unsupervised unpaid, work regularly in a school or college where that work provides an opportunity for contact with children; or
- Engage in intimate or personal care or overnight activity, even if this happens only once

WHAT DO I DO IF A CHILD DISCLOSES?

Listen. Do not fill in words for the child.

If the child is having a difficult time talking—don't help the child with words that you think the child is going to say. Allow the child to tell you what happened in their own words.

Tell the child that you are glad that they told you.

Tell the child "It was not your fault."

Reassure the child that they are not in trouble

If the child asks you not to tell anyone, remind the child that it is your job to help keep them safe and you will do whatever you may need to do to keep them safe.

Do not be overly critical of the offender. Children are protective of people they care about, even if they are being abused.

Tell the child you believe them.

Don't express panic or shock.

Use the child's vocabulary to the child and when reporting.

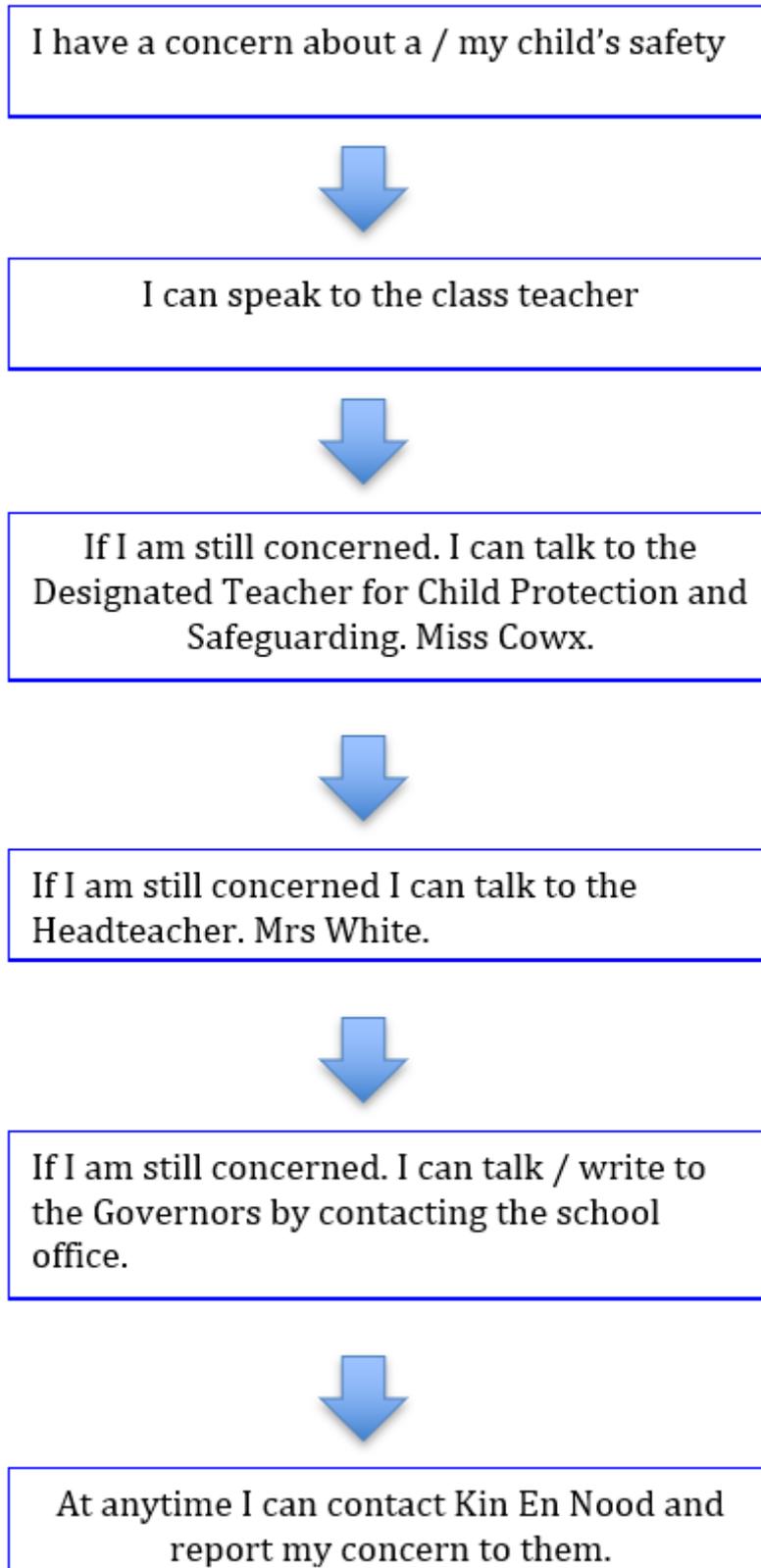
Be aware of your own feelings about abuse so that hopefully you will not project these onto the child.

