

Safeguarding policy

SP Tutors



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Key Contacts for this policy:

School Designated Safeguarding Lead (DSL) & Deputy Safeguarding Lead	Please refer to the specific school's Child Protection Policy
SP Tutors' Designated Safeguarding Lead (DSL)	Steve Watts: 01440 333400 swatts@unitysp.co.uk
SP Tutors' Deputy Designated Safeguarding Lead (DSL)	Lucie Calow: 01440 333400 lcalow@unitysp.co.uk
SP Tutors' Alternate Designated Safeguarding Lead (DSL)	Tim Coulson: 01440 333400 tcoulson@unitysp.co.uk
SP Tutors' Alternate Designated Safeguarding Lead (DSL)	Sarah Garner: 01440 333400 sgarner@unitysp.co.uk
SP Tutors Central Team	contact-us@sptutors.co.uk 01440 333110
Out of hours	01440 333110 (diverted to cover mobile number)

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1. Safeguarding statement and aims

Schools Partnership Tutors (SP Tutors) believes in supporting all aspects of children and young people's development and learning, and keeping children safe. We understand that emotional and social aspects of learning create a foundation for all academic learning. If a child has not been supported to understand, express and resolve their feelings, they may not have the ability to share with other children, resolve the small conflicts that arise in day-to-day classroom life, or concentrate on learning. Their frustrations may cause a range of antisocial, disruptive, overly compliant or withdrawn behaviours. SP Tutors will ensure that:

- Children and young people are listened to, valued and respected by all SP Tutors' staff (support and tutoring, paid and volunteers)
- Staff are aware of indicators of abuse and know how to share their concerns appropriately
- Staff are subject to rigorous recruitment procedures
- Staff are given appropriate support and training

Education staff play a crucial role in helping to identify welfare concerns, and indicators of possible abuse or neglect, at an early stage. SP Tutors is committed to referring those concerns via the appropriate Designated Safeguarding Lead (DSL) to the appropriate local authority children's social care. Where necessary, SP Tutors will contribute to the assessment of a child's needs and, where appropriate, to ongoing action to meet those needs. The usual appropriate DSL is the school's DSL. SP Tutors' will ensure a DSL is available outside normal school hours, whilst tutoring is taking place (see out of hours arrangements on the title page).

In order to ensure children are adequately protected SP Tutors will ensure that:

- All SP Tutors' DSLs, Deputy/Alternate DSLs will attend specialised training appropriate for their positions, which will be updated at least every two years (records of this training will be kept by the SP Tutors' safeguarding lead).
- All new staff will receive up-to-date safeguarding training. A log of staff safeguarding training is kept by the SP Tutors' Operations Manager. During the recruitment process and initial mandatory training, all new staff will receive a copy of this policy and the Persons in a Position of Trust Code of Conduct. In addition, tutors must read at least Part one and Annex B of Keeping Children Safe in Education (KCSiE). Staff who do not work directly with children must read Annex A (a condensed version of Part one). The new staff member will confirm that they have read, understood and will abide by these documents. Whenever this policy is reviewed and updated SP Tutors will ensure that all staff have access to a copy; staff will confirm that they have read and understood the current version. SP Tutors will provide staff with regular updates in our newsletter. In addition, all staff must complete [Prevent awareness e-learning](#), which should be refreshed at least every three years or whenever the Home Office's e-learning course is updated. Copies of Prevent training certificates are kept by SP Tutors in staff personnel files. All members of staff will be advised to ensure that their behaviour or actions do not place pupils or themselves at risk of harm or of allegations of harm to a pupil. This is highlighted in the Persons in a Position of Trust Code of conduct.
- The relevant school's child protection procedures and behaviour policy should be provided by the school to the tutor; the tutor must seek these if they have not received them prior to tutoring.
- This safeguarding policy is reviewed on an at least annual basis.

SP Tutors aims to ensure that:

- Safeguarding and child protection are at the forefront and underpin all relevant aspects of process and policy development. Ultimately, all systems, processes and policies should operate with the best interests of the child at heart
- Appropriate action is taken in a timely manner to safeguard and promote children's welfare
- All staff are aware of their statutory responsibilities with respect to safeguarding
- Staff are properly trained in recognising and reporting safeguarding issues

2. Legislation and statutory guidance

This policy is based on the Department for Education's statutory guidance, [Keeping Children Safe in Education \(September 2021\)](#) and [Working Together to Safeguard Children](#). We comply with this guidance and the procedures set out by the relevant local safeguarding partners.

