



**St George's**  
School Edgbaston

# SAFEGUARDING AND CHILD PROTECTION POLICY

Revised: September 2021



Senior Details .....	4
Safeguarding and Child Protection Policy – Addendum due to COVID 19.....	5
Reporting Concerns .....	6
Working with Other Agencies .....	6
Universal Support for all Pupils .....	7
Targeted Support for Vulnerable Pupils .....	7
Monitoring Attendance .....	7
Peer-on-Peer Abuse .....	8
Concerns about a Staff Member or Volunteer.....	8
Support for Children who aren't 'Vulnerable' but where we have Concerns.....	9
Safeguarding for Children not Attending School – Contact Plans.....	9
Safeguarding All Children .....	9
Online Safety.....	10
In School.....	10
Outside School.....	10
Remote Learning .....	10
Working with Parents and Carers .....	11
Mental Health .....	11
Recruiting New Staff and Volunteers .....	12
Safeguarding Induction and Training .....	12
Keeping Records of Who's on Site.....	13
Children Attending Other Settings .....	13
Monitoring Arrangements .....	14
Links with Other Policies .....	14
1. Introduction and Aims .....	15
2. Prevention and Online Safety .....	17
Use of Cameras and Mobile Phones in the EYFS.....	18
3. The Board of Trustees .....	19
4. Designated Senior Lead Child Protection (DSL).....	21
5. Procedures.....	24
Types of Abuse and Neglect .....	25

Abuse.....	25
Physical abuse.....	25
Emotional abuse.....	26
Sexual abuse.....	26
Neglect.....	27
Domestic Violence and Abuse.....	28
Criminal Exploitation.....	28
Radicalisation and Extremism.....	29
Female Genital Mutilation.....	31
Child Sexual Exploitation (CSE) and Child Criminal Exploitation (CCE).....	33
Safer Recruitment.....	35
Whistleblowing.....	36
6. Responding to Concerns.....	36
How to Deal with Disclosures.....	38
Receive and Reassure.....	38
React.....	38
Record.....	39
Never.....	40
Report.....	40
Unconfirmed worries about possible child abuse.....	41
7. Referrals to CASS.....	41
8. Post-referral Support.....	42
9. Multi-Agency Work.....	42
10. Parents and Carers.....	43
11. Looked After Children (LAC) and Previously Looked after Children.....	43
12. Private Fostering.....	44
13. When a Student Transfers to another School.....	44
14. Children who go missing from Education.....	45
15. Students with Special Educational Needs.....	46
16. Allegations against Students – Peer on Peer Abuse.....	46
17. Concerns Involving Members of Staff, Adults or Volunteers.....	49

Allegations against Staff, Adults, Volunteers or Contractors.....	49
18. Code of Practice .....	51
19. Bullying .....	51
20. Training and Induction .....	52
21. Monitoring and Review.....	53
22. Links to other Documents and Further Reading .....	53
<b>APPENDIX A: FURTHER STAFF GUIDANCE FOR RECOGNISING THE SIGNS .....</b>	<b>55</b>
Behavioural .....	55
Physical.....	56
Female Genital Mutilation (FGM).....	57
Forced Marriage .....	58
Honour Based Violence .....	58
Further Indicators of Abuse.....	58
<b>APPENDIX B: STAFF GUIDANCE ON INTERACTION WITH STUDENTS.....</b>	<b>60</b>
Physical Contact .....	60
Opportunities (One to One Meetings/School Trips).....	61
Use of Language .....	61
Personal Relationships with Students.....	61
Electronic Communication with a Student.....	61
<b>APPENDIX C: THE USE OF FORCE TO CONTROL OR RESTRAIN STUDENTS .....</b>	<b>62</b>
Introduction .....	62
When is Force Appropriate? .....	62
What is Reasonable Force? .....	63
Acceptable Forms of Force .....	63
What the School should do if Staff have used Force during an Incident .....	64
Physical Contact with Students (General) .....	64
Legal Implications .....	65

## **Senior Details**

### **Trustee Lead**

Sir Robert Dowling

### **Head Teacher**

Mr Gary Neal (DSL Trained)

### **Whole School Senior Designated Senior Lead (DSL)**

Mrs Jenny Shaw Deputy Head teacher (SLT)

### **Designated Senior Lead (DSL) Upper School**

Mr Luke Nicholls Head of pastoral (SLT)

### **Designated Senior Lead (DSL) Sixth Form**

Miss Josie Stinton

### **Deputy DSL Upper School**

Mrs Victoria Jones

### **DSL Lower School and EYFS**

Mrs Jenny Shaw Head of Lower and Deputy Head teacher (SLT)

### **Deputy DSL Lower School and EYFS**

Mrs Joanne Sadiq Head of Lower (SLT) and Helen Murphy

No one DSL works in isolation and our procedures allow all DSL's to seek advice and support from each other. The Deputy DSL's will report to the DSL/Senior DSL before any action is taken.

## **Safeguarding and Child Protection Policy – Addendum due to COVID 19**

This addendum applies during the period of school closure due to COVID-19, and reflects updated advice from our 3 local safeguarding partners [Birmingham and Solihull Clinical Commissioning Group and West Midlands Police] and Birmingham local authority (LA).

It sets out changes to our normal child protection policy in light of the Department for Education's guidance [Coronavirus: safeguarding in schools, colleges and other providers](#), and should be read in conjunction with that guidance, as well as Safeguarding and remote education during coronavirus (COVID -19).

Unless covered here, our normal child protection policy continues to apply.

The Department for Education's (DfE's) definition of 'vulnerable children' includes those who:

- Have a social worker, including children:
  - With a child protection plan
  - Assessed as being in need
- Looked after by the local authority
- Have an education, health and care (EHC) plan

It is important to stress that the school's commitment to Safeguarding is of paramount importance, and we continue to follow DfE statutory guidance including 'Keeping Children Safe in Education Sept 2020 and the most recent guidance in 2021'.

Although we are operating in a different way to normal, we are still following these important safeguarding principles:

- The best interests of children must come first
- If anyone has a safeguarding concern about any child, they should continue to act on it immediately
- A designated safeguarding lead (DSL) or deputy will be available at all times (see section 4 for details of our arrangements)
- It's essential that unsuitable people don't enter the school workforce or gain access to children

- Children should continue to be protected when they are online

### **Reporting Concerns**

All staff and volunteers must continue to act on any concerns they have about a child immediately. It is still vitally important to do this.

You should report any concerns you have directly to one of our DSLs dependent on which area of school is most relevant to your concern; however, if for any reason a specific DSL is not available, you should report your concerns to any of the named DSLs. Concerns do not need to be passed on to all DSL's yet must be logged on CPOMS and a face to face discussion regarding any concern must be had with the Lead DSL or DSL for that stage of school. They are named below:

Luke Nicholls (Upper School), Josie Stinton (Sixth Form - Upper School), Joanne Sadiq (Lower School), Helen Murphy (Lower School), Vicky Jones (Whole School), Jenny Shaw (Whole School – Lead DSL).

They can be contacted through the main school switchboard – 0121 625 0398, their personal mobiles (staff only) or via [DSL@sgse.co.uk](mailto:DSL@sgse.co.uk)

We will ensure that DSLs (and deputies), wherever their location:

- know who the most vulnerable children in our school are.
- Update and manage access to child protection files, where necessary
- Liaise with children's social workers where they need access to children in need and/or to carry out statutory assessments

The Headmaster will always be kept informed of any significant issues.

### **Working with Other Agencies**

We will continue to work with children's social care, and with virtual school heads for looked-after and previously looked-after children.

We will continue to update this addendum where necessary, to reflect any updated guidance from:

- Our 3 local safeguarding partners
- The local authority about children with education, health and care (EHC) plans, the local authority designated officer and children's social care, reporting mechanisms, referral thresholds and children in need

The following guidance is currently in place:

### **Universal Support for all Pupils**

The School will share information with parents/carers on the school website and by email.

- Communications will go to all parents/carers and will include information about school closure, where to get help and support, links to sources of education and entertainment, who to contact if help is needed and brokerage support for key worker/vulnerable pupil arrangements.
- The School has DSL arrangements in place.

### **Targeted Support for Vulnerable Pupils**

- In addition to universal support, the school will target individual families by email or phone call, to ensure that they are accessing FSM vouchers, or to discuss a school place if that is what they require, as well as any other issues that may arise.
- Weekly emails and/or phone calls will be in place to more vulnerable groups that have been risk assessed, to ensure they are functioning well, whether they are accessing support, FSM vouchers etc. This includes pupils with Educational Health Care Plans.
- The School will keep records of attendance and contact with vulnerable groups and can share records of CIN/CP/LAC/EHCP etc with Birmingham Children's Trust, as required. The school will submit its attendance return to the DfE.
- The DSLs will risk assess within the vulnerable cohort, who is engaging and who requires a more specialist approach

### **Monitoring Attendance**

As most children will not be attending school during this period of school closure, we will not be completing our usual attendance registers or following our usual procedures to follow up on non-attendance.

The exception to this is where any child we expect to attend school during the closure doesn't attend, or stops attending. In these instances, we will:

- Follow up on their absence with their parents or carers, by telephone and/or email.
- Notify their social worker, where they have one



We will use the Department for Education's daily online attendance form to keep an accurate record of who is attending school.

We will make arrangements with parents and carers to make sure we have up-to-date emergency contact details, and additional contact details where possible. This information will be collected on the first day of the child attending the setting following the partial closure.

### **Peer-on-Peer Abuse**

We will continue to follow the principles set out in part 5 of Keeping Children Safe in Education when managing reports and supporting victims of peer-on-peer abuse.

Staff should continue to act on any concerns they have immediately. Our DSLs should be notified via CPOMS or [DSL@sgse.co.uk](mailto:DSL@sgse.co.uk)

If a young person is suspected of causing harm to another young person, advice will be sought from Birmingham Safeguarding Children's Partnership as to how best manage and investigate the concern, as well as ensuring support for the victim during this period of school closure.

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

We will continue to follow the principles set out in part 4 of Keeping Children Safe in Education.

Staff should continue to act on any concerns they have immediately, and report concerns as set out on pages 36 of this policy.

We will seek the support and guidance of the Birmingham Local Authority Designated Officers with regards to any safeguarding concerns related to a person in a position of trust. The LADO Team can be contacted on 0121 675 1669 or via email: [Ladoteam@birminghamchildrenstrust.co.uk](mailto:Ladoteam@birminghamchildrenstrust.co.uk)

We will continue to refer adults who have harmed or pose a risk of harm to a child or vulnerable adult to the Disclosure and Barring Service (DBS).

We will continue to refer potential cases of teacher misconduct to the Teaching Regulation Agency. We will do this using the email address [Misconduct.Teacher@education.gov.uk](mailto:Misconduct.Teacher@education.gov.uk) for the duration of the COVID-19 period, in line with government guidance. Misconduct hearings will now be handled by the TRA (an executive agency of the DfE).

### **Support for Children who aren't 'Vulnerable' but where we have Concerns**

We have the option to offer places in school to children who don't meet the Department for Education's definition of 'vulnerable', but who we have safeguarding concerns about. We will work with parents/carers to do this.

If these children will not be attending school, we will put a contact plan in place, as explained in the section below.

### **Safeguarding for Children not Attending School – Contact Plans**

We have contact plans for children with an EHCP, children with social worker and children who we have safeguarding concerns about, for circumstances where:

- They won't be attending school (for example where the school, parent/carer and social worker, if relevant, have decided together that this wouldn't be in the child's best interests); or
- They would usually attend but have to self-isolate

These plans set out:

- How often the school will make contact
- Which staff member(s) will make contact
- How they will make contact
- How to record contacts
- Who to inform – including external professionals such as social workers or the LA
- Follow up actions (if necessary)

We have agreed these plans with children's social care where relevant, and will review them as and when appropriate.

If we can't make contact, we will continue to attempt to make contact through emails and phone calls, and if necessary, contact children's social care or the police.

### **Safeguarding All Children**

Staff and volunteers are aware that this difficult time potentially puts all children at greater risk.

Staff and volunteers will continue to be alert to any signs of abuse, or effects on pupils' mental health that are also safeguarding concerns, and act on concerns immediately. In particular, children are likely to be spending more time online (see section below).

## **Online Safety**

### **In School**

We will continue to have appropriate filtering and monitoring systems in place in school.

### **Outside School**

Where staff are interacting with children online or via telephone calls, they will continue to follow our existing Staff Code of Conduct and associated policies. Caller ID must be blocked if staff phone pupils or parents from their own mobile or landline.