Do not ask probing questions.

Remember you must report suspected abuse.

Source: Sanford Health

**APPENDIX 7 – PROCEDURE WHERE THERE ARE CONCERNS ABOUT A CHILD FOR
TEACHERS AND PARENTS**



APPENDIX 8 – GUIDANCE ON COMPLETING CONCERN FORMS

It is important that concern forms are fully completed in a timely way. The details are important. To help us respond appropriately, please follow the guidance below.

- Enter all the admin details, including date of birth (we are asked for this when we report a concern to Children’s Services or the police)
- Include your full name (not initials)
- Make sure the concern is given in detail, preferably in the child’s own words
- Don’t report what other people have told you - they must write their own concern form
- Only write about one child on each concern form (use a separate form for each child)
- Remember that concern forms are used in court cases and inquests as primary documents, so they must be complete and accurate
- Make sure you use a Concern Form to record your concern. Do not use any other form or piece of paper. Writing on the back of other forms can cause confusion and error
- If you jotted your notes down on a piece of paper whilst talking to the student or immediately afterwards, attach that to the completed concern form
- Please sign, date and time the concern form
- If there are no Concern Forms available, contact the office or Tory

Finally, contact a member of the safeguarding team (Tory, Sarah or Justine).

- Do not use email to send your concern, complete a hard copy concern form instead. Emails get missed, go to the wrong person and cannot be signed.
- Completed concern forms must be handed to Tory, Sarah or Justine as soon as possible.

APPENDIX 9 – KEEPING CHILDREN SAFE IN EDUCATION (KCSIE) PROCEDURE FOR ALLEGATIONS AGAINST STAFF MEMBERS (EXCERPT FROM PART 4)

Duties as an employer and an employee

188. This part of the guidance is about managing cases of allegations that might indicate a person would pose a risk of harm¹ if they continue to work in regular or close contact with children in their present position, or in any capacity. It should be used in respect of all cases in which it is alleged that a teacher or member of staff (including volunteers) in a school or college that provides education for children under 18 years of age has:
- behaved in a way that has harmed a child, or may have harmed a child;
 - possibly committed a criminal offence against or related to a child; or
 - behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children.
189. This part of the guidance relates to members of staff and volunteers who are currently working in any school or college regardless of whether the school or college is where the alleged abuse took place. Allegations against a teacher who is no longer teaching should be referred to the police. Historical allegations of abuse should also be referred to the police.
190. Employers have a duty of care to their employees. They should ensure they provide effective support for anyone facing an allegation and provide the employee with a named contact if they are suspended. It is essential that any allegation of abuse made against a teacher or other member of staff or volunteer in a school or college is dealt with very quickly, in a fair and consistent way that provides effective protection for the child and, at the same time supports the person who is the subject of the allegation

Initial Considerations

191. The procedures for dealing with allegations need to be applied with common sense and judgement. Many cases may well either not meet the criteria set out above, or may do so without warranting consideration of either a police investigation or enquiries by local authority children's social care services. In these cases, local arrangements should be followed to resolve cases without delay.
192. Some rare allegations will be so serious they require immediate intervention by children's social care services and/or police. The designated officer(s) should be informed of all allegations that come to a school's or college's attention and appear to meet the criteria so they can consult police and children's social care services as appropriate.
193. The following definitions should be used when determining the outcome of allegation investigations:
- Substantiated: there is sufficient evidence to prove the allegation;
 - Malicious: there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive;
 - False: there is sufficient evidence to disprove the allegation;
 - Unsubstantiated: there is insufficient evidence to either prove or disprove the allegation. The term, therefore, does not imply guilt or innocence;
 - Unfounded: to reflect cases where there is no evidence or proper basis which supports the allegation being made