This policy is also based on the following legislation:

- Part 3 of the schedule to the [Education \(Independent Trust Standards\) Regulations 2014](#),

which places a duty on academies to safeguard and promote the welfare of pupils at the school [The Children Act 1989](#) (and [2004 amendment](#)), which provides a framework for the care and protection of children

- Section 5B(11) of the Female Genital Mutilation Act 2003, as inserted by section 74 of the [Serious Crime Act 2015](#), which places a statutory duty on teachers to report to the police where they discover that female genital mutilation (FGM) appears to have been carried out on a girl under 18
- [Multi-agency statutory guidance on female genital mutilation](#), which sets out responsibilities with regards to safeguarding and supporting girls affected by FGM
- [The Rehabilitation of Offenders Act 1974](#), which outlines when people with criminal convictions can work with children
- Schedule 4 of the [Safeguarding Vulnerable Groups Act 2006](#), which defines what 'regulated activity' is in relation to children
- Statutory [guidance on the Prevent duty](#), which explains schools' duties under the Counter-Terrorism and Security Act 2015 with respect to protecting people from the risk of radicalisation and extremism
- The [Childcare \(Disqualification\) and Childcare \(Early Years Provision Free of Charge\) \(Extended Entitlement\) \(Amendment\) Regulations 2018](#) and [Childcare Act 2006](#), which set out who is disqualified from working with children
- [Information sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers](#)
- [What to do if you're worried a child is being abused](#)
- [Guidance for safer working practice](#)
- [Sharing nudes and semi-nudes](#)
- [Sexual violence and sexual harassment between children in schools and colleges](#)

This policy also complies with our grant agreement.

3. Definitions

Safeguarding and promoting the welfare of children means:

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

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

Abuse is a form of maltreatment of a child, and may involve inflicting harm or failing to act to prevent harm. Appendix 1 explains the different types of abuse.

Neglect is a form of abuse and is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Appendix 1 defines neglect in more detail.

Children includes everyone under the age of 18.

4. Equality statement

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

We give special consideration to children who:

- Have special educational needs or disabilities (see section 9)
- Are young carers

- May experience discrimination due to their race, ethnicity, religion, gender identification or sexuality
- Have English as an additional language
- Are known to be living in difficult situations – for example, temporary accommodation or where there are issues such as substance abuse or domestic violence
- Are at risk of FGM, sexual exploitation, forced marriage, or radicalisation
- Are asylum seekers
- Are at risk due to either their own or a family member's mental health needs
- Are looked after or previously looked after

5. Roles and responsibilities

Safeguarding and child protection is **everyone's** responsibility. This policy applies to all staff. Our policy and procedures also apply to tutoring online in school and At-Home Online Tuition.

We contribute to multi-agency working in line with statutory guidance Working together to Safeguard Children. We work with social care, the police, health services and other services to promote the welfare of children and protect them from harm.

5.1 SP Tutors

In addition to this policy, SP Tutors will:

- provide a staff and persons in a position of trust code of conduct
- provide a whistleblowing policy
- recruitment and selection staff in line with safer recruitment
- cascade annual safeguarding/child protection updates in the autumn term, reflecting changes in statutory requirements and current issues
- keep a log of any referrals made to outside agencies such as the local authority designated officer (LADO), police and social services
- liaise with local authority lead professionals for safeguarding, the relevant local safeguarding partners and other agencies as required

5.2 All staff

All staff will confirm they have read and understood Part one (or Annex A if appropriate) of the Department for Education's statutory safeguarding guidance, [Keeping Children Safe in Education \(September 2021\)](#), and review this guidance at least annually.