### **Remote Learning**

Should staff intend to either record videos or interact with students via an online platform they will understandably need to undertake any necessary risks assessments/take appropriate actions to minimize harm:

- Videos should be recorded in a neutral area where nothing personal or inappropriate can be seen or heard in the background. Although the teaching environment may be unconventional, staff should continue to conform to the professional standards of behaviour requisite in the normal classroom setting.
- Platforms utilized for interacting with students should be age appropriate and setup using school accounts (rather than personal accounts).
- Terms of service/privacy settings of any platform should be checked to ensure they are appropriate (e.g. minimum age requirements) and any online learning tools/systems should comply with privacy and data protection/GDPR requirements.
- When planning activities, staff should be aware that the internet content filtering systems within a school are unlikely to be replicated in a home setting.
- If organizing student participation in virtual classrooms, students should ideally be located in a common space in their house within earshot of parents.

Staff should be fully conversant with the school's Safeguarding and Child Protection Policy and Procedures and as such, should a staff member have any concerns about a child (e.g. as a result of them seeing or hearing something worrying during an online lesson or if a child discloses something concerning during a phone call/email), they

should contact School's DSLs via [DSL@sgse.co.uk](mailto:DSL@sgse.co.uk) or via their mobiles. Staff will use school e-mail accounts and devices rather than personal devices and have been provided with practical tips and guidance for safe remote learning.

If students are to participate in a virtual classroom they should be made aware that a 'classroom standard' of behaviour is expected from all students, regardless of the environment/setting.

Parents have already been made fully aware (through email/letter) of the reporting routes in place for children so they can raise any concerns whilst online, and have been made aware of age appropriate practical support (e.g. Childline, CEOP, etc).

Staff will continue to be alert to signs that a child may be at risk of harm online, and act on any concerns immediately, following our reporting procedures as set out on page 6 of this policy.

We will make sure children know how to report any concerns they have back to our school, and signpost them to other sources of support too.

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

We will make sure parents and carers:

- Are aware of the potential risks to children online and the importance of staying safe online
- Know what our school is asking children to do online, including what sites they will be using and who they will be interacting with from our school
- Are aware that they should only use reputable online companies or tutors if they wish to supplement the remote teaching and resources our school provides
- Know where else they can go for support to keep their children safe online

### **Mental Health**

Where possible, we will continue to offer our current support for pupil mental health for all pupils. This will be accessed through the weekly contact or via parental referral directly to the school.

In line with KCSIE guidance, all staff are viewed to be well placed to observe children day to day, and to be able to identify those who may be experiencing a mental health issue or be at risk of developing one. All staff must refer to a DSL if they have a concern about a child's mental health. This concern must be logged and escalated as any

Safeguarding concern would be in school, and referred to a DSL immediately. All staff are responsible and accountable for identifying these issues.

We will also signpost all pupils, parents and staff to other resources to support good mental health at this time.

When setting expectations for pupils learning remotely and not attending school, teachers will bear in mind the potential impact of the current situation on both children's and adults' mental health.

### **Recruiting New Staff and Volunteers**

We continue to recognise the importance of robust safer recruitment procedures, so that adults and volunteers who work in our school are safe to work with children.

We will continue to follow our safer recruitment procedures, and part 3 of Keeping Children Safe in Education.

In urgent cases, when validating proof of identity documents to apply for a DBS check, we will initially accept verification of scanned documents via online video link, rather than being in physical possession of the original documents. This approach is in line with revised guidance from the DBS.

New staff must still present the original documents when they first attend work at our school.

We will continue to do our usual checks on new volunteers, and do risk assessments to decide whether volunteers who aren't in regulated activity should have an enhanced DBS check, in accordance with paragraphs 167-172 of Keeping Children Safe in Education.

### **Safeguarding Induction and Training**

We will make sure staff and volunteers are aware of changes to our procedures and local arrangements.

New staff and volunteers will continue to receive:

- A safeguarding induction
- A copy of our children protection policy (and this addendum)
- A copy of our Whistleblowing Policy
- A copy of our Staff Code of Conduct

- A copy of our Staff Guidance Handbook
- A copy of our Social Media Policy
- A copy of our ICT Acceptable Use Policy
- A copy of our most recent COVID Risk Assessment
- Keeping Children Safe in Education part 1

We will decide on a case-by-case basis what level of safeguarding induction staff 'on loan' need. In most cases, this will be:

- A copy of our child protection policy and this addendum
- Confirmation of local processes
- Confirmation of DSL arrangements

### **Keeping Records of Who's on Site**

We will keep a record of which staff and volunteers are on site each day, and that appropriate checks have been carried out for them.

We will continue to keep our single central record up to date.

We will use the single central record to log everyone working or volunteering in our school each day.

### **Children Attending Other Settings**

Where children are temporarily required to attend another setting, we will make sure the receiving school is provided with any relevant welfare and child protection information.

Wherever possible, our DSL (or deputy) and/or special educational needs co-ordinator (SENCO) will share, as applicable:

- The reason(s) why the child is considered vulnerable and any arrangements in place to support them
- The child's EHC plan, child in need plan, child protection plan or personal education plan
- Details of the child's social worker
- Details of the virtual school head

Where the DSL, deputy or SENCO can't share this information, the School's senior leader(s) will do this.

We will share this information before the child arrives as far as is possible, and otherwise as soon as possible afterwards.

### **Monitoring Arrangements**

This policy will be reviewed as guidance from the 3 local safeguarding partners, the LA or DfE is updated, and as a minimum of every 3-4 weeks by Jenny Shaw and Luke Nicholls (SLT). At every review, it will be approved by the Board of Trustees.

### **Links with Other Policies**

This policy links to the following policies and procedures:

- Anti-Bullying Policy
- Health and Safety policy
- IT acceptable use policy
- Safeguarding and Child Protection policy
- Safer Recruitment Policy
- Staff Code of Conduct and associated policies
- Whistleblowing Policy

## 1. Introduction and Aims

1.1 This policy applies to Upper School, Lower School, EYFS and Aftercare.

This policy is written in accordance with the Children Act 1989; the Children Act 2004; Education Act 2002, the Education (Independent School Standards) (England) Regulations 2019; DfE guidelines in Working Together to Safeguard Children(2018), the Prevent Duty Guidance 2015, the use of social media for on-line radicalisation (July 2015) the DfE advice in Preventing and Tackling Bullying July 2017, Cyber bullying: Advice for headteachers and school staff 2014, Sexting in Schools and Colleges – responding to incidents and safeguarding young people (2016), When to call the Police guidance for schools and colleges, General Data Protection Legislation (2018), Mental Health and Behaviour in Schools (DfE November 2018), Promoting Children and young people’s emotional health and wellbeing (2015) and Keeping Children Safe in Education, September 2021 (KCSIE) in addition to reference material ‘What to do if you’re worried a child is being abused (March 2015) and with reference to the Birmingham Local Safeguarding Children Partnership (LSCP) and additional guidance registered at the end of this policy. Copies of KCSIE Part 1(and Annex A) are available on the school intranet and on request to the Designated Safeguarding Lead, and given to all staff at Induction, together with the Staff Code of Conduct and Whistleblowing Policy. It is also available directly from the government website at: [Keeping children safe in education: for school and college staff \(part 1\)](#)

St George’s School will fulfil their local and national responsibilities as laid out in the above and the following key documents:

1. Child Sexual Exploitation (DfE Feb 2017)
2. The Protection of Children in England: A progress Report and Plan (2009)
3. What to do if You are Worried a child is Being Abused (2015)
4. The Procedures of Birmingham Safeguarding Children Board
5. EYFS Statutory Legislation 2017
6. Mental Health and Behaviour in School: Departmental Advice (DfE 2018)
7. Promoting Children and young people’s emotional health and wellbeing, Public Health England, 2015
8. Disqualification under the Childcare Act 2006 (September 2018)
9. When to call the police -KCSIE 2021

1.2 The trustees and all staff at St. George’s School are always committed to acting in the best interests of the child, taking seriously our responsibility under



section 175 of the 2002 Education Act to safeguard and promote the welfare of all young people entrusted to our care. We understand that we have a full and active part to play in protecting our students from harm, and we consider the child's welfare to be of paramount priority. We are committed to working together with other agencies to ensure adequate arrangements are in place within our school to identify, assess and support any children who are at risk or who may suffer harm. We look to create an environment and culture of safety, equality and protection. The school's policy applies to all staff, trustees, volunteers and other adults working in or with students in the school.

- 1.3 St. George's School recognises the contribution it makes to Child Protection and Safeguarding. There are three main elements to our policy:
  - A. **Prevention** through the teaching and pastoral support offered to students and through vigilance by all staff in the school.
  - B. **Procedures** for identifying and reporting matters of concern, or suspected cases, of abuse. Our day to day contact with students means that staff are well placed to observe the outward signs of abuse. Staff are trained to report to the DSL if they notice, any signs that a child in our school community may be in danger. All staff are aware that they may raise concerns directly with Children Social Care services if they wish. Staff are also aware that they may also raise any safeguarding concerns about adults.
  - C. **Support** to students who may have been abused, identify and protect the vulnerable, help identify needs early and help design plans to address needs.
- 1.4 Our policy applies to *all* staff and volunteers working in the school, as well as trustees. Any adult working in school can be the first point of disclosure for a child. Concerned parents may also contact the school. The policy applies to all students at St George's School, including those in our EYFS. Visitors to the school are informed as to the identity of the DSL, and asked to report any indications of abuse or harm.
- 1.5 The school differentiates between safeguarding children who have suffered or are likely to suffer significant harm and those who are in need of additional support from one or more agencies. The former should be reported to children social care immediately; the latter should lead to inter-agency assessment using local processes including the Early Help and request for support.

If it is felt the child's needs fall into the Right Help Right Time (RHRT) categories of Universal Plus or Additional Need, the DSL will also offer and seek advice about undertaking an Early Help Assessment and consider, if this does not have an impact on the situation, making a referral to Children's Social care. The Early Help panel can assist us. In the first instance, a '3 Houses' Assessment is often completed with the child and adjustments and interventions are often implemented based on the findings of this assessment within school.

## 2. Prevention and Online Safety

The school will follow the policies and procedures set by the Birmingham Local Children's Safeguarding Partnership.

The role of our school within these published procedures is to contribute to the identification, referral and assessment of children in need, including students who may have suffered, be suffering, or who are at risk of suffering significant harm.

The role of the school in situations where there are serious Child Protection concerns, is **NOT** to investigate but to *recognise and refer*.

2.1 We recognise that some children may be the victims of neglect, physical, sexual or emotional abuse. Staff of the school will often, by virtue of their day to day contact and knowledge of the children, be well placed to identify such abuse and offer support to children in need. The School will therefore:

- Create and contribute to an atmosphere where all our children can feel secure, valued, are encouraged to talk and are listened to and are protected from harm, abuse and neglect.
- Train staff to recognise signs and symptoms of abuse and respond quickly and effectively to cases of suspected abuse
- Teach children about safeguarding and e-safety through the PSHE curriculum, tutorial programme, assemblies and school curriculum and will cover topics such as self-esteem, emotional literacy, power, healthy relationships, sex and relationship education, sexting and bullying implementing government guidance as of September 2021. Particular attention will be paid to school practises to help children to adjust their behaviour in order to reduce risks, including the safe use of electronic equipment and access to the internet. Students are taught about safe internet use in school and must tick the school acceptable use policy before any ICT school use. Impero filtering and monitoring software allows identified school staff to monitor student internet usage. Included within the curriculum, are materials which will help students develop realistic attitudes

to the responsibilities of adult life, particularly with regard to keeping safe and will be interlinked to ensure a whole school approach.

- Be aware of the risks of teaching about sensitive subjects such as self-harm, suicide and sex and relations, ensuring planning around these issues is focused on prevention rather than being instructional.
- Ensure children know that there are adults in the school whom they can approach if they are worried.
- We will foster an ethos that promotes British values, where students can express their views, feelings and wishes and voice their own values and beliefs. Staff have attended WRAP and Prevent training, and understand how to identify signs of concern and report suspected cases of all types of extremism.
- Make relevant risk assessments for on-site and off-site activities and in some cases risk assessments for individual children.
- Work closely with parents/carers and support external agencies.
- Ensure that all adults working with students within our school have been checked as regards to their suitability.
- Online Safety is factored into the school's policy and procedures. Children are taught about safeguarding in general and specifically about keeping safe online. A staff led whole school approach assists the school's monitoring and online filtering software. Content and exposure, contact to harmful subject material and personal online conduct is assessed by all as part of ongoing work with students.

### **Use of Cameras and Mobile Phones in the EYFS**

- We take steps to ensure children are not photographed or filmed on video for any other purpose than to record their development or their participation in events organised by us. After being used all images are erased.
- The use of staff mobile phones is forbidden on the premises, and all staff and visitors will be asked to store their mobile phones upon entry into the EYFS Department. Parents must always ensure that their phones are also not used inside the building.
- Any staff wishing to use a camera must do so only to promote the children's learning and development, and can only take pictures when permission has been received in writing by the parents/carers.
- All photographs are to be taken on a designated school camera.
- Staff should be sure that photographs are only taken of the children whose parents/carers have given written consent.
- Once the photographs have been printed, then they must be deleted from the camera.