¹ The harm test is explained on the Disclosure and Barring service website on GOV.UK

194. The headteacher or principal or (where the headteacher or principal is the subject of an allegation) the chair of governors, or the chair of the management committee or proprietor of an independent school (the 'case manager'), should discuss the allegation immediately with the designated officer(s). The purpose of an initial discussion is for the designated officer(s) and the case manager to consider the nature, content and context of the allegation and agree a course of action. The designated officer(s) may ask the case manager to provide or obtain relevant additional information, such as previous history, whether the child or their family have made similar allegations previously and about the individual's current contact with children. There may be situations when the case manager will want to involve the police immediately, for example if the person is deemed to be an immediate risk to children or there is evidence of a possible criminal offence. Where there is no such evidence, the case manager should discuss the allegations with the designated officer(s) in order to help determine whether police involvement is necessary.
195. The initial sharing of information and evaluation may lead to a decision that no further action is to be taken in regard to the individual facing the allegation or concern, in which case this decision and a justification for it should be recorded by both the case manager and the designated officer(s), and agreement reached on what information should be put in writing to the individual concerned and by whom. The case manager should then consider with the designated officer(s) what action should follow both in respect of the individual and those who made the initial allegation.
196. The case manager should inform the accused person about the allegation as soon as possible after consulting the designated officer(s). It is extremely important that the case manager provides them with as much information as possible at that time.
197. Employers must consider carefully whether the circumstances of a case warrant a person being suspended from contact with children at the school or college or whether alternative arrangements can be put in place until the allegation or concern is resolved. All options to avoid suspension should be considered prior to taking that step (see paragraphs 223-229 for information about suspension).

Supporting those involved

201. Employers have a duty of care to their employees. They should act to manage and minimise the stress inherent in the allegations process. Support for the individual is vital to fulfilling this duty. Individuals should be informed of concerns or allegations as soon as possible and given an explanation of the likely course of action, unless there is an objection by the children's social care services or the police. The individual should be advised to contact their trade union representative, if they have one, or a colleague for support. They should also be given access to welfare counselling or medical advice where this is provided by the employer.
202. The case manager should appoint a named representative to keep the person who is the subject of the allegation informed of the progress of the case and consider what other support is appropriate for the individual. For staff in maintained schools and colleges, that may include support via the local authority occupational health or employee welfare arrangements. Particular care needs to be taken when employees are suspended to ensure that they are kept informed of both the progress of their case and current work-related issues. Social contact with colleagues and friends should not be prevented unless there is evidence to suggest that such contact is likely to be prejudicial to the gathering and presentation of evidence.
203. Parents or carers of the child or children involved should be told about the allegation as soon as possible if they do not already know of it. However, where a strategy discussion is required, or police or children's social care services need to be involved, the case manager should not do so until those agencies have been consulted and have agreed what information can be disclosed to the parents or carers. Parents or carers should also be kept informed about the progress of the case,

and told the outcome where there is not a criminal prosecution, including the outcome of any disciplinary process. The deliberations of a disciplinary hearing, and the information taken into account in reaching a decision, cannot normally be disclosed but the parents or carers of the child should be told the outcome in confidence.²

204. Parents and carers should also be made aware of the requirement to maintain confidentiality about any allegations made against teachers whilst investigations are ongoing as set out in section 141F of the Education Act 2002 (see paragraphs 206-207). If parents or carers wish to apply to the court to have reporting restrictions removed, they should be told to seek legal advice.
205. In cases where a child may have suffered significant harm, or there may be a criminal prosecution, children's social care services, or the police as appropriate, should consider what support the child or children involved may need.