All staff will be aware of:

- Our systems which support safeguarding, including the staff and persons in a position of trust code of conduct, the school's child protection procedures in which they tutor and the role of the designated safeguarding lead (DSL)
- The early help process (sometimes known as the common assessment framework) provided by the school for which tuition is taking place, and their role in it, including identifying emerging problems, liaising with the DSL, and sharing information with other professionals to support early identification and assessment
- What to do if they identify a safeguarding issue or a child tells them they are being abused or neglected, including specific issues such as FGM, and how to maintain an appropriate level of confidentiality while liaising with relevant professionals
- The signs of different types of abuse and neglect, as well as specific safeguarding issues, such as child sexual exploitation (CSE), children missing from education, child criminal exploitation, FGM, radicalisation and peer on peer abuse

Section 14 and appendix 4 of this policy outline in more detail how staff are supported to do this.

5.3 The designated safeguarding lead (DSL)

SP Tutors has a named DSL and Deputy DSL whose details are on the title page of this policy. The DSL is a senior member of staff with the authority to take lead responsibility for child protection and wider safeguarding. Annex C provides a job description for the DSL.

The DSL or Deputy will be available during school hours for staff to discuss any safeguarding concerns. Out of school hours, a rota of the DSL, Deputy DSL and alternate DSLs will operate. Details are on the title page of this policy.

The DSL will be given the time, funding, training, resources and support to:

- Provide advice and support to other staff on child welfare and child protection matters
- Ensure that cover is provided for the role when they are absent
- Take part in strategy discussions and inter-agency meetings and/or support other staff to do so
- Refer suspected cases, as appropriate, to the relevant body (e.g. local authority children's social care, Channel programme, Disclosure and Barring Service, and/or police), and support staff who make such referrals directly
- Cooperate with any requests for information from legitimate authorities.
- Monitor operations to ensure that all staff receive appropriate safeguarding/child protection training and training records are maintained

The DSL will also keep SP Tutors' directors informed of any issues, and liaise with local authority case managers and designated officers for child protection concerns as appropriate.

5.4 The headteacher

The headteacher is responsible for the implementation of the school's child protection procedures, including:

- Ensuring that SP Tutors' staff are informed of the school's child protection procedures as part of their school-centred training prior to tutoring taking place
- Ensuring that SP Tutors' staff know who the school's DSL and any deputies are, have contact details and know how to raise concerns with them
- Acting as the 'case manager' in the event of an allegation of abuse made against another member of staff, including supply staff, volunteers and contactors, where appropriate (see appendix 3)
- Ensuring appropriate supervision of tutors, where applicable

6. Confidentiality

- Timely information sharing is essential to effective safeguarding
- Fears about sharing information must not be allowed to stand in the way of the need to promote the welfare, and protect the safety, of children
- The Data Protection Act (DPA) 2018 and GDPR do not prevent, or limit, the sharing of information for the purposes of keeping children safe
- If staff need to share 'special category personal data', the DPA 2018 contains 'safeguarding of children and individuals at risk' as a processing condition that allows practitioners to share information without consent if it is not possible to gain consent, it cannot be reasonably expected that a practitioner gains consent, or if to gain consent would place a child at risk
- Under Schedule 3, Part 4, Paragraph 19 of the DPA 2018 schools are exempt from providing pupils' personal data where the serious harm test is met. For example, in a situation where a child is in a refuge or another form of emergency accommodation, and the serious harm test is met. Where in doubt we may seek independent legal advice.
- Staff should never promise a child that they will not tell anyone about a report of abuse, as this may not be in the child's best interests
- The government's [information sharing advice for safeguarding practitioners](#) includes 7 'golden rules' for sharing information, and will support staff who have to make decisions about sharing information
- If staff are in any doubt about sharing information, they should speak to the DSL (or deputy)
- Confidentiality is also addressed in this policy with respect to record-keeping in section 13, and allegations of abuse against staff in appendix 3

7. Recognising abuse and taking action

All staff must follow the procedures set out below in the event of a safeguarding issue.

7.1 If a child is in immediate danger

Make a referral to children's social care and/or the police **immediately** if a child is in immediate danger or at risk of harm. **Anyone can make a referral.** The NPCC's [When to call the police](#) should help staff to understand when to consider calling the police and what to expect when they do.

Tell the school's DSL (see section 5.2) immediately if you make a referral directly and also inform the SP Tutors' DSL, who will complete the safeguarding log.

Local procedures for making a referral, as agreed with the local safeguarding partners, should be set out in each school's child protection procedures.