The school has an ICT acceptable use policy for students, which is situated within their planners and is accessible at all times and is re-visited throughout the year to make the school's expectations clear regarding use of ICT and mobile technology in school. The use of private mobile devices during lessons and school time is forbidden unless authorised by a teacher. When using the School ICT Network, staff and students are asked to agree to an acceptable use policy and all searches and online use is monitored by software which is checked by Senior staff and DSL's. The School has sent written communication to parents clarifying the school's position regarding use of mobile phones/devices on the school site (they are to be handed in during school hours and collected at the end of the school day). This procedure assists the school in managing students access to mobile networks (e.g. 3G, 4G, 5G) with mobile phones/devices whilst at school.

### **3. The Board of Trustees**

3.1 The Board of Trustees are the accountable body for ensuring the safety of the school. All of the School's Trustees have enhanced DBS certificates.

3.2 The Board of Trustees will ensure that:

- The school has a combined safeguarding and child protection policy in accordance with the procedures of Birmingham Safeguarding Children Partnership.
- The school operates "safer recruitment" procedures and ensures that appropriate pre-employment checks are carried out on all new staff and relevant volunteers.
- Staff checks apply to all staff employed by the school and any other persons who may work at the school or at sites used by the school.
- Assurances are obtained that appropriate safeguarding checks and procedures apply to any staff employed by another organisation and working with the school's students on another site.
- At least one member of the school's leadership team acts as a Designated Safeguarding Lead.
- The Designated Safeguarding Lead's attends appropriate refresher training at least every two years.
- The DSL and deputies have their knowledge and skills refreshed regularly, via for example e-bulletins, area briefings, meeting other DSLs or spending time reading and digesting safeguarding developments.

- The Headmaster and all other staff who work with children undertake training on an annual basis with additional updates as necessary and when issues arise the headmaster will address them internally where possible and escalate when this is unsuccessful.
- Parents have an understanding of the responsibilities placed on the school and staff by setting out its obligations in the school prospectus. We ensure that parents have access to the Safeguarding Policy on the school website or by providing a hard copy on request.
- There is a designated teacher to promote the educational achievement of children who are looked after and will ensure that this person has appropriate training.
- Temporary staff, volunteers and contractors are made aware of the school's arrangements for safeguarding and child protection and their responsibilities.
- The school remedies any deficiencies or weaknesses brought to its attention without delay.
- The school has procedures for dealing with allegations of abuse against staff, volunteers, contractors and students.
- There are procedures in place to handle allegations against teachers, the headteacher, volunteers, contractors and other staff. Such allegations will be referred to the designated officer(s) at the local authority by the appropriate person as set out in Part four KCSIE 2021. Parents of any individual will be informed at the earliest point and the case manager will consult the LADO as soon as possible.
- That appropriate filters and appropriate monitoring systems are in place to ensure on-line safety.
- Children are taught about safeguarding, including online safety, consent, sharing of explicit images, self-esteem, emotional literacy, healthy relationships, sexting and bullying through the Tutor Time, PSHE and RSHE programmes and teaching and learning opportunities, as part of providing a broad and balanced curriculum. The RSHE curriculum will be amended where needed in line with the Ofsted review of sexual abuse in schools and colleges (June 2021). The School promotes an ethos of respect and dignity, of feeling safe, and of students having a voice that is heard and listened to. School leaders foster a culture of proactivity whereby sexual harassment is recognised, understood and addressed where needed.
- The liaison Trustee for safeguarding will liaise with the LSCP and other agencies as and when appropriate.

- We have a designated practitioner who takes responsibility for safeguarding children within our EYFS setting and for liaising with local statutory children's agencies as appropriate.
  - That all staff members undergo safeguarding and child protection training at induction. The training should be regularly updated. Induction and training should be in line with advice from the LSCP.
- 3.3 The Board of Trustees reviews its policies and procedures that relate to safeguarding and child protection annually.
- 3.4 The Nominated Trustee for child protection at the school is Sir Robert Dowling. The Nominated Trustee is responsible for liaising with the Headmaster and Designated Safeguarding Leads over all matters regarding child protection issues. The role is strategic rather than operational – they will not be involved in concerns about individual students but will receive safeguarding training relevant to the governance role and this will be updated every two years.
- 3.5 The Nominated Trustee will liaise with the Headmaster and Designated Safeguarding Leads to produce an annual report for trustees and the local authority.
- 3.6 The Nominated Trustee will liaise with the Head Teacher and the Designated Safeguarding Leads to produce the annual Section 175 self-assessment and ensure this is submitted on time to the Local Authority.
- 3.7 The Chair of the Board of Trustees, Sir Robert Dowling, is nominated to be the person responsible for liaising with the local authority and other partner agencies in the event of allegations of abuse being made against the Headmaster.
- 3.8 The school has procedures for dealing with allegations of abuse against staff/volunteers.

#### **4. Designated Senior Lead Child Protection (DSL)**

The school will follow the procedures laid down by the Local Safeguarding Children's Partnership and the guidelines issued by the Department for Education to ensure that:

- The school's commitment is always to act in the best interests of the child.
- We notify Social Care Services if there is an unexplained absence of two days or more of a child who is on the Child Protection Register
- We will report any allegations of abuse to the appropriate Local Safeguarding Children Partnership within 24 hours and appropriate time will

be made available to the DSL to allow them to undertake their duties. They will receive updated child protection training at least every two years in line with local requirements.

- As part of their job description DSLs are responsible for handling any CP issues in school. KCSIE also states that DSL's are able to understand the unique risks associated with online safety and should be confident and competent in dealing with these concerns. They should receive updated knowledge with regards to keeping children safe online at school and support with any matters occurring outside of school.
- If at any time any child in the school community is at risk of immediate serious harm an immediate referral is made to Children's social care (CASS – Child Advisory Support Service)
- In case of serious harm, the police must be informed at the outset (see When to call the Police guidance)
- Where a vulnerable young person is moving to a Further Education establishment, consideration will be given to the student's wishes and feelings on their child protection information being passed on in order that the FE establishment can provide appropriate support.
- When a Designated Safeguarding Lead resigns their post or no longer has child protection responsibility, there will be a full face to face handover/exchange of information with the new post holder.
- In exceptional circumstances when a face to face handover is not feasible, the Head Teacher will ensure that the new post holder is fully conversant with all procedures and case files.

Our Designated Safeguarding Leads (DSL) on the senior leadership team are Josie Stinton (Sixth Form) Luke Nicholls and Jenny Shaw (Upper School) and Jo Sadiq (Lower School). They have lead responsibility and management oversight and accountability for child protection and, with the Head Teacher, who is responsible for coordinating all child protection activity.

The deputy DSL is Victoria Jones (Upper School) and Helen Murphy (Lower School). They will support the DSL within the role and deputise when the DSL is not on-site. They are trained to the same standard as our DSLs.

4.1 The DSL is responsible for:

- A. Deciding what steps should be taken when the school has concerns about a child and should advise the Head Teacher.
- B. Liaising with other agencies such as Child Services, Family Support Teams, Forward Thinking Birmingham, The Early Help and Brokerage Service,

Educational Welfare Service (EWS), Youth Offending Team (YOT) and the Police.

- C. Ensuring that LA established procedures are followed, including reporting, recording and referral processes.
- D. Acting as a consultant for staff to discuss concerns.
- E. Making referrals to CASS as necessary, and also contacting them for advice.
- F. Notifying children's services if there is unexplained absence of more than two days of a student who is on a Child Protection plan, LAC or equivalent.
- G. Representing or ensuring our school is represented at inter-agency meetings, in particular Child Protection conferences and core group meetings. Also, to provide reports for such meetings.
- H. Managing and monitoring the school's part in child care / protection plans.
- I. The Designated Safeguarding Lead will lead regular case monitoring reviews of vulnerable children. These reviews will be evidenced by minutes and recorded in case files.
- J. Child protection information will be dealt with in a confidential manner. Staff will be informed of relevant details only when the Designated Safeguarding Lead feels their having knowledge of a situation will improve their ability to deal with an individual child and/or family. A written record will be made of what information has been shared with whom, and when.
- K. Ensuring safeguarding records are stored securely in a central place separate from academic records. Individual files will be kept for each child: the school will not keep family files. Files will be kept for at least the period during which the child is attending the school, and beyond that in line with current data legislation and guidance. Where records are stored electronically, there is no requirement to store paper files.
- L. Ensuring access to these records by staff other than by the Designated Safeguarding Lead is restricted, and a written record will be kept of who has had access to them and when.
- M. Parents will be aware of information held on their children and kept up to date regarding any concerns or developments by the appropriate members of staff. General communications with parents will be in line with any home school policies and due regard will be given to which adults have parental responsibility.
- N. We will not disclose to a parent any information held on a child if this would put the child at risk of significant harm.**
- O. Ensuring that if a student moves from our school, child protection records will be forwarded on to the Designated Safeguarding Lead at the new school, with due regard to their confidential nature and in line with current



government guidance on the transfer of such records. Direct contact between the two schools may be necessary, especially on transfer from primary to secondary schools. We will record where and to whom the records have been passed and the date. If the student is moving to a Further Education Establishment, consideration should be given to the student's wishes and feelings regarding their Child Protection information being passed on and shared.

- P. If sending by post, student records will be sent by "Special/Recorded Delivery". For audit purposes a note of all student records transferred or received should be kept in either paper or electronic format. This will include the child's name, date of birth, where and to whom the records have been sent and the date sent and/or received.
- Q. If a student is permanently excluded and moves to, for example, a Pupil Referral Unit, child protection records will be forwarded on to the relevant organisation.
- R. Organising regular training for all staff.
- S. Liaise with the Nominated Trustee and Headmaster regularly.
- T. Contribute to reports to the Board of Trustees.
- U. Liaise with other professionals.
- V. Ensure a face to face handover of completed if a DSL resigns from their post or no longer has Child Protection responsibility.
- W. Helping to promote educational outcomes by sharing relevant information about the welfare and Child Protection Issues that children may be experiencing.

DSL's and Deputy DSL's will respond to Safeguarding and Child Protection Concerns holistically and will safeguard contextually, taking into consideration the wider picture surrounding the student the concern is regarding. The DSL's are seen in school as the most appropriate individual(s) to respond to safeguarding concerns at school. One or more DSL's will always be available to respond to any concerns. This is understood by all staff and the wider school community. They can be contacted in school or by e-mail on [DSL@sgse.co.uk](mailto:DSL@sgse.co.uk).

## **5. Procedures**

5.1 A copy of the LA Child Protection Procedures are available through the following link:

[http://www.proceduresonline.com/birmingham/scb/chapters/full\\_contents.html#core](http://www.proceduresonline.com/birmingham/scb/chapters/full_contents.html#core)

5.2 All staff are aware of the definitions and signs of abuse.

5.3 All staff are aware of the guidance issued by Birmingham Safeguarding Children Partnership in [Right Help Right Time](#), and [Early Help](#).

All school staff should be prepared to identify children, who may benefit from early help. Early Help means providing support as soon as a problem emerges at any point in a child's life, from the foundation years through to the teenage years.

In the first instance, staff should discuss early help requirements with the Designated Safeguarding Lead. If early help is appropriate the Designated Safeguarding Lead will support the staff member in liaising with other agencies and setting up an inter-agency assessments as appropriate.

All staff will receive training to raise awareness of the Early Help process. This includes identifying emerging problems, liaising with the Designated Safeguarding Lead, sharing information with other professionals to support early identification and assessment. In some cases, this may include acting as the lead professional in undertaking an Early Help assessment.

If Early Help, and or other support is appropriate, the case will be kept under constant review. Consideration will be given to a referral to children's social care if the child's situation doesn't appear to be improving.

### **Types of Abuse and Neglect**

5.4 All staff should be aware that abuse, neglect and safeguarding issues are rarely standalone events that can be covered by one definition or label. In most cases multiple issues will overlap with one another.

#### **Abuse**

A form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others (e.g. via the internet). They may be abused by an adult or adults or another child or children.

#### **Physical abuse**

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

- A. Possible indicators of physical abuse include:
- B. Injuries, especially those which are atypical

- C. Students who find it painful to walk, sit down, move their jaws, etc.
- D. Regular occurrence of injuries with no adequate explanation
- E. Reluctance to change for PE
- F. Uncharacteristic behaviour
- G. Compulsive eating or loss of appetite
- H. A student who is suddenly uncoordinated
- I. Conflicting explanations of injuries
- J. Reluctance to explain

### **Emotional abuse**

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

Possible indicators of emotional abuse:

- A. Depression
- B. Withdrawal
- C. Introversion
- D. Excessive aggression

### **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 or sexting, harassment and upskirting. 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.