Confidentiality

206. It is extremely important that when an allegation is made, the school or college make every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered. The Education Act 2002 introduced reporting restrictions preventing the publication of any material that may lead to the identification of a teacher in a school who has been accused by, or on behalf of, a pupil from the same school (where that identification would identify the teacher as the subject of the allegation). The reporting restrictions apply until the point that the accused person is charged with an offence, or until the Secretary of State³ or the General Teaching Council for Wales publishes information about an investigation or decision in a disciplinary case arising from the allegation. The reporting restrictions are disapplied if the individual to whom the restrictions apply effectively waives their right to anonymity by going public themselves or by giving their written consent for another to do so or if a judge lifts restrictions in response to a request to do so. The provisions commenced on 1 October 2012.
207. The legislation imposing restrictions makes clear that "publication" of material that may lead to the identification of the teacher who is the subject of the allegation is prohibited. "Publication" includes "any speech, writing, relevant programme or other communication in whatever form, which is addressed to the public at large or any section of the public." This means that a parent who, for example, published details of the allegation on a social networking site would be in breach of the reporting restrictions (if what was published could lead to the identification of the teacher by members of the public).
208. In accordance with the Authorised Professional Practice published by the College of Policing in May 2017, the police will not normally provide any information to the press or media that might identify an individual who is under investigation, unless and until the person is charged with a criminal offence. (In exceptional cases where the police would like to depart from that rule, for example an appeal to trace a suspect, they must apply to a magistrates' court to request that reporting restrictions be lifted.)
209. The case manager should take advice from the designated officer(s), police and children's social care services to agree the following:
- who needs to know and, importantly, exactly what information can be shared;
 - how to manage speculation, leaks and gossip;
 - what, if any, information can be reasonably given to the wider community to reduce speculation; and

² In deciding what information to disclose, careful consideration should be given to the provisions of the Data Protection Act 2018, the law of confidence and, where relevant, the Human Rights Act 1998.

³ Carried out by the Teaching Regulation Agency.

- how to manage press interest if, and when, it should arise.

Managing the situation and exit arrangements

Resignations and ‘settlement agreements’

- 210.If the accused person resigns, or ceases to provide their services, this should not prevent an allegation being followed up in accordance with this guidance. **A referral to the DBS must be made, if the criteria are met (see paragraphs 157-158)**. Schools and sixth form colleges must also consider whether a referral to the Secretary of State is appropriate (see paragraph 160). If the accused person resigns or their services cease to be used and the criteria are met, it will not be appropriate to reach a settlement/compromise agreement. Any settlement/compromise agreement that would prevent a school or college from making a DBS referral even though the criteria for referral are met, is likely to result in a criminal offence being committed. This is because the school or college would not be complying with its legal duty to make the referral.
- 211.It is important that every effort is made to reach a conclusion in all cases of allegations bearing on the safety or welfare of children, including any in which the person concerned refuses to cooperate with the process. Wherever possible, the accused should be given a full opportunity to answer the allegation and make representations about it. But the process of recording the allegation and any supporting evidence, and reaching a judgement about whether it can be substantiated on the basis of all the information available, should continue even if that cannot be done or the accused does not cooperate. It may be difficult to reach a conclusion in those circumstances, and it may not be possible to apply any disciplinary sanctions if a person’s period of notice expires before the process is complete, but it is important to reach and record a conclusion wherever possible.
- 212.‘Settlement agreements’ (sometimes referred to as compromise agreements), by which a person agrees to resign if the employer agrees not to pursue disciplinary action, and both parties agree a form of words to be used in any future reference, should not be used in cases of refusal to cooperate or resignation before the person’s notice period expires. Such an agreement will not prevent a thorough police investigation where that is appropriate.

Record keeping

- 213.Details of allegations that are found to have been malicious should be removed from personnel records. However, for all other allegations, it is important that a clear and comprehensive summary of the allegation, details of how the allegation was followed up and resolved, and a note of any action taken and decisions reached, is kept on the confidential personnel file of the accused, and a copy provided to the person concerned.
- 214.The purpose of the record is to enable accurate information to be given in response to any future request for a reference, where appropriate. It will provide clarification in cases where future DBS checks reveal information from the police about an allegation that did not result in a criminal conviction and it will help to prevent unnecessary re-investigation if, as sometimes happens, an allegation re-surfaces after a period of time.
- 215.Schools and colleges have an obligation to preserve records which contain information about allegations of sexual abuse for the Independent Inquiry into Child Sexual Abuse (IICSA), for the term of the inquiry (further information can be found on the IICSA website). All other records should be retained at least until the accused has reached normal pension age or for a period of 10 years from the date of the allegation if that is longer.