The following link to the GOV.UK webpage for reporting child abuse to your local council, allows you to enter your postcode and provides contact details for your local authority:

<https://www.gov.uk/report-child-abuse-to-local-council>

7.2 If a child makes a disclosure to you

If a child discloses a safeguarding issue to you, you should:

- Listen to and believe them. Allow them time to talk freely and do not ask leading questions
- Stay calm and do not show that you are shocked or upset
- Tell the child they have done the right thing in telling you. Do not tell them they should have told you sooner
- Reassure them that they are being taken seriously and that they will be supported and kept safe. Never give the impression that they are creating a problem by reporting abuse, sexual violence or sexual harassment. Children and young people should never be made to feel ashamed for making a report.
- Explain what will happen next and that you will have to pass this information on. Do not promise to keep it a secret
- Write up your conversation as soon as possible in the child's own words. Stick to the facts, and do not put your own judgement on it. Record the disclosure following the school's child protection procedures, sign and date the write-up and pass it on to the DSL at the school without delay. Inform SP Tutors' DSL who will complete the safeguarding log. If, in an exceptional circumstance where a child is in immediate danger, you make a referral to children's social care and/or the police directly (see 7.1), tell the school's DSL immediately that you have done so.

7.3 If you discover that FGM has taken place or a pupil is at risk of FGM

The Department for Education's Keeping Children Safe in Education (September 2021) explains that FGM comprises "all procedures involving partial or total removal of the external female genitalia, or other injury to the female genital organs".

FGM is illegal in the UK and a form of child abuse with long-lasting, harmful consequences. It is also known as 'female genital cutting', 'circumcision' or 'initiation'.

Possible indicators that a pupil has already been subjected to FGM, and factors that suggest a pupil may be at risk, are set out in appendix 4.

All staff should speak to the school's DSL and follow local safeguarding procedures with regard to any concerns about FGM. There is a specific **legal duty on teachers**. If a teacher, in the course of their work in the profession, discovers that an act of FGM appears to have been carried out on a girl under the age of 18, the teacher must report this to the police. This is a statutory duty, and teachers will face disciplinary sanctions for failing to meet it.

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

7.4 If you have concerns about a child (as opposed to a child being in immediate danger)

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

Where possible, speak to the school's DSL first to agree a course of action. Alternatively, make a referral to local authority children's social care directly (see 'Referral' below). Sources of advice before making a referral to the local authority should be in each school's child protection procedures.

You can also contact the charity NSPCC on 0808 800 5000 if you need advice on the appropriate action. If a referral is made, inform the DSL at the school and then inform SP Tutors' DSL, who will complete the safeguarding log.

Early help

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

- is disabled and has specific additional needs;
- has special educational needs (whether or not they have a statutory education, health and care plan);
- is a young carer;
- is showing signs of being drawn in to anti-social or criminal behaviour, including gang involvement and association with organised crime groups;
- is frequently missing/goes missing from care or from home;
- is misusing drugs or alcohol themselves;
- is at risk of modern slavery, trafficking or exploitation;
- is in a family circumstance presenting challenges for the child, such as substance abuse, adult mental health problems or domestic abuse;
- has returned home to their family from care;
- is showing early signs of abuse and/or neglect;
- is at risk of being radicalised or exploited;
- is a privately fostered child.

If early help is appropriate, the school's DSL will liaise with other agencies and set up an inter-agency assessment as appropriate. The school's DSL will keep the case under constant review and will consider a referral to local authority children's social care if the situation does not seem to be improving. If the school's DSL makes a referral, SP Tutors' staff must inform SP Tutors' DSL, who will complete the safeguarding log.

Referral

If it is appropriate to refer the case to local authority children's social care or the police, the school's DSL will make the referral.

If you make a referral directly (see section 7.1), you must tell the school's DSL immediately and then inform SP Tutors' DSL, who will complete the safeguarding log.

The school's DSL may seek external advice before making a referral (each school's child protection procedures should include details of local sources of advice). However, this should not delay the referral. The school's DSL will make the referral according to the locally agreed timescales and procedures (details should be in each school's child protection procedures). The school's DSL should inform parents that they have made a referral, if the parent does not already know, and if there is no reason not to let them know. The local authority may suggest delaying informing the parent in cases of suspected physical or sexual abuse, or where informing the parent might put the child at further risk, to prevent the child being harmed or intimidated (and retracting their disclosure) or in cases of suspected Fabricated or Induced Illness.