Possible indicators of sexual abuse include:

- A. Physical symptoms in genital areas e.g. itching or bleeding
- B. Sexually transmitted infections
- C. Pregnancy
- D. Nightmares
- E. Bed wetting
- F. Abuse of drugs
- G. Stomach pains when a child is sitting or walking
- H. Running away from home
- I. Apparent fear of an individual
- J. Self-harming
- K. Sudden change in behaviour
- L. Child not allowed to have friends

Keeping Children Safe in Education September 2021 Part 5, identifies Child on Child Sexual Violence, Sexual Harassment and Upskirting as an area for particular attention at schools and colleges. Sexual Violence includes rape, assault by penetration and sexual assault. Sexual Harassment is a non-exhaustive list but includes things like: acts that violate dignity, intimidate, degrade, humiliate and create an oversexualised environment. It details that a child is anyone under the age of 18 and that it can occur between any age, sex or group. It explains that these cases should be handled sensitively and supportively with no shame or blame attached to victims during investigations. Once information has been recorded this should then, as with other types of concerns, be taken to the DSL's for them to respond accordingly.

### **Neglect**

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

Possible indicators of neglect:

- A. Deterioration in appearance or hygiene
- B. Deterioration in behaviour

### **Domestic Violence and Abuse**

Any incident or pattern of incident of controlling, coercive or 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. This can encompass but is not limited to the following types of abuse: Psychological, Physical, sexual financial, emotional. Children's exposure to parental conflict, even where violence is not present, can lead to serious anxiety and distress. Research evidence indicates a strong link between domestic abuse and all types of abuse and neglect. Prolonged and/or serious domestic abuse can have a serious impact on a student's development and emotional well-being.

### **Criminal Exploitation**

Criminal Exploitation interlinks with a number of multiple vulnerabilities and offences including a child being exposed to and or/the victim of physical and emotional violence, neglect, poor attendance, sexual abuse, modern slavery, human trafficking and missing episodes.

Child Sexual Exploitation occurs when a child or young person, or another person, receives "something" (for example food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money and finance) as a result of the child/young person performing sexual activities, or another person performing sexual activities on the child/young person.

Staff must also be aware of indicators that may signal that children are at risk or involved in serious violent crime. All staff must be aware of potential indicators, including unexplained gifts and new possessions, increased absence from school, changes in friendships and relationships, decline in performance levels, signs of self harm and or unexplained injuries.

The presence of any significant indicator for sexual exploitation should trigger a referral to Birmingham Children's Partnership. The significant indicators are:

- A. Having a relationship of concern with a controlling adult or young person (this may involve physical and/or emotional abuse and/or gang activity);
- B. Entering and/or leaving vehicles driven by unknown adults;
- C. Possessing unexplained amounts of money, expensive clothes or other items;
- D. Frequenting areas known for risky activities;
- E. Being groomed or abused via the Internet and mobile technology; and

- F. Having unexplained contact with hotels, taxi companies or fast food outlets.
- G. Missing for periods of time (CSE and County Lines)

It is important that children who are criminally exploited, are seen as victims and not treated as criminals, and treated through safeguarding and child protection procedures. Work to address criminal exploitation is covered by relevant legislation including:

- Crime & Disorder Act – 1998
- Children Act – 2004
- Serious Crime Act – 2015
- Modern Slavery Act – 2015
- Criminal Finances Act – 2017
- Children & Social Work Act - 2017

### **Radicalisation and Extremism**

5.5 We encourage students and staff to respect the fundamental British values of democracy, the rule of law, individual liberty and mutual respect, and tolerance of those with different faiths and beliefs, in line with the Government published Prevent Strategy (2010) and updated in 2015. We ensure that partisan political views are not promoted in the teaching of any subject in the school, and where political views are brought to the attention of students, reasonably practicable steps have been taken to offer a balanced presentation of opposing views to students. The school employs a 'No Platform Policy' to help ensure this and open source due diligence checks are undertaken on all external speakers invited into our school. The school looks to protect those at risk of radicalisation by raising awareness of the Prevent strategy, this looks and has done so since its first publication in 2010, to make staff and students aware of the specific need to safeguard students, young people and families from extremist ideologies.

Radicalisation is a process by which an individual or group comes to adopt increasingly extreme political, social, or religious ideals and aspirations that reject or undermine the status quo, or reject and/or undermine contemporary ideas and expressions of freedom of choice. The Counter-Terrorism and Security Act (2015) places a duty on schools to have due regard to the need to prevent people from being drawn into terrorism. Staff should be aware of the early warning signs of radicalism **and report immediately to the Headteacher.**

**Anyone who has a concern about a child in the school setting should follow the procedure for referral in the 'Preventing Extremism and Radicalisation'**

**Policy or can speak to a DSL or SPOC (Prevent – Single Point of Contact). Anyone who has a concern outside of the school setting can make a referral by following the LSCP (Local Safeguarding Children’s Partnership) [referrals procedure](#) or phone CASS on 0121 303 1888**

Signs and indicators of a child who is in the process of being radicalised may include:

- Disclosures by students of their exposure to the extremist actions, views or materials of others outside of school, such as in their homes or community groups, especially where students have not actively sought these out;
- Normalisation of extreme views, which may make students more vulnerable to exploitation;
- Graffiti symbols, writing or art work promoting extremist messages or images;
- Students accessing extremist material online, including through social networking sites. E-safety policies have been impact assessed and control measures in place; with staff informed of their duty with regards to managing content, contact and conduct when using online software and multimedia.
- Parental reports of changes in behaviour, friendship or actions and requests for assistance;
- Partner schools, local authority services, police reports of issues affecting students in other schools or settings;
- Students voicing opinions drawn from extremist ideologies and narratives;
- Use of extremist or 'hate' terms to exclude others or incite violence;
- Intolerance of difference, whether secular or religious, or in line with our equalities policy, views based on, but not exclusive to, gender, disability, homophobia, race, colour or culture;
- Attempts to impose extremist views or practices on others;
- Anti-western or Anti-British views.
- Strong far right views

Channel is a multi – agency approach to provide support to individuals who are at risk of being drawn into terrorist related activity. It is led by the West Midlands Police Counter Terror Unit and this approach looks to identify vulnerable individuals early and provide early intervention to protect and divert people from the risks they face and reduce their vulnerability.

## Female Genital Mutilation

Professionals in all agencies, in addition to individuals and groups in relevant communities need to be alert to the possibility of a girl being at risk of FGM, or already having suffered FGM. There is a range of potential indicators that a child or young person may be at risk of FGM, which individually, may not indicate risk but if there are two or more indicators present this could signal a risk to the child or young person.

Victims of FGM are likely to come from a community that is known to practise FGM.

Professionals should note that girls at risk of FGM, may not yet be aware of the practice or that it may be conducted on them, so sensitivity should always be shown when approaching the subject.

Warning signs that FGM may be about to take place, or may have already taken place, can be found on [pages 11-12 of the Multi-Agency Practice Guidelines](#). These include:

- A. A girl may confide that she is to have a 'special procedure' or to attend a special occasion to 'become a woman'.
- B. A girl may request help from a teacher or another adult if she is aware or suspects that she is at immediate risk.
- C. A girl may talk about a long holiday to her country of origin or another country where the practice is prevalent.
- D. Parents seeking to withdraw their children from learning about FGM.
- E. Parents stating that they or a relative will take the child out of the country for a prolonged period.
- F. A professional may hear reference to FGM in conversation, for example a girl may tell other children about it.
- G. It may be possible that families will practise FGM in the UK when a female family elder is around, particularly when she is visiting from a country of origin.

Female Genital Mutilation (FGM) is illegal in England and Wales under the FGM Act 2003 ("the 2003 Act"). **It is a form of child abuse and violence against women.** FGM comprises all procedures involving partial or total removal of the external female genitalia for non-medical reasons.

Section 5B of the 2003 Act<sup>1</sup> introduces a mandatory reporting duty which requires regulated health and social care professionals and teachers in England and Wales to report 'known' cases of FGM in under 18s which they identify in the course of their professional work to the police. **The duty applies from 31 October 2015 onwards.**



'Known' cases are those where either a girl informs the person that an act of FGM – however described – has been carried out on her, or where the person observes physical signs on a girl appearing to show that an act of FGM has been carried out and the person has no reason to believe that the act was, or was part of, a surgical operation within section 1(2)(a) or (b) of the FGM Act 2003.

The duty applies to all regulated professionals (as defined in section 5B(2)(a), (11) and (12) of the 2003 Act) working within health or social care, and teachers.

The FGM mandatory reporting duty is a legal duty, provided for in the FGM Act 2003 (as amended by the Serious Crime Act 2015). The legislation requires regulated health and social care professionals and teachers in England and Wales to make a report to the police where, in the course of their professional duties, they either:

- are informed by a girl under 18 that an act of FGM has been carried out on her; or
- observe physical signs which appear to show that an act of FGM has been carried out on a girl under 18 and they have no reason to believe that the act was necessary for the girl's physical or mental health or for purposes connected with labour or birth (see section 2.1a for further information).

For the purposes of the duty, the relevant age is the girl's age at the time of the disclosure/identification of FGM (i.e. it does not apply where a woman aged 18 or over discloses she had FGM when she was under 18).

The duty is a personal duty, which requires the individual professional who becomes aware of the case to make a report; this responsibility cannot be transferred. The only exception to this, is if you know that another individual from your profession has already made a report; there is no requirement to make a second.

The duty does not apply in relation to at risk or suspected cases, or in cases where the woman is over 18. In these cases, you should follow local safeguarding procedures.

In addition to complying with the duty, professionals should continue to have regard to their wider safeguarding responsibilities, which require consideration and action to be taken whenever there is any identified or known risk to a child. This is whether in relation to FGM or another matter, especially as FGM cases are so often closely linked to issues such as Forced Marriage and Exploitation.

Reports under the duty should be made as soon as possible after a case is discovered, and best practice is for reports to be made by the close of the next working day, unless any of the factors described below are present. You should act with at least the same

urgency as is required by your local safeguarding processes. In order to allow for exceptional cases, a maximum timeframe of one month from when the discovery is made applies for making reports. However, the expectation is that reports will be made much sooner than this. A longer timeframe than the next working day may be appropriate in exceptional cases where, for example, a professional has concerns that a report to the police is likely to result in an immediate safeguarding risk to the child (or another child, e.g. a sibling) and considers that consultation with colleagues or other agencies is necessary prior to the report being made. If you think you are dealing with such a case, you are strongly advised to consult colleagues, including your designated safeguarding lead, as soon as practicable, and to keep a record of any decisions made. It is important to remember that the safety of the girl is the priority.

For further information, and for guidance as to making a report, record keeping and informing parents, please refer to the Home Office Document:

<https://www.gov.uk/government/publications/mandatory-reporting-of-female-genital-mutilation-procedural-information>

### **Child Sexual Exploitation (CSE) and Child Criminal Exploitation (CCE)**

Keeping Children Safe In Education (September 2021) states that both CSE and CCE are forms of abuse and both occur where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child into sexual or criminal activity. 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.

In some cases, the abuse will be in exchange for something the victim needs or wants and/ or will be the financial benefit or other advantage (such as increased status) of the perpetrator or facilitator. The abuse can be perpetrated by individuals or groups, males or females and children or adults. The abuse can be a one-off occurrence or a series of incidents over time and range from opportunistic to complex organised abuse. It can involve force and /or enticement – based methods of compliance and may, or may not, be accompanied by violence or threats of violence.

Victims can be exploited even when activity appears consensual and it should be noted exploitation as well as being physical can be facilitated and/ or take place online.

CSE involves exploitative situations, contexts and relationships where young people receive something (for example food, accommodation, drugs, alcohol, gifts, money or in some cases simply affection) as a result of engaging in sexual activities.

Sexual exploitation can take many forms ranging from the seemingly 'consensual' relationship where sex is exchanged for affection or gifts, to serious organised crime by gangs and groups. What marks our exploitation is an imbalance of power in the relationship. Sexual exploitation involves varying degrees of coercion, intimidation or enticement, including unwanted pressure from peers to have sex, sexual bullying, including cyberbullying and grooming. However, it is also important to recognise that some young people who are being sexually exploited do not exhibit any external signs of this abuse. Typical signs of sexual exploitation or criminal exploitation may include:

- Underage sexual activity
- Inappropriate sexual or sexualised behaviour
- Sexually risky behaviour
- Repeat sexually transmitted infections
- Repeat pregnancy, terminations, miscarriage
- Receiving unexplained gifts
- Having multiple mobile phones, and worrying about losing contact via mobile phone
- Having unaffordable new things (clothes, mobiles, jewellery) or expensive habits (drugs, alcohol)
- Changes in the way they dress
- Going to hotels or other unusual locations to meet friends
- Seen at known places of concern
- Moving around the country, appearing in new town or cities, not knowing where they are
- Getting in or out of different cars, driven by unknown adults
- Contact with known perpetrators
- Involved in abusive relationship, intimidated and fearful of certain people or situations
- Associating with other young people involved in sexual exploitation
- Recruiting other young people to exploitative situations
- Truancy, exclusion, disengagement with school – regularly missing education and school
- Mood swings, volatile behaviour, emotional distress – changes in a child's emotional well-being
- Self-harming, suicide attempts, overdosing, eating disorders
- Drug or alcohol misuse
- Criminal activity / police involvement
- Involved in gangs, gang fights, gang membership
- Injuries from physical assault, physical restraint, sexual assault.