216. The Information Commissioner has published guidance on employment records in its Employment Practices Code and supplementary guidance, which provides some practical advice on record retention.⁴

References

217. Cases in which an allegation was proven to be false, unsubstantiated or malicious should not be included in employer references. A history of repeated concerns or allegations which have all been found to be false, unsubstantiated or malicious should also not be included in any reference. See paragraphs 139-142 for further information on references.

Timescales

218. It is in everyone's interest to resolve cases as quickly as possible and is consistent with a fair and thorough investigation. All allegations should be investigated as a priority to avoid any delay. Target timescales are shown below: the time taken to investigate and resolve individual cases depends on a variety of factors including the nature, seriousness and complexity of the allegation, but these targets should be achieved in all but truly exceptional cases. It is expected that 80 per cent of cases should be resolved within one month, 90 per cent within three months, and all but the most exceptional cases should be completed within 12 months.

219. For those cases where it is clear immediately that the allegation is unsubstantiated or malicious, they should be resolved within one week. Where the initial consideration decides that the allegation does not involve a possible criminal offence it will be for the employer to deal with it, although if there are concerns about child protection, the employer should discuss them with the designated officer(s). In such cases, if the nature of the allegation does not require formal disciplinary action, the employer should instigate appropriate action within three working days. If a disciplinary hearing is required and can be held without further investigation, the hearing should be held within 15 working days.

Oversight and monitoring

220. The designated officer(s) has overall responsibility for oversight of the procedures for dealing with allegations, for resolving any inter-agency issues, and for liaison with the three safeguarding partners. The designated officer(s) will provide advice and guidance to the case manager, in addition to liaising with the police and other agencies, and monitoring the progress of cases to ensure that they are dealt with as quickly as possible consistent with a thorough and fair process. Reviews should be conducted at fortnightly or monthly intervals, depending on the complexity of the case.

221. Police forces should also identify officers who will be responsible for:

- liaising with the designated officer(s);
- taking part in the strategy discussion or initial evaluation;
- subsequently reviewing the progress of those cases in which there is a police investigation; and
- sharing information on completion of the investigation or any prosecution.

222. If the strategy discussion or initial assessment decides that a police investigation is required, the police should also set a target date for reviewing the progress of the investigation and consulting

⁴ Information Commissioner's Office – Guidance on employment records in its Employment Practices Code and supplementary guidance.

the Crown Prosecution Service (CPS) about whether to: charge the individual; continue to investigate; or close the investigation. Wherever possible, that review should take place no later than four weeks after the initial evaluation. Dates for subsequent reviews, ideally at fortnightly intervals, should be set at the meeting if the investigation continues.

Suspension

223. The possible risk of harm to children posed by an accused person should be evaluated and managed in respect of the child(ren) involved in the allegations. In some rare cases that will require the case manager to consider suspending the accused until the case is resolved. Suspension should not be an automatic response when an allegation is reported: all options to avoid suspension should be considered prior to taking that step. If the case manager is concerned about the welfare of other children in the community or the teacher's family, those concerns should be reported to the designated officer(s), children's social care or the police as required. But suspension is highly unlikely to be justified on the basis of such concerns alone.
224. Suspension should be considered only in a case where there is cause to suspect a child or other children at the school or college is/are at risk of harm or the case is so serious that it might be grounds for dismissal. However, a person should not be suspended automatically: the case manager must consider carefully whether the circumstances warrant suspension from contact with children at the school or college or until the allegation is resolved, and may wish to seek advice from their personnel adviser and the designated officer(s). In cases where the school or sixth form college is made aware that the Secretary of State has made an interim prohibition order in respect of an individual who works at the school or sixth form college, immediate action should be taken to ensure the individual does not carry out work in contravention of the order, i.e. pending the findings of the TRA investigation, the individual must not carry out teaching work.
225. The case manager should also consider whether the result that would be achieved by immediate suspension could be obtained by alternative arrangements. In many cases an investigation can be resolved quickly and without the need for suspension. If the designated officer(s), police and children's social care services have no objections to the member of staff continuing to work during the investigation, the case manager should be as inventive as possible to avoid suspension. Based on assessment of risk, the following alternatives should be considered by the case manager before suspending a member of staff:
- redeployment within the school or college so that the individual does not have direct contact with the child or children concerned;
 - providing an assistant to be present when the individual has contact with children;
 - redeploying to alternative work in the school or college so the individual does not have unsupervised access to children;
 - moving the child or children to classes where they will not come into contact with the member of staff, making it clear that this is not a punishment and parents have been consulted; or
 - temporarily redeploying the member of staff to another role in a different location, for example to an alternative school or college or work for the local authority or academy trust.
226. These alternatives allow time for an informed decision regarding the suspension and possibly reduce the initial impact of the allegation. This will, however, depend upon the nature of the allegation. The case manager should consider the potential permanent professional reputational damage to employees that can result from suspension where an allegation is later found to be unsubstantiated or maliciously intended.