Whilst tuition continues, the school's DSL will share any relevant updates with the tutor and with SP Tutors' DSL as per Section 8 of the school's contract with SP Tutors.

The local authority will make a decision within one working day of a referral about what course of action to take and will let the person who made the referral know the outcome. The school's DSL or person who made the referral must follow up with the local authority if this information is not made available, and ensure outcomes are properly recorded.

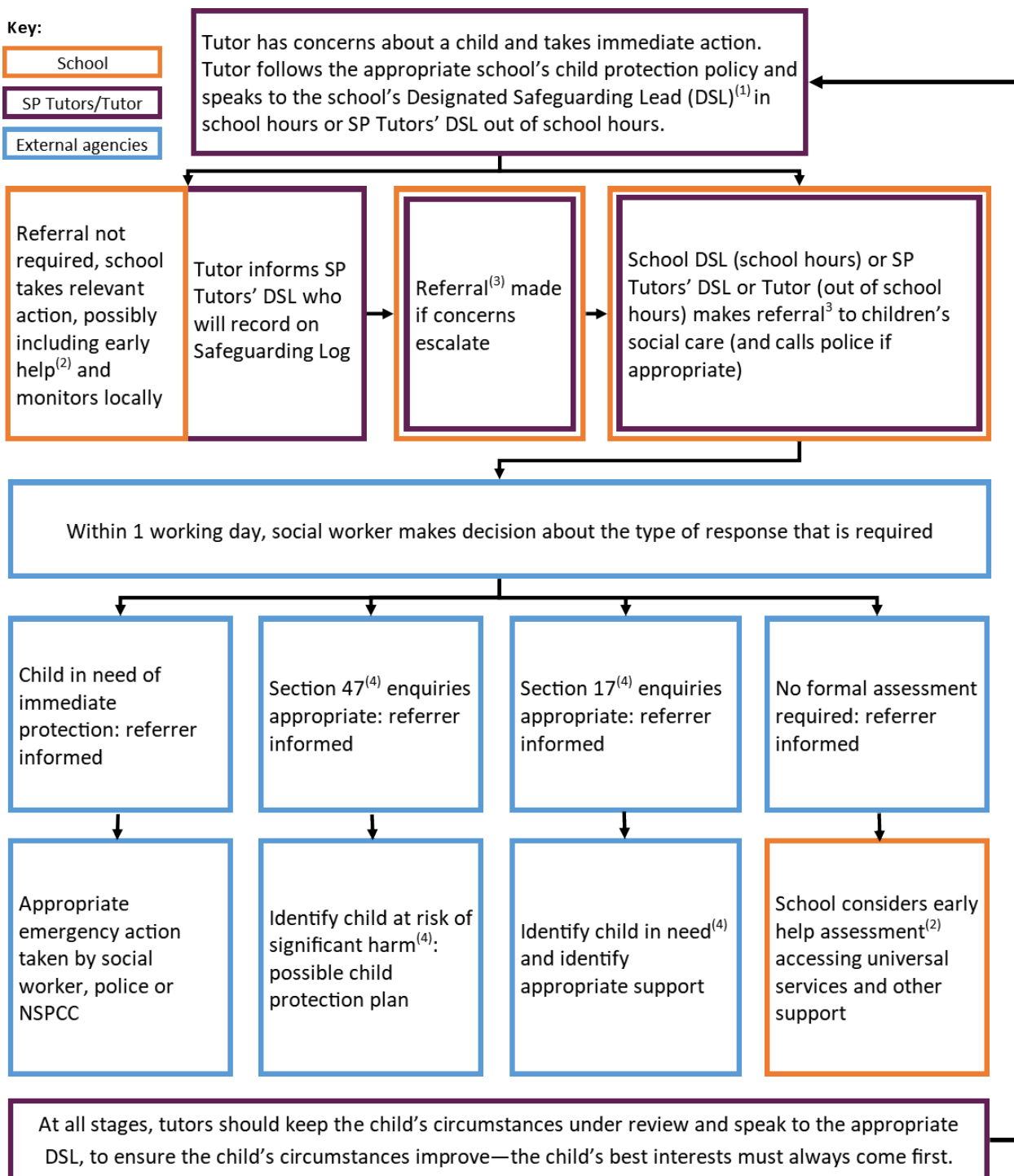
If the child's situation does not seem to be improving after the referral, the school's DSL must contact the local authority and make sure the case is reconsidered to ensure the concerns have been addressed and the child's situation improves.