No School, community or social group is immune from the risk of CSE or CCE, including online grooming and it can affect both boys and girls. Children can be perpetrators as well as victims. The school looks to address this subject matter in age appropriate and sensitive education sessions and looks to explain and advise students on understanding signs of exploitation along with existing PSHE and Collective Worship Initiatives.

### **Safer Recruitment**

5.6 The School's recruitment and selection procedures are regularly reviewed to ensure that they comply fully with relevant statutory guidance, currently *Keeping Children Safe in Education* (September 2021) and *Working Together to Safeguard Children* (2018). All prospective employees are checked for identity, criminal records DBS checks, barred list check, prohibited from teaching list and references. Interview panels always include one or more staff or trustees who have undertaken Safer Recruitment training. KCSIE directs all staff to new DBS checks guidance and confirms that when a student attends alternative educational provision or when there is regulated or supervised activity, the school retains safeguarding responsibility. The procedures for the recruitment of all staff are set out in the school's Safer Recruitment Policy which is available on request. *Keeping Children Safe in Education*, states that, "A person may be disqualified from their post if they live or work on premises where a disqualified person lives". Staff complete a suitability for working and caring for children declaration as part of the recruitment procedure. Relevant amendments take place following identified actions from the annual Local Authority 175 Safeguarding Audit and following annual reviews made by trustees and relevant senior staff.

An additional check will be completed for those engaged in management roles to ensure they are not prohibited under section 128 provisions of the [Education and Skills Act 2008](#).

Recruitment checks include:

- Enhanced DBS & DBS Barred list
- Employment history
- Written requests for employment references
- Identification
- Right to work in the UK
- Address
- Qualifications

- Worked or lived abroad – the school will make any further checks considered appropriate
- Verification of the candidates mental and physical fitness to carry out their work responsibilities
- Induction procedures include staff members being introduced to Safeguarding and Child Protection Policy, Behaviour Policy, Staff Code of Conduct and the role of the DSL

## **Whistleblowing**

5.7 St George's School encourages a culture of openness and accountability. Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work. Any person who has a genuine concern related to suspected wrongdoing or danger affecting any of the schools activities (a whistleblowing concern), should report it under the Whistleblowing Procedure.

When responding to allegations about a member of staff, the school seeks guidance from the Birmingham Safeguarding Children's Partnership Procedures on allegations against Staff, Volunteers and contractors documentation.

The procedures must be used in any case that is alleged by a member of staff, Governor, visiting professional or volunteer/contractor and has a) behaved in a way that has harmed a child or may have harmed a child, b) Possibly committed a criminal offence against or related to a child or c) Behaved in a way that indicates he/she is unsuitable to work with children.

Where a staff member feels unable to raise an issue with their employer, or feels that their genuine concerns are not being addressed, other whistleblowing channels may be open to them. General guidance can be found at [Advice on Whistleblowing](#).

The [NSPCC Whistleblowing Helpline](#) is available for staff who do not feel able to raise concerns regarding child protection failures internally. Staff can call: 0800 028 0285 – line is available from 8:00 AM to 8:00 PM, Monday to Friday and Email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk).

## **6. Responding to Concerns**

6.1 Concerns for a student may come to the attention of staff in a variety of ways, for example through observation of behaviour or injuries or disclosure. Any member of staff who has a concern about a student, however insignificant this might appear to be, should discuss this with the DSL immediately and log this

on the school's centralised system for the attention of the DSL's. More serious concerns must also be reported immediately, to ensure that any intervention necessary to protect the child is accessed as early as possible. Where a member of staff has concerns about a child, these should be discussed with the DSL and no one else in the first instance, in the DSL's absence staff should report an incident in line with procedures identified in **How to Deal with Disclosures**. Other options could include referral to specialist or Early Help services and should be made in accordance with the referral threshold set out by the LSCP. Any referrals to report any concerns should be made in discussion with a DSL.

Should an incident need to be reported while outside of school hours, for example, on a school trip or during non-term time, a member of staff must report the incident to the DSL or Deputy DSL immediately, via telephone communication. You will be asked to write up the concern and provide it in an agreed timeframe with the DSL.

If the DSL cannot be contacted, the matter should be reported to the Headmaster immediately.

Where unmet needs have been identified for a child/ young person, utilising the Right Help Right Time (RHRT) model but there is no evidence of a significant risk, the DSL will add the child/young person to the school's vulnerable child list. The DSL will support school staff to deliver an appropriate Early Help response.

In the first instance, the child/young person will be enabled through the Signs of Safety and Wellbeing practice framework to express their lived experience. This will be documented in the '3 houses format' and added to the child's file. At this stage simple reasonable adjustments within the educational setting may be all that is needed to address the unmet needs. After review the child/young person may then be removed from the vulnerable children list.

Should the lived experience of the child and professional opinion of the DSL indicate that a wider Early Help response is required in order to meet the unmet safeguarding need, the DSL will develop a school focused action plan with the child/young person and parent/carer as appropriate, utilising the Signs of Safety and Wellbeing practice framework, the 3 columns of the Early Help Assessment or the Early Help conversation log. This school focused plan will then be regularly reviewed and updated to record progress towards measurable goals, until the unmet safeguarding needs have been addressed.

Once all unmet safeguarding needs have been addressed, the child can then be removed from the vulnerable child list.

Should the professional opinion of the DSL indicate that a multiagency Early Help response is required in order to meet the unmet safeguarding need, the DSL will initiate an Early Help Assessment and an Our Family Plan and register these documents with the Early Help support team. This multi-agency plan, with support from the Early Help panels as appropriate, will then be reviewed regularly and progress updated towards the goals until the unmet safeguarding needs have been addressed.

Should the DSL feel that a Think Family or Social care response is needed to meet the unmet safeguarding need; the DSL will initiate a Request for Support, seeking advice from Children's Advice and Support Service (CASS) as required. The DSL will then oversee the agreed intervention from school as part of the multiagency safeguarding response and ongoing school focused support.

## **How to Deal with Disclosures**

### **Receive and Reassure**

Stay calm, assure the child that they have done the right thing. Don't make promises, including confidentiality, alleviate feelings of guilt and shame, empathise with the child.

- Allow the student to make the disclosure at their own pace and in their own way.
- If you are shocked by what is being said try not to show it.
- Avoid interrupting except to clarify what the student is saying.
- Do not ask leading questions or probe for information that the student does not volunteer.
- It is our role to listen not to investigate. Use open questions such as "Is there anything else you want to tell me?" or "Yes?" or "And?"

### **React**

- The first concern is for child safety. Ensure that any immediate medical help is given if it is needed.
- Talk to the child in order to inform the decision about making a referral. Use only open questions e.g.
  - Can you tell me what happened?
  - Where did it happen?
  - Tell me about it in your own words.
  - Don't criticise the perpetrator.
  - Explain what happens next.

- Accept what the student says. Be careful not to burden them with guilt by asking questions such as “Why didn’t you tell me before?”
- Do acknowledge how hard it was for them to tell you this.
- Don’t criticise the perpetrator, this may be someone they love.
- It is important that you do not make promises that you cannot keep such as “I’ll stay with you all the time” or “It will be alright now”
- Record the conversation as soon as possible, using the St. George’s School ‘Child Protection and Safeguarding Form’. This is available in both staffrooms.
- Inform the DSL in person. Do not discuss the matter with anyone else. **Remember you cannot promise confidentiality.**
- It is OK to observe bruises but not to ask a student to remove or adjust their clothing to observe them.
- Concerns over any form of extremism, should also be brought to the attention of the DSL or Headmaster immediately.
- Reassure the young person that they have been heard and explain what you will do next and to whom you will talk to.
- If the DSL decides that no action is required and the teacher disagrees, they can inform Social Services directly in order to fulfil their legal duty. If after consultation with the DSL, a member of staff feels that appropriate action is not being taken in respect of his or her concerns for a student they should refer the matter directly to the Headmaster. If a member of staff still has concerns they can contact **the Child Advisory Support Services (CASS) on 0121 303 1888.**
- The framework for the assessment of children in need (including child protection) directs that the referrers should contact parents before the referral is made unless doing so would put the child at increased risk. If in doubt the DSL will seek the advice of Social Services.

### **Record**

It is important that records are factual and reflect words used by the student. Opinion should not be given unless there is some form of evidence base, which can also be quoted. Records must be signed and dated with timings if appropriate. It is important to remember that any issues are confidential and staff should know only on a need to know basis.

Information to be recorded:

- Student’s name, form and date of birth
- Student in normal context, e.g. behaviour, attitude
- The incident(s) which give rise for concern with dates and times.
- If recording bruising/injuries indicate position, colour, size, and shape.



- Action taken.

Written information should be passed to the DSL Sixth Form Miss Josie Stinton, DSL Mr Luke Nicholls (Upper School) or Mrs Joanne Sadiq (Lower School), the Head Teacher should always be kept informed of any significant issues.

Staff can play a vital role in helping students in need, or at risk, by effective monitoring and record keeping. Any incident or behavioural change in the young person, that gives cause for concern should be recorded and reported to the DSL immediately.

Storage of records – the DSL will ensure the records relating to concerns for the welfare or safety of students are kept separate from other school files and are stored securely. Information will be shared on a strictly need to know basis and in line with Child Protection Guidance. It is the responsibility of the DSL to record each incident in the Child Protection Incident Book. Staff should have (authorised) access to the incident book; parents and young people should not.

### **Never**

- take photographs
- arrange medical examination
- attempt a medical judgement
- remove clothing
- tape record an interview

### **Report**

If you have a concern that a child is being harmed, is at risk of harm, or you receive a disclosure (intentionally or unintentionally), you must contact the following staff member immediately.

#### **Designated Senior Lead Person for Child Protection Upper School:**

**Mr Luke Nicholls (Senior Leader Welfare, Care, Guidance and Support Upper School)**

**Mrs Victoria Jones (Upper School Deputy Designated Senior Lead Person)**

**Miss Josie Stinton (Designated Senior Lead Sixth Form)**

#### **Designated Senior Lead Person for Child Protection Lower School and EYFS:**

**Mrs J Shaw (Safeguarding Lead of Upper/Lower School)**

**Mrs J Sadiq (Headteacher Lower School)**

If the Lead Senior Person is not available please contact **Mr Gary Neal (Headmaster)**.

In line with Working Together to Safeguard Children, Staff must report concerns regarding a child in need immediately to a DSL or Children's Social Care. If a child is at risk, staff must again inform a DSL, children's social care or the Police if a crime

has been committed immediately. A referral can be made direct if needed and in these instances, parental consent is not required if referrals are being made to statutory agencies.

### **Unconfirmed worries about possible child abuse**

- Often staff have unconfirmed worries about students, but little real evidence, and so feel unsure about how to proceed. Many cases have shown that these unconfirmed worries are in fact the tip of the iceberg; that if information from one member of staff was placed alongside that of other professionals then there may be a serious cause for concern.
- It is therefore vital that even vague 'worries' are passed on at the earliest stage to the designated members of staff who are in a position to evaluate the information and to involve other agencies as appropriate. A report should be completed with Staff clearly identifying what is fact and what is opinion.
- All incidents, suspicions or concerns should be recorded, dated and signed.

## **7. Referrals to CASS**

**0121 303 1888** Out of hours emergency number **0121 675 4806** or the Police **101**

Please note that CASS switchboards close at 5.15pm (4.15pm Friday) after which the Emergency Duty Team must be contacted.

- 7.1 If a child is in immediate danger or is at risk of harm a referral should be made to children's social care and/or the police immediately. Anyone can make a referral. Where referrals are not made by the Designated Safeguarding Lead the designated safeguarding lead should be informed, as soon as possible, that a referral has been made.
- 7.2 It is the responsibility of the DSL to make a referral to CASS. If a referral is made, the DSL will ensure that the Headmaster is informed.
- 7.3 If school considers that there are incidents of forced marriage, FGM, domestic abuse, child sexual exploitation or extremism, they may refer directly to the police/CTU.
- 7.4 Anyone, not just staff, can make a referral using the above numbers if they have concerns about a student's welfare.
- 7.5 Staff may need to notify Children's Social care via a request for support form to the Children's Advice and Support Service (CASS).