- 227.If immediate suspension is considered necessary, the rationale and justification for such a course of action should be agreed and recorded by both the case manager and the designated officer(s). This should also include what alternatives to suspension have been considered and why they were rejected.
- 228.Where it has been deemed appropriate to suspend the person, written confirmation should be dispatched within one working day, giving as much detail as appropriate for the reasons for the suspension. It is not acceptable for an employer to leave a person who has been suspended without any support. The person should be informed at the point of their suspension who their named contact is within the organisation and provided with their contact details.
- 229.Children’s social care services or the police cannot require the case manager to suspend a member of staff or a volunteer, although they should give appropriate weight to their advice. The power to suspend is vested in the proprietor of the school, or governing bodies of the school or college who are the employers of staff at the school or college. However, where a strategy discussion or initial evaluation concludes that there should be enquiries by the children’s social care services and/or an investigation by the police, the designated officer(s) should canvass police and children’s social care services for views about whether the accused member of staff needs to be suspended from contact with children in order to inform the school or college consideration of suspension. Police involvement does not make it mandatory to suspend a member of staff; this decision should be taken on a case-by-case basis having undertaken a risk assessment.

Information sharing

- 230.In a strategy discussion or the initial evaluation of the case, the agencies involved should share all relevant information they have about the person who is the subject of the allegation, and about the alleged victim.
- 231.Where the police are involved, wherever possible the employer should ask the police to obtain consent from the individuals involved to share their statements and evidence for use in the employer disciplinary process. This should be done as their investigation proceeds and will enable the police to share relevant information without delay at the conclusion of their investigation or any court case.
- 232.Children’s social care services should adopt a similar procedure when making enquiries to determine whether the child or children named in the allegation are in need of protection or services, so that any information obtained in the course of those enquiries which is relevant to a disciplinary case can be passed to the employer without delay.

Specific actions following a criminal investigation or a prosecution

- 233.Children’s social care services should adopt a similar procedure when making enquiries to determine whether the child or children named in the allegation are in need of protection or services, so that any information obtained in the course of those enquiries which is relevant to a disciplinary case can be passed to the employer without delay.

On conclusion of a case

- 234.If the allegation is substantiated and the person is dismissed or the employer ceases to use the person’s services, or the person resigns or otherwise ceases to provide his or her services, the designated officer(s) should discuss with the case manager and their personnel adviser whether the school or college will decide to make a referral to the DBS for consideration of whether inclusion

on the barred lists is required;⁵ and, in the case of a member of teaching staff at a school or sixth form college, whether to refer the matter to the TRA to consider prohibiting the individual from teaching.

235. There is a legal requirement for employers to make a referral to the DBS where they think that an individual has engaged in conduct that harmed (or is likely to harm) a child; or if a person otherwise poses a risk of harm to a child. See paragraph 157.
236. Where it is decided on the conclusion of a case that a person who has been suspended can return to work, the case manager should consider how best to facilitate that. Most people will benefit from some help and support to return to work after a stressful experience. Depending on the individual's circumstances, a phased return and/or the provision of a mentor to provide assistance and support in the short term may be appropriate. The case manager should also consider how the person's contact with the child or children who made the allegation can best be managed if they are still a pupil or student at the school or college.