7.5 If you have concerns about extremism

If a child is not at immediate risk of harm, where possible, speak to the school's DSL first to agree a course of action. Alternatively, make a referral to local authority children's social care directly if appropriate (see 'Referral' above). Where there is a concern, the DSL will consider the level of risk and decide which agency to make a referral to. This could include Channel, the government's programme for identifying and supporting individuals at risk of being drawn into terrorism, or the local authority children's social care team. The Department for Education also has a dedicated telephone helpline, 020 7340 7264, that can be called to raise concerns about extremism with respect to a pupil. You can also email counter.extremism@education.gov.uk. Note that this is not for use in emergency situations. In an emergency, call 999 or the confidential anti-terrorist hotline on 0800 789 321 if you:

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

Figure 1: Actions where there are concerns about a child



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

7.6 Concerns about a staff member, including supply staff, volunteers and contractors

If you have concerns about a member of school staff, including supply staff, volunteers and contractors, speak to the headteacher of the school. If you have concerns about the headteacher speak to the chair of the local governing body (LGB). Details of the headteacher and chair of the LGB should be in the school's child protection procedures.

The headteacher/chair of the LGB will then follow the procedures set out in appendix 3. If you have concerns about a tutor, speak to the headteacher of the school and inform SP Tutors' DSL without delay. The headteacher will then follow the procedures set out in appendix 3, if appropriate.

If you have concerns about a member of SP Tutors' central team, speak to one of the directors. They will then follow the procedures set out in appendix 3.

7.7 Peer on peer (child on child) abuse, including sexual violence and sexual harassment

All staff should be aware that children can abuse other children (often referred to as peer on peer abuse) and that it can happen both inside and outside of school, and online. It is important that all staff recognise the indicators and signs of peer on peer abuse and know how to identify it and respond to reports. Peer on peer abuse is most likely to include, but may not be limited to:

- Bullying (including cyberbullying, prejudice-based and discriminatory bullying) (see the DfE (Department for Education) guidance for schools on [preventing and responding to bullying](#));
- Abuse in intimate personal relationships between peers;
- Physical abuse such as hitting, kicking, shaking, biting, hair pulling or otherwise causing physical harm (this may include an online element which facilitates, threatens and/or encourages physical abuse);
- Sexual violence, such as rape, assault by penetration and sexual assault (this may include an online element which facilitates, threatens and/or encourages sexual violence) (see appendix 4 and [Sexual violence and sexual harassment between children in schools and colleges](#));
- Sexual harassment, such as sexual comments, remarks, jokes and online sexual harassment, which may be standalone or part of a broader pattern of abuse (see appendix 4 and [Sexual violence and sexual harassment between children in schools and colleges](#));
- Causing someone to engage in sexual activity without consent, such as forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party;
- Consensual and non-consensual sharing of nude and semi-nude images and/or videos (also known as sexting or youth produced sexual imagery);
- 'Upskirting' which typically involves taking a picture under a person's clothing (not necessarily a skirt) without their permission, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm. It is a criminal offence. Anyone of any sex, can be a victim; and
- Initiation/hazing type violence and rituals (this could include activities involving harassment, abuse or humiliation used as a way of initiating a person into a group and may also include an online element).

Addressing inappropriate behaviour (even if it appears to be relatively innocuous) can be an important intervention that helps prevent problematic, abusive and/or violent behaviour in the future. SP Tutors staff (including Tutors and Central Team staff) and school staff should respond to all reports or concerns of child-on-child sexual violence and sexual harassment, including those that have happened outside of the school premises or online.

Some groups are potentially more at risk of peer on peer abuse. Evidence shows girls, children with special educational needs and disabilities (SEND) and LGBT children are at greater risk. Whilst any report of sexual violence or sexual harassment should be taken seriously, staff should be aware it is more likely that girls will be the victims of sexual violence and sexual harassment and more likely it will be perpetrated by boys.

Even if there are no reports of peer on peer abuse in a school, it does not mean it is not happening, it may be the case that it is just not being reported. If staff have any concerns regarding peer on peer abuse they should speak to the school's DSL.