- 7.6 If the concerns about a student are deemed 'Complex and Significant' meeting the criteria within RHRT, they will be referred to the Children's Advice and Support Service (CASS). This includes concerns about a child/young person who is affected by the behaviour of a parent or other adult in their household.

## **8. Post-referral Support**

- 8.1 We are committed to supporting students once a referral is made. This may involve mentoring or counselling, but where necessary advice should be taken from Children's Services. We offer a caring, safe and positive environment.
- 8.2 We will support students by encouraging self-esteem and self-worth. We recognise that a child who has been abused or witness to violence, may feel helpless and humiliated, and may blame themselves. We are aware that school may provide the only stability in the lives of children who have been abused or at risk of harm.
- 8.3 We will provide continuing support to a child who leaves school, by forwarding Child Protection/Safeguarding documentation to the child's new setting.
- 8.4 We will offer appropriate support to individual children who have experienced abuse, who have abused others (child on child abuse) or who act as Young Carers in their home situation.

## **9. Multi-Agency Work**

We work in partnership with other agencies to promote the best interests of the children as a top priority in all decisions that affect them. The school will, where necessary, liaise with these agencies and make requests for support from Children's Social Care. Requests should be made by the Designated Safeguarding Lead to the Children's Advice Support Service (CASS) - 0121 303 1888. Where the child already has a safeguarding social worker or family support worker, the request for service should go immediately to the team involved, or in their absence to their team manager.

When invited the DSL will participate in a CASS strategy meeting, usually by conference phone call, adding school held data and intelligence to the discussion so that the best interests of the child are met.

We will co-operate with any child protection enquiries conducted by children's social care: the school will ensure representation at appropriate inter-agency meetings such as integrated support plan meetings initial and review child protection conferences, and core group meetings.

We will provide reports as required for these meetings. If the school is unable to attend, a written report will be sent. The report will, wherever possible, be shared by social care with parents/carers at least 24 hours prior to the meeting.

Where a student is subject to an inter-agency child protection plan or a multi-agency risk assessment conference (MARAC) meeting, the school will contribute to the preparation, implementation and review of the plan as appropriate.

## **10. Parents and Carers**

Parents and carers play an important role in protecting their children from abuse.

The school will work with parents and carers to support the needs of the child.

We should ensure that parents and carers have an understanding of the responsibility placed on the school and staff for safeguarding and child protection by setting out our obligation in the school prospectus. There may be occasions when the school will contact another agency before informing parents/carers because it considers that contacting them may increase the risk of significant harm to the child. Parents must ensure they have provided the school with at least two emergency contacts and up to date details and contact telephone numbers for those designated contacts.

## **11. Looked After Children (LAC) and Previously Looked after Children**

The DSL will inform members of staff who have direct pastoral responsibility for students who have a care plan. These young people must be monitored carefully and the smallest concern should be recorded and an incident sheet passed immediately to the DSL or the Head Teacher in the DSL's absence. Looked after children (LAC) have additional vulnerabilities, and should always be monitored with extreme care. The Governing body will ensure an appropriately trained and experienced teacher will be designated as lead teacher for this cohort of students and will work with the Virtual School Head, to utilise Pupil premium funds to ensure identified needs are met from the Child's Personal Education Plan.

The school will ensure that appropriate staff have the information they need in relation to a child's looked after legal status and are aware of the statutory guidance to Local Authority's about how to support these children via Promoting the education of looked after and previously looked after children (whether they are looked after under voluntary arrangements with consent of parents or on an interim or full care order) and contact arrangements with birth parents or those with parental responsibility. They will also have information about the child's care arrangements and the levels of authority delegated to the carer by the authority looking after him/her. The designated

safeguarding lead will have details of the child's social worker and the name of the virtual school head in the authority that looks after the child. All staff are also aware of how they can help to keep LAC students safe in regards to being aware of 'County Lines' and gang and drug activity and how vulnerable young people are often targeted within this form of criminal activity.

## **12. Private Fostering**

Many people find themselves looking after someone else's child without realising that they may be involved in private fostering. A private fostering arrangement is one that is made privately (that is to say without the involvement of a local authority) for the care of a child under the age of 16 (under 18, if disabled) by someone other than a parent or immediate relative. If the arrangement is to last, or has lasted, for 28 days or more, it is categorised as private fostering.

The Children Act 1989, defines an immediate relative as a grandparent, brother, sister, uncle or aunt (whether of full blood or half blood or by marriage or civil partnership), or a step parent.

People become involved in private fostering for all kinds of reasons. Examples of private fostering include:

- Children who need alternative care because of parental illness;
- Children whose parents cannot care for them because their work or study involves long or antisocial hours;
- Children sent from abroad to stay with another family, usually to improve their educational opportunities;
- Unaccompanied asylum seeking and refugee children;
- Teenagers who stay with friends (or other non-relatives) because they have fallen out with their parents;
- Children staying with families while attending a school away from their home area.

There is a mandatory duty on the school to inform the local authority of a private fostering arrangement – this is done by contacting CASS (0121 303 1888). The local authority then has a duty to check that the young person is being properly cared for and that the arrangement is satisfactory.

## **13. When a Student Transfers to another School**

- When the student changes school, child protection records will be sent from the DSL and passed onto the DSL at the receiving school securely.

- If a student has a care plan or equivalent, their social worker will be contacted by the DSL and informed of the transfer. A transfer of records form should always be kept.
- When the child is moving to another school, information will be passed on to the next school's DSL as soon as is practicably possible.
- Where a student is moving on to Post-16 education and concerns remain about the child's safety, the school will, after discussion with the student, pass on relevant information to the college or provider. This is to ensure a continuity of care, where this is deemed to be appropriate.

#### **14. Children who go missing from Education**

- A child going missing from education is a potential indicator of abuse or neglect, including sexual exploitation, FGM, honour based abuse, forced marriage, radicalisation or travelling to conflict zones. School staff will be alert to these safeguarding concerns when a student goes missing for an extended period, or on repeat occasions.
- The school must notify the local authority of any student who fails to attend school regularly after making reasonable enquiries, or has been absent without the school's permission for a continuous period of 5 days or more. The school (regardless of designation) must also notify the local authority of any student who is to be deleted from the admission register because s/he:
  - Has been taken out of school by their parents and is being educated outside the school system (e.g. home education);
  - Has ceased to attend school and no longer lives within a reasonable distance of the school at which s/he is registered (moved within the city, within the country or moved abroad but failed to notify the school of the change);
  - Displaced as a result of a crisis e.g. domestic violence or homelessness;
  - Has been certified by the school medical officer as unlikely to be in a fit state of health to attend school before ceasing to be of compulsory school age, and neither s/he nor his/her parent has indicated the intention to continue to attend the school after ceasing to be of compulsory school age;
  - Is in custody for a period of more than four months due to a final court order and the proprietor does not reasonably believe that s/he will return to the school at the end of that period; or
  - Has been permanently excluded.
- St George's School will demonstrate that we have taken reasonable enquiries to ascertain the whereabouts of children that would be considered 'missing'.

## **15. Students with Special Educational Needs**

We recognise that statistically, students with SEND face additional safeguarding challenges and therefore staff need to be particularly vigilant and aware of these potential vulnerabilities and

in identifying any signs or symptoms of abuse. We recognise that all of our students and staff have a right to be safe.

Staff should be aware that additional barriers can exist when recognising abuse and neglect in this group of children. This can include:

- assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability without further exploration;
- children with SEN and disabilities can be disproportionately impacted by things like bullying - without outwardly showing any signs; and
- communication barriers and difficulties in overcoming these barriers.
- Being more prone to peer group isolation

When working with children with disabilities, practitioners need to be aware that additional possible indicators of abuse and/or neglect may also include:

- A bruise in a site that might not be of concern on an ambulant child such as the shin, might be of concern on a non-mobile child;
- Not getting enough help with feeding leading to malnourishment;
- Poor toileting arrangements;
- Lack of stimulation;
- Unjustified and/or excessive use of restraint;
- Rough handling, extreme behaviour modification such as deprivation of medication, food or clothing, disabling wheelchair batteries;
- Unwillingness to try to learn a child's means of communication;
- Ill-fitting equipment for example callipers, sleep boards, inappropriate splinting;
- Misappropriation of a child's finances; or
- Inappropriate invasive procedures

## **16. Allegations against Students – Peer on Peer Abuse**

In order to safeguard children from all members of their community, St George's seeks to engender an atmosphere where young people can discuss their concerns with any of the adults around them. The school recognises that situations where one student may be endangering another, are very sensitive and the needs of all the students

involved, will be taken very seriously under the guidance of the LADO and Birmingham Safeguarding Children's Partnership.

In line with up to date guidance in KCSIE (Part 5):

- All Staff must recognise that children are capable of abusing peers (including online)
- All staff must be clear about the school's policy and procedures in relation to peer on peer abuse. These must be clear and well promoted in school and look to minimise the risk of peer on peer abuse in school. DSL's must be informed immediately.
- All children should know how to report abuse, knowing that their concerns will be treated seriously, they will be well supported and receive reassurance and that behaviours they have experienced, will never be passed off as banter or part of growing up. Victims should never be made to feel shame or blame for what they have experienced.
- All staff must be aware that peer on peer abuse can happen in many different forms including online.
- The school must respond and act upon all reports and concerns of peer on peer abuse including sexual violence, harassment and a range of other sexualised behaviours.
- All staff and the school community must accept and understand that these types of inappropriate behaviours and abuse 'could happen here' at our school and to our students.
- All staff should report concerns and be confident in challenging and inappropriate behaviour in school.
- School must always make decisions relating to peer on peer abuse on a case by case basis with DSL's taking a lead using their professional judgement supported by external agencies including the police if required.

If a young person is suspected of causing harm to another young person, the normal child protection procedures will be followed and advice will be sought from Birmingham Safeguarding Children's Partnership.

The school educates all students on key areas of safeguarding via the promotion of its support network and safeguarding procedures in school, as well as delivering targeted lessons/sessions. The school also educates via its Pastoral mapping including assemblies, PSHE and Collective Worship topics and tasks throughout any academic year. Students who exhibit challenging behaviours in relation to peer on peer



abuse will be supported at school through targeted mentoring from their Head of Year, or more bespoke mentoring where our Mentors will deliver interventions such as 'Five Against the Law', a specialist programme specifically designed to help those to understand and maintain social boundaries and will be delivered by trained professionals in school.

Older students will not normally supervise younger students, unless in a structured and managed situation where appropriate training and supervision has been provided.

Children are vulnerable to abuse by their peers. This is most likely to include, but not limited to: bullying (including cyber bullying), gender-based violence/sexual assaults/violence/harassment/physical abuse (e.g. students being sexually touched/assaulted or being subject to initiation/hazing type violence or rituals) and sexting (youth produced sexual imagery) or upskirting. The School and staff recognise there is a gendered nature to most peer on peer abuse and that is more likely that girls will be victims and boys perpetrators. The school responds to incidents of this nature using guidance from KSCIE and 'Sexting in Schools and Colleges: responding to incidents and safeguarding young people (2016)' as it's reference guide to handling incidents and disclosures. It seeks to educate it's young people on relevant safeguarding and child protection issues through the PSHE curriculum (see Appendix A). Staff will not tolerate instances of Peer on Peer Abuse and will not pass it off as 'banter' or 'part of growing up'.

Low level concerns are passed on to the DSL's and are recorded and reviewed. The Headmaster is kept informed of this information and is involved with any decision making thereafter.

All abuse should be taken as seriously and Staff should never dismiss abusive behaviour as normal between young people, nor should they develop high thresholds before taking action. It must always be challenged. It is accepted:

- The needs of the victim and the needs of the alleged aggressor must be considered separately.
- There is no clear boundary between incidents which should be regarded as abusive and incidents which are more properly dealt with as bullying, sexual experimentation etc. This is a matter of professional judgement, which should be made in line with appropriate policies e.g. Child Protection, Anti-Bullying, Behaviour, Equality etc.
- When an allegation is made against another student in the school, it should be reported to the DSL and our Child Protection policy procedures will apply.

Allegations of abuse against another student may need to be referred to external agencies.

- When an allegation or disclosure is made about student on student abuse, all children involved, whether or perpetrator or victim are treated as being at 'risk'. Students are not to be judged, not lead, listened to without confidentiality being promised and with any images disclosed not being viewed or forwarded by staff.
- Staff are aware of Sexual Violence and the following definitions:
  - a. **Rape** – A person commits an offence of rape if there is intentional penetration of the vagina, anus or mouth with his penis where there is not consent.
  - b. **Assault by Penetration** – A person commits an offence if he/she intentionally penetrates the vagina or anus of another person with a part of his/her body or anything else and the penetration is sexual and where there is no consent.
  - c. **Sexual Assault** – A person commits an offence of sexual assault if he/she touches another person, the touching is sexual and where there is no consent.
  - d. **Upskirting** – Typically when a photo is taken under a person's clothing without them knowing, for sexual gratification or to cause the victim humiliation, distress or alarm.