In respect of malicious or unsubstantiated allegations

237. If an allegation is determined to be unsubstantiated or malicious, the designated officer(s) should refer the matter to the children's social care services to determine whether the child concerned is in need of services, or may have been abused by someone else. If an allegation is shown to be deliberately invented or malicious, the headteacher, principal or proprietor should consider whether any disciplinary action is appropriate against the pupil or student who made it; or whether the police should be asked to consider if action might be appropriate against the person responsible, even if he or she were not a pupil or student.

Learning lessons

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

Further information

239. See the College of Policing: Engagement, Communication and Media relations.

⁵ Disclosure and Barring Service – guidance on Referrals to the DBS.

APPENDIX 10 – SAFEGUARDING DURING DISTANCE LEARNING



Safeguarding during distance learning

1.0 Context

From Friday 13th March the British Junior Academy was closed and all staff, including the administrative team, are working from home. All usual lines of communication via the website and email are open. Although some Belgian schools have been asked to provide a limited creche service, mostly to support parents working in the emergency services, BJAB will be completely closed.

This addendum of BJAB Safeguarding, and Child Protection policy contains details of our individual safeguarding arrangements in the following areas:

1.0 Context

2.0 Key contacts

3.0 Vulnerable children

4.0 Attendance monitoring

5.0 Designated Safeguarding Lead

6.0 Reporting a concern

7.0 Safeguarding Training and induction

8.0 Safer recruitment/volunteers and movement of staff

9.0 Children and online safety away from school

10.0 Supporting children not in school

11.0 Peer on Peer Abuse

2.0 Key contacts

Designated Safeguarding Lead	Deputy Designated Safeguarding Lead
Victoria Cowx	Sarah White (Head Teacher)
+32 483 14 48 32	s.white@bjab.org
v.cowx@bjab.org	Justine De Maertelaere
	J.Demaertelaere@bjab.org

3.0 Vulnerable children

Vulnerable children include those who have a social worker and those children and young people up to the age of 25 with education, health and care (EHC) plans.

Those who have a social worker include children who have a Child Protection Plan and those who are looked after by the State. A child may also be deemed to be vulnerable if they have been assessed as being in need or otherwise meet the definition in section 17 of the Children Act 1989.

Those with an EHC plan will be risk-assessed as to whether they can safely have their needs met at home. Many children and young people with EHC plans can safely remain at home.

Senior leaders, especially the Designated Safeguarding Lead (and deputy) know who our most vulnerable children are.

4.0 Attendance monitoring

BJAB will not need to complete their usual day-to-day attendance processes to follow up on non-attendance. All children will be marked as present and staff will monitor online engagement.

5.0 Designated Safeguarding Lead

BJAB has a Designated Safeguarding Lead (DSL) and a Deputy DSL.

The Designated Safeguarding Lead is: Victoria Cowx

The Deputy Designated Safeguarding Lead is: Sarah White and Justine De Maertelaere

The optimal scenario is to have a trained DSL (or deputy) available on site. Where this is not the case a trained DSL will be available to be contacted via phone or a Deputy DSL following an email request for contact. Where a trained DSL (or deputy) is not available, in addition to the above, a senior leader will assume responsibility for co-ordinating safeguarding.

This might include updating and managing access to child protection online management system, CPOMS. It is important that all BJAB staff and volunteers have access to a trained DSL (or deputy).

6.0 Reporting a concern

Where staff have a concern about a child, they should continue to follow the process outlined in the school 'Safeguarding during Distance Learning' document.

Staff are reminded of the need to report any concern immediately and without delay.

Where staff are concerned about an adult working with children in the school, they should use the same procedure. If the concern is pertaining to the DSL the member of staff should contact the Headteacher directly. Concerns around the Headteacher should be directed to Justin De Maertelaere.

7.0 Safeguarding Training and induction

DSL training is very unlikely to take place whilst there remains a threat of the COVID-19 virus.

For the period COVID-19 measures are in place, a DSL (or deputy) who has been trained will continue to be classed as a trained DSL (or deputy) even if they miss their biennial refresher training.