## **17. Concerns Involving Members of Staff, Adults or Volunteers**

If a child makes a serious allegation about an adult or volunteer, there is a reason and further enquiries should be made. You should always take the child seriously, but this does not necessarily mean accepting everything that the child says as a fact. It is not your responsibility to decide whether the child has definitely been abused. All staff working within our school community must report any potential safeguarding concerns about an individual's behaviour towards children and young people immediately.

### **Allegations against Staff, Adults, Volunteers or Contractors**

In this framework the phrase 'staff and volunteers' is used to mean anyone who is carrying out any activity on behalf of the school including paid staff, supply staff, volunteers (including older students), contractors, parents who assist with activities, sessional workers etc.

It is the duty of the employer to manage cases of allegations indicating a person would pose a risk of harm if they continue to work in regular or close contact with children in their present position.

If the school receives an allegation against a member of supply staff provided by an agency, the agency will be fully involved when dealing with any allegation or investigation.

Keeping Children Safe in Education states that procedures for dealing with allegations need to be applied with common sense and judgement and dealt with quickly in a fair and consistent way that provides effective protection for the child and at the same time also supports the person subject of the allegation. It states that most cases will not meet the criteria set out in this guidance and may not require involvement of police or by the Local Authority and may be dealt with locally. Some cases will be so serious that they require immediate intervention from the Local Authority and/or police. The Local Authority Designated Officer (LADO) should be informed of all allegations that come to a school's attention and appear to meet the criteria so they can consult police and social care services as appropriate. Reporting of incidents will be made to the DBS/TRA (Teaching Regulation Agency – DfE).

- Allegations or concerns about staff, colleagues and visitors must be reported direct to the Head Teacher who will liaise with the Local Authority Designated Officer (LADO) Team in children's social care who will decide on any action required. This must be reported without informing the person of the concern/allegation. In the absence of the Head Teacher the Nominated Trustee will be informed.
- If a student makes an allegation against the DSL, the member of staff receiving the allegation should immediately inform the Headmaster.
- If the concern relates to the Head Teacher, it must be reported immediately to the Chair of the Board of Trustees, who will liaise with the Local Authority Designated Officer (LADO) Team in children's social care and they will decide on any action required. This must be reported without notifying the Head Teacher first.
- If the safeguarding concern relates to the proprietor of the setting, then the concern must be made directly to the Local Authority LADO Team who will decide on any action required

**Contact for Sir Robert Dowling:** [sirbob@sgse.co.uk](mailto:sirbob@sgse.co.uk)

- All allegations must be referred to the Local Authority Designated Officer (LADO), as set out in Part 4 of KCSIE 2021, for advice, before any investigation takes place. In borderline cases, these discussions can be held informally and without naming the individual. This should take place within 24 hours. (0121 675 1669). GDPR legislation cannot be allowed to

stand in the way of Safeguarding Children and information must be shared if required.

- The full evidence will be made available to the member of staff or volunteer who is the subject of the allegation, as soon as is agreed appropriate, within the on-going needs of any investigation by the Police, Social Care Services, or by any disciplinary process.
- In some cases, it may be necessary for the staff member to be suspended whilst an investigation is carried out. It must be recognised that any decision to suspend a member of staff, is without prejudice and on full pay, and is not an indication of any proof or of any guilt. Advice should always be sought from the Trustees in this case.
- All staff and volunteers need to be aware of their vulnerability to allegations and must address their practice accordingly. All staff must adhere to the Staff Code of Conduct and all school policies and procedures. Further guidance to support staff against allegations is included in appendices B & C.

#### **Contact numbers of officers**

Schools and Educational Services Lead Officer for child protection: 0121 303 2280

Child Protection Manager for Schools and Education / LADO: 0121 675 1669

### **18. Code of Practice**

All school staff should take care not to place themselves in a vulnerable position with relation to child protection. It is always advisable for interviews with individual students or parents, to be conducted in view of other adults, although there will always be exceptions to this out of necessity. Physical intervention should only be used when the student is endangering him/herself or others and events should be recorded and signed by witnesses.

All staff should work towards providing an environment and atmosphere for students to enable them to feel safe to talk. However, staff should never promise a student to keep certain information confidential. It must be explained that staff have certain duties to help keep that student safe, which may involve informing others.

### **19. Bullying**

- St. George's School has a clear aim to prevent all forms of bullying and deal with incidents that do occur.

- Racist, sexist, and homophobic incidents, cyber bullying and all other forms of bullying (along with the actions) are reported to a member of SLT, all incidents are dealt with in line with the school Behaviour and Anti-Bullying policies.
- The DfE has published advice and guidance on Preventing and Tackling Bullying (July 2017) and Mental Health and Behaviour in Schools (November 2018) which our school has used to create it's Anti – Bullying Policy. We also use Public Health England produced 'Rise Above' resources to guide and supplement our PSHE and collective Worship teaching programmes to promote positive health, well-being and resilience among our students across all ages.
- Staff must be aware that Mental Health concerns can often be an indicator of abuse, suffering, neglect or exploitation. These and other adverse childhood experiences can have lasting consequences and can be damaging to a child's education and behaviour. Mental health concerns are to be viewed as safeguarding concerns. If staff have mental health concerns for a child, they must be acted upon immediately and reported to a DSL at school.

## **20. Training and Induction**

All staff members will receive annual safeguarding and child protection training and update briefings as appropriate (for example, via email, e-bulletins and staff meetings). Key staff will undertake more specialist child protection training as agreed by the governing body. These update briefings will help to provide staff with relevant skills and knowledge to safeguard children effectively.

- New members of staff, temporary staff and volunteers will receive appropriate training as part of their Induction Programme. This training will be in line with the policies of the Local Safeguarding Children Partnership and LEA Child Protection Procedures, and is also part of the induction process for part-time and voluntary staff. It is also strongly recommended that the Board of Trustees also receives this training.
- New staff as part of their induction receive physical copies of:

Staff Induction Procedures, Staff Code of Conduct, School Staff Guidance Handbook, KCSIE Sept 2021, ICT Acceptable Use Policy, a copy of this policy, Social Media Policy, Whistleblowing Procedure, Staff Absence from School Procedures.

- Training also includes additional information regarding:
  - The staff code of conduct/behaviour policy
  - Student Behaviour Management Policy/Anti – Bullying Policy

- The identity of the Designated Lead and reporting procedures
  - A copy of part one of KCSIE and Annex A
  - The Early Help Process
  - Right Help Right Time
  - How to make a referral
- The DSL, Deputy DSL, Headmaster and allocated governor will access Local Education Services core training in child protection and inter-agency working, in order to carry out their role and will attend refresher training updates in line with Birmingham Local Authority Guidelines (half day refresher training every 2 years and 2 full days refresher training every 6 years). Key staff will undertake more specialist child protection training as agreed by the Board of Trustees.
  - Regular supervision will be offered to the DSL's within school, usually half termly and may be extended to other members of staff as deemed appropriate by the school.
  - Safeguarding training will be clearly cross referenced and supplemented by other areas of staff training, including appropriate touch, care & control (including safe restraint), behaviour management and risk assessments.

## **21. Monitoring and Review**

All school personnel and Trustees will have a copy of this policy and will have the opportunity to consider its content, prior to approval of the Board of Trustees being formally sought.

This policy sets aside previous policy in this area. This policy document was updated in September 2021 to reflect latest KCSIE documentation released in September 2021.

The Board of Trustees will review the policy at least every year and it will be signed off by the Nominated Trustee, Sir Robert Dowling.

Anyone, not just staff, can make a referral to these numbers if they have concerns about a student's welfare.

**Referrals to CASS - Children's Social Care Information Advice Service (0121 303 1888)**

**Out of hours emergency number 0121 675 4806 or the Police 101.**

## **22. Links to other Documents and Further Reading**

The following guidance is available online. Printed copies are available from the DSL and the School Office:

- A. [Keeping Children Safe in Education](#) 2021, DfE, September 2021
- B. [Keeping children safe in education: for schools and colleges](#), DfE, Sept 2021
- C. [Working together to safeguard children](#), DfE, September 2018
- D. [Preventing and tackling bullying](#), DfE, July 2017
- E. [What to do if you're worried a child is being abused: advice for practitioners](#), DfE, March 2015 and EYFS 2017
- F. [Multi-agency statutory guidance on female genital mutilation](#), HM Government, April 2016
- G. [Guidance for safer working practice for adults who work with children and young people](#), DCSF, 2019
- H. [Mandatory Reporting of Female Genital Mutilation - procedural information](#), Home office, October 2015
- I. [Information Sharing Advice for Professionals](#), HM Government, July 2018
- J. [Mental health and behaviour in schools](#), HM Government, November 2018
- K. [Birmingham Criminal Exploitation & Gang Affiliation Practice Guidance 2018](#), Birmingham Government, 2018
- L. Promoting Children and young people's emotional health and wellbeing, Public Health England, 2015

Other pertinent legislation and guidance that was drawn upon when formulating this policy are:

- Children Act, 1989
- Children Act, 2004
- Education Act, 2002
- Education (Independent School Standards) (England) Regulations, 2019
- Prevent Duty Guidance (July 2015) and Departmental advice for schools and childminders (June 2015)
- Sexting in Schools and Colleges – responding to incidents and safeguarding young people, 2016
- General Data Protection Regulation (GDPR) Legislation, 2018
- Mental Health and Behaviour in Schools: Departmental advice, DfE, 2018
- Promoting Children and young people's emotional health and wellbeing, Public Health England, 2015
- The Birmingham Local Safeguarding Children Partnership (LSCP) guidance

**To be reviewed September 2022  
or as and when statutory  
guidance / legislation changes**

## **APPENDIX A: FURTHER STAFF GUIDANCE FOR RECOGNISING THE SIGNS**

There are certain symptoms which young people who suffered abuse are likely to exhibit. Some will lead to powerful suspicion; others will simply suggest a possibility.

### **Behavioural**

Staff at school see individual students over prolonged periods, and can, over time, notice change in the way they act. We are particularly well placed to notice unusual patterns of behaviour, which may be evidence of different types of abuse.

We underline the word may, because it is of crucial importance that staff should not read into a student's behaviour as evidence of abuse when it may not be abuse at all, but the result of some quite different factors. None the less, experienced staff have found that the following are types of behaviour which can, taken with other indication, point to the possibility or likelihood that a student has been abused:

- Persistent tiredness
- Persistent headaches, tummy aches or visits to the toilet
- Aggressive towards adults and peers
- Bullying others
- Sudden switch in mood or behaviour
- Regression to immature behaviour
- Excessive nervousness
- Attention-seeking behaviour
- Deterioration in school work
- Reluctant to participate in PE, games or other activities which involve changing clothes or physical exposure
- Running away from lessons/school or reluctance to go home at the end of school
- Poor school attendance
- Inappropriate conduct towards or relationship with peers and or adults e.g. sexual precocity which cannot be explained by normal natural curiosity
- Compulsive stealing or lying
- Eating problems
- Depression
- Self-injury

It is unlikely any student will present all of these signs simultaneously. Some of the behavioural indications listed here are, indeed, mutually exclusive. What is more, none of them, either individually or in combination, inevitably suggest abuse.



All adults do need to be alert to the fact that such signs are often consistent with child abuse. Where there is no other convincing explanation for unusual patterns of behaviour, we must not rule out its possibility.

### **Physical**

On the face of it, evidence of physical abuse (which often accompanies or is the culmination of emotional abuse) is easier to identify and assess. But as any experienced teacher will know, young people frequently have accidents which involve minor or major physical injury. Is there any way in which we can judge whether an injury or succession of them is genuinely accidental, or non-accidental and suggestive of abuse? Perhaps the best indication is how parents or adults responsible for the child's care react.

Where an injury is the result of genuine accident, they will almost invariably be willing to discuss it freely with us, and so will the student. Suspicions should be alerted where a child and his/her parents or guardians are reluctant to discuss the injury at all, or where their explanations differ in significant details or are inconsistent with the severity of the injury.