All existing school staff have had safeguarding training and have read part 1 of Keeping Children Safe in Education (2019). The DSL should communicate with staff any new local arrangements, so they know what to do if they are worried about a child.

Where new staff are recruited they will continue to be provided with a safeguarding induction. If staff are deployed from another education or children's workforce setting to our school, we will take into account the DfE supplementary guidance on safeguarding children during the COVID-19 pandemic and will accept portability as long as the current employer confirms in writing that:-

- the individual has been subject to an enhanced DBS and children's barred list check
- there are no known concerns about the individual's suitability to work with children
- there is no ongoing disciplinary investigation relating to that individual

Upon arrival, they will be given a copy of the receiving setting's child protection policy, confirmation of local processes and confirmation of DSL arrangements.

8.0 Safer recruitment/volunteers and movement of staff

It remains essential that people who are unsuitable are not allowed to enter the children's workforce or gain access to children. When recruiting new staff, BJAB will continue to follow the relevant safer recruitment processes for our setting, including, as appropriate, relevant sections in part 3 of Keeping Children Safe in Education (2020) (KCSIE).

In response to COVID-19, the Disclosure and Barring Service (DBS) has made changes to its guidance on standard and enhanced DBS ID checking to minimise the need for face-to-face contact.

BJAB will continue to follow the legal duty to refer to the DBS anyone who has harmed or poses a risk of harm to a child or vulnerable adult. Full details can be found in KCSIE.

BJAB will continue to consider and make referrals to the Teaching Regulation Agency (TRA) as per KCSIE and the TRA's Teacher misconduct advice for making a referral. During the COVID-19 period all referrals should be made by emailing:

Misconduct.Teacher@education.gov.uk

Whilst acknowledging the challenge of the current National emergency, it is essential from a safeguarding perspective that any school is aware, on any given day, which staff/volunteers will be in contact with the children, and that appropriate checks have been carried out. As such, BJAB will continue to keep the single central record (SCR) up to date as outlined in in KCSIE.

9.0 Children and online safety away from school

It is important that all staff who interact with children, including online, continue to look out for signs a child may be at risk. Any such concerns should be dealt with as per the Child Protection Policy and where appropriate referrals should still be made. Online teaching should follow the same principles as set out in the BJAB code of conduct.

BJAB will ensure any use of online learning tools and systems is in line with privacy and data protection/GDPR requirements.

Below are some things to consider when delivering virtual lessons, especially where webcams are involved:

- No 1:1s, groups only
- Staff and children must wear suitable clothing, as should anyone else in the household.
- Any computers used should be in appropriate areas, for example, not in bedrooms; and the background should not be blurred.
- The live class should be recorded so that if any issues were to arise, the video can be reviewed.
- Live classes should be kept to a reasonable length of time, or the streaming may prevent the family 'getting on' with their day.
- Language must be professional and appropriate, including any family members in the background.
- Staff must only use platforms provided by BJAB to communicate with pupils
- Staff should record, the length, time, date and attendance of any sessions held.

10.0 Supporting children not in school

BJAB is committed to ensuring the safety and wellbeing of all its Children and Young people.

Where the DSL has identified a child to be on the edge of social care support, or who would normally receive pastoral-type support in school, they should ensure that a robust communication plan is in place for that child or young person.

Details of this plan must be recorded on a record of contact. The communication plans can include; remote contact or phone contact.

This plan must be reviewed regularly (at least once a fortnight) and where concerns arise, the DSL will consider any referrals as appropriate.

The school will share safeguarding messages on its website pages. BJAB recognises that school is a protective factor for children and young people, and the current circumstances, can affect the mental health of pupils and their parents/carers. Teachers at BJAB need to be aware of this in setting expectations of pupils' work where they are at home.

11.0 Peer on Peer Abuse

BJAB recognises that during the closure a revised process may be required for managing any report of such abuse and supporting victims.

Where a school receives a report of peer on peer abuse, they will follow the principles as set out in part 5 of KCSIE and of those outlined within of the Child Protection Policy.

The school will listen and work with the young person, parents/carers and any multiagency partner required to ensure the safety and security of that young person.

Concerns and actions must be recorded following 'Safeguarding during Distance Learning' document and appropriate referrals made.