Here is a list (by no means exhaustive) of the kinds of injury for which we should seek an explanation:

- Multiple bruising and/or bizarre marking on the skin
- Multiple bruising at different stages of resolution
- Bruising or lacerations around the mouth
- Finger and thumb marks on the face, trunk, limbs
- Marks or bruising which appear to have been caused by biting
- Black eyes, particularly where both eyes are affected
- Cigarette burns and other burns or scalds

Suspicions of physical abuse may be intensified if the following factors are also present:

- Information about earlier abuse of the child or other children within the care of the same parents or adults
- A failure by the parent or responsible adult to mention previous injuries
- A history of unexplained or inadequately explained injuries
- Explanations of the injury's causes which are contradictory or implausible
- Delay in seeking medical or other help when that would clearly have been appropriate

- Refusal by parents or responsible adults for the injury and/or its circumstances to be investigated further

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

Female genital mutilation (FGM), also known as female genital cutting and female circumcision, is defined by the World Health Organisation (WHO) as “all procedures that involve partial or total removal of the external female genitalia or other injury to the female genital organs for non-medical reasons”. FGM is practised as a cultural ritual by ethnic groups in 27 countries in sub-Saharan and Northeast Africa, and to a lesser extent in Asia, the Middle East and within immigrant communities elsewhere. Links have been made between FGM and Forced Marriage and as such both categories have been moved and categorised as forms of Honour based violence.

FGM is internationally recognised as a violation of human rights for girls and women. It is illegal in most countries including the UK.

Circumstances and occurrence that may point to FGM happening:

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

Signs that may indicate a child has undergone FGM:

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

## **Forced Marriage**

This is an entirely separate issue from an arranged marriage. Often the marriage takes place abroad, and often the disclosure comes from younger siblings. If a professional has a concern about an individual who may be at risk of Forced Marriage, they should consult the Multi Agency Practice guidelines on handling cases of Forced Marriage:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/322307/HMG\\_MULTI\\_AGENCY\\_PRACTICE\\_GUIDELINES\\_v1\\_180614\\_FINAL.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/322307/HMG_MULTI_AGENCY_PRACTICE_GUIDELINES_v1_180614_FINAL.pdf)

## **Honour Based Violence**

So-called 'honour-based' violence (HBV) encompasses crimes which have been committed to protect or defend the honour of the family and/or the community.

All forms of so called HBV are abuse (regardless of the motivation) and should be handled and escalated as such. If in any doubt, staff should speak to the designated safeguarding lead (DSL). Professionals in all agencies, and individuals and groups in relevant communities, need to be alert to the possibility of a child being at risk of HBV, or already having suffered HBV.

There are a range of potential indicators that a child may be at risk of HBV. Guidance on the warning signs that FGM or forced marriage may be about to take place, or may have already taken place, can be found on pages 38-41 of the [Multi agency statutory guidance on FGM](#) (pages 59-61 focus on the role of schools and colleges) and pages 13-14 of the [Multi-agency guidelines: Handling cases of forced marriage](#).

## **Further Indicators of Abuse**

When a young person is the victim of abuse, there are often other behavioural signs which manifest themselves at school e.g.:

- An inexplicable failure to thrive
- Poor relationships between a young person and his/her peers including an inability to make friends
- Consistent inability to concentrate, leading to identifiable learning difficulties
- Disobedience, attention-seeking, restlessness or aimless behaviour
- Marked changes in eating patterns
- Regular avoidance of school medical investigations

In addition, there are other signs which may point, with various degrees of certainty, to the possibility of sexual abuse:

- Sudden changes in mood
- Regressive behaviour e.g. sudden onset of bed wetting
- Lack of trust in adults

- Hints of sexual activity in a child's conversation, play or drawings which may include pornographic additions or sexually explicit graffiti in exercise books or elsewhere
- Excessive preoccupation with sexual matters, including:
  - Precocious knowledge or apparent experience of adult sexual behaviour
  - Repeated episodes or sexual play, particularly if they go beyond mere childish curiosity
  - Persistent, obsessive self-stimulation

Relevant issues will be addressed through the PSHE curriculum, for example self-esteem, emotional literacy, assertiveness, power, healthy relationship education (previously known as sex and relationship education SRE), online safety (formally known as e-safety), sexting, upskirting and bullying (including cyber bullying).

## **APPENDIX B: STAFF GUIDANCE ON INTERACTION WITH STUDENTS**

The following guidance should be read in conjunction with School's Code of conduct for staff.

Colleagues must be aware of safe working practice with students, in order to avoid allegations and misunderstandings.

### **Physical Contact**

The current climate of suspicion with regard to child abuse poses a real dilemma for school staff, with regard to physical interactions with students. In order to protect children from abuse, and staff from suspicions of abuse, the natural inclination to comfort and reassure children through physical contact has to be curbed, and staff must make a considered assessment of the situation.

This does not mean that physical contact is never permissible. It does mean that adults touching children must operate within understood limits, (where possible in public view) and that contact outside those limits must be a considered response which can be justified if necessary. Where those limits lie will vary, according to the age of the child and the role of the member of staff. A young child may well require to be comforted and reassured. Prohibition of all physical contact would clearly not be to the benefit of the child.

One would expect the need and desirability of such contact with older students to be considerably less, although even in these circumstances, situations could arise in which it would be a natural and human occurrence. The death of a student, or a student's parent for example, might make it natural for students and teachers to grieve together and touching would be neither unusual nor undesirable. Context is key here and the teacher or learning assistant must be sensitive to the fact that some students are averse to being touched.

Awareness-raising through in-service training and professional dialogue with colleagues should provide opportunities for staff to explore acceptable limits through discussion of case scenarios.

Common sense is a good guide, but it must be informed common sense. Child abusers often seek to gain the trust and confidence of children by seeming to care for an individual and then exploit the trust of that individual. It is important for caring adults to understand that the needs of the student is the foremost guiding factor and that to act as if the child were 'their own' is not always appropriate.

Staff should always be able to justify physical contact in any situation. The nature of the contact should be limited to what is appropriate. Restraint should involve only the

minimum of force necessary to protect children at imminent risk of harming themselves or others, or inflicting damage to property. Colleagues should, where possible, be summoned to witness and assist if necessary. (See Appendix C: The Use of Force to Control or Restrain Students).

### **Opportunities (One to One Meetings/School Trips)**

Opportunities for abuse exist in all schools, especially in one-to one situations, e.g. tutorials, music lessons, guidance interviews, sick room. Abuse can develop out of favouritism and via excessive one-to-one contact. The simplest advice would be that staff should always, unless there is a clear reason for doing so, avoid being alone with a child or young person.

This may prove difficult, especially in a situation where it might be seen as beneficial for a child to have some opportunity for one-to-one contact with an adult. Where one-to-one contact does happen, it should be arranged within earshot or sight of other adults. Wherever possible, staff should keep a physical distance from students.

Excursions out of the School, especially residential excursions, can provide opportunities for abuse. Members of staff leading such trips need to be aware of this and be ever vigilant. Care should be taken to ensure that there are sufficient adults to provide proper supervision when students are taken out of school.

### **Use of Language**

Salacious or demeaning remarks should never be made to or in the presence of children and young people. Comments about a child's physical characteristics or development, suggestive or derogatory comments could fall into this category.

### **Personal Relationships with Students**

You are required to inform a senior colleague if:

- you suspect that a child or young person is becoming inappropriately attached to you, or to another member of staff or voluntary helper, or
- your relationship with, or feelings toward a child or young person are placing you at risk of finding yourself in a situation, where you could be accused of unprofessional conduct.

### **Electronic Communication with a Student**

Staff should not have any electronic communication (text, email etc...) with students unless absolutely necessary for work related reasons Even then staff must guard against superfluous conversation.

## **APPENDIX C: THE USE OF FORCE TO CONTROL OR RESTRAIN STUDENTS**

### **Introduction**

A new provision of the 1996 Education Act came into force on 1st September 1998

(DfES circular 10/98). This clarified the powers of teachers and other staff who have lawful control or charge of students, to use reasonable force to prevent students committing a crime; causing injury or damage; or causing disruption. Such powers already existed under common law, but they had often been misunderstood.

Neither the Act nor this new provision authorized the use of corporal punishment. Corporal punishment is now unlawful in all schools. Nor were they intended to encourage the use of inappropriate force.

There is a common misconception that, since the Children Act 1989, any physical contact with a child is in some way unlawful. That is not true. Where necessary, reasonable force can be used to control or restrain students. Physical contact with students may also be appropriate or necessary in other circumstances.

Below are guidelines on the use of force or physical restraint.

The use of reasonable force or restraint may be used to prevent a student from doing, or continuing to do, any of the following:

- Committing a criminal offence (including behaving in a way that would be an offence if the student were not under the age of criminal responsibility);
- Injuring themselves or others (students or staff).
- Causing damage to property (including the student's own property).
- Engaging in any behaviour prejudicial to maintaining good order and discipline at the school or among any of its students, whether that behaviour occurs in a classroom during a teaching session or elsewhere.

The above applies when a teacher, or other authorized person is on the School premises, and when he or she has lawful control or charge of the student concerned elsewhere, e.g. on a field trip or other authorized out of School activity.

### **When is Force Appropriate?**

Everyone, whether authorized by the Headmaster or not, has the right to defend themselves against an attack, provided they do not use a disproportionate degree of force. Similarly, in an emergency, for example, if a student was at immediate risk of injury or on the point of inflicting injury on someone else, any member of staff would

be entitled to intervene. The purpose of this provision is to make it clear that teachers and other authorized staff are also entitled to intervene in other, less extreme situations.

### **What is Reasonable Force?**

It is hard to give a precise answer because there is no legal definition of 'unreasonable force'. The use of any degree of force is unlawful if the particular circumstances do not warrant the use of physical force. Any force used should always be the minimum needed to achieve the desired result.

Before intervening physically, a teacher should, wherever practicable, tell the student who is misbehaving to stop and advise them of the consequences if they persist in the misbehaviour. The teacher should continue attempting to communicate with the student throughout the incident and should make it clear that physical contact or restraint will stop as soon as it ceases to be necessary. A calm and measured approach to a situation is needed and teachers should never give the impression that they have lost their temper or are acting out of anger or frustration or to punish the student.

### **Acceptable Forms of Force**

Physical intervention can take several forms. It might involve:

- physically interposing between students;
- blocking a student's path;
- holding;
- pushing;
- pulling;
- leading a student by the hand or arm;
- shepherding a student away by placing a hand in the centre of the back;
- in extreme circumstances only, using more restrictive holds

**DO NOT:**

- hold a student around the neck or by the collar in any other way that might restrict the student's ability to breathe;
- slap, punch or kick a student;
- twist or force limbs against a joint;
- trip up a student;
- hold or pull a student by the hair or ear;
- hold a student face down on the ground



**ALWAYS AVOID TOUCHING OR HOLDING A STUDENT IN A WAY THAT MIGHT BE CONSIDERED INDECENT.**

### **What the School should do if Staff have used Force during an Incident**

There must be a detailed, contemporaneous report of any occasion (except minor or trivial incidents) where force is used. (If in doubt of the necessity for a report, please consult the Headmaster). This report, containing the following information, should be handed to the Headmaster as soon as possible after the incident:

- the name(s) of the student(s) involved and when and where the incident took place;
- the name(s) of any other staff or student(s) who witnessed the incident;
- the reason that force was necessary (e.g. to prevent injury to the student, another student or member of staff);
- how the incident began and progressed, including details of the student's behaviour, what was said by each of the parties, the steps taken to diffuse or calm the situation, the degree of force used, how that was applied and for how long;
- the student's response and the outcome of the incident;
- the details of any injury suffered by the student, or a member of staff and of any damage to property

Parents will always be informed of such an incident.

The written report:

- may help prevent later misunderstanding or misrepresentation of the incident
- will be useful if a child or parent makes a complaint against the School or teacher concerned
- could be important evidence if criminal or civil proceedings are brought against the School or a teacher

### **Physical Contact with Students (General)**

There are occasions when physical contact with a student may be proper or necessary other than those covered by Section 550A of the 1996 Act on which these notes are based. Some physical contact may be necessary to demonstrate exercises or techniques during PE lessons, sports coaching, music lessons, or CDT or if a member of staff has to give first aid. Young children and those with special educational needs may need staff to provide physical prompts or help. Touching may also be appropriate where a student is in distress and needs comforting. Teachers will use their own

professional judgement when they feel a student needs this kind of support. Physical contact with students becomes increasingly open to question as students reach and go through adolescence and staff should bear in mind that even innocent and well intentioned physical contact can sometimes be misconstrued.

### **Legal Implications**

Teachers faced with a situation where a student needs to be restrained or where force is necessary are particularly vulnerable to accusations by students or parents of assault.

Allegations may be made in the heat of the moment; as a result of misrepresentations and misunderstandings - or they may be false, malicious or misplaced.

School staff must bear in mind that it is a criminal offence to use or threaten physical force (for example by raising a fist or making a verbal threat) - unless there is lawful excuse, or justification, for the use of force. A court that sees staff have acted within the guidelines on using force is likely to conclude that there was lawful excuse for that force to have been used.

Similarly, it is an offence to lock a student in a room without a court order (even if they are not aware that they are locked in) except in an emergency when, for example, locking someone in while seeking help would be justified.

Physical intervention may also lead to a civil negligence action if it results in injury, including psychological trauma, to the person concerned.