Schools' behaviour policies should be clear about their zero-tolerance approach to sexual harassment and online sexual abuse, including sanctions when appropriate.

If a pupil makes an allegation of abuse against another pupil (see also section 7.2 above, entitled, 'If a child makes a disclosure to you'):

- You must immediately record the allegation and tell the school's DSL or out-of-hours DSL, but do not investigate it
- The appropriate DSL will contact the local authority children's social care team and follow its advice, as well as the police if the allegation involves a potential criminal offence

- Whenever sexual violence has occurred or is disclosed the appropriate DSL will ensure that both the “victim(s)” and the “perpetrator(s)” are formally referred to children’s social care. This will be in addition to reporting the matter to the Police. Sexual violence includes rape, assault by penetration and sexual assault. Children under 10 are below the age of criminal responsibility. Therefore, if they engage in peer on peer abuse it is referred to as harmful sexualised behaviour rather than sexual assault. However, this should not deter schools from taking it seriously and formally referring both the “victim(s)” and the “perpetrators(s)” to children’s social care.
- The appropriate DSL will record a risk assessment, and support and protection plan for all children involved – the victim(s), the child(ren) against whom the allegation has been made and any other child affected – with a named adult they can talk to if needed (the choice of any such adult should be the child’s). Schools should not wait for the outcome (or even the start) of a police investigation before protecting the victim, alleged perpetrator(s) and other children in the school.
- The appropriate DSL will make referrals to sources of support as appropriate (see Part five of Keeping children safe in education (September 2021) for examples)
- All concerns, discussions and decisions made, and the reasons for those decisions, should be recorded in writing. Records should be reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified and addressed.

It is important to note that children may not find it easy to tell staff about their abuse verbally. Children can show signs or act in ways that they hope adults will notice and react to. In some cases, the victim may not make a direct report. For example, a friend may make a report or a member of staff may overhear a conversation that suggests a child has been harmed or a child’s own behaviour might indicate that something is wrong. If staff have any concerns about a child’s welfare, they should act on them immediately rather than wait to be told.

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

- challenging inappropriate behaviours, including any form of derogatory or sexualised language;
- making clear that sexual violence and sexual harassment are not acceptable, will never be tolerated and are not an inevitable part of growing up;
- not tolerating or dismissing sexual violence or sexual harassment as “banter”, “part of growing up”, “just having a laugh” or “boys being boys”;
- challenging physical behaviours (potentially criminal in nature), such as grabbing bottoms, breasts and genitalia, pulling down trousers, flicking bras and lifting up skirts. Dismissing or tolerating such behaviours risks normalising them;
- ensuring staff are trained to understand that a pupil harming a peer could be a sign that the child is being abused themselves, and that this would fall under the scope of this policy

7.8 The use of ‘reasonable force’

There are circumstances where it is appropriate for staff in schools to use reasonable force to safeguard children and young people. The term ‘reasonable force’ covers the broad range of actions used by staff that involve a degree of physical contact to control or restrain children. This can range from guiding a child to safety by the arm, to more extreme circumstances such as breaking up a fight or where a young person needs to be restrained to prevent violence or injury. ‘Reasonable’ in these circumstances means ‘using no more force than is needed.’ The use of force may involve either passive physical contact, such as standing between pupils or blocking a pupil’s path, or active physical contact such as leading a pupil by the arm out of the classroom. There should be a section in the school’s behaviour policy or a separate policy covering the use of reasonable force. Staff should request this prior to tutoring in the school.

7.9 Contextual safeguarding

All staff should be aware that safeguarding incidents and/or behaviours can be associated with factors outside the school and/or can occur between children outside of the school environment. All staff, but especially the school’s designated safeguarding lead (and deputies) should consider whether children are at risk of abuse or exploitation in situations outside their families. Extra-familial harms take a variety of different forms and children can be vulnerable to multiple harms including (but not limited to) sexual exploitation, criminal exploitation, and serious youth violence.

7.10 Child Sexual Exploitation (CSE) and Child Criminal Exploitation (CCE)

Both CSE and CCE are forms of abuse that occur where an individual or group takes advantage of an imbalance in power to coerce, manipulate or deceive a child into taking part in sexual or criminal activity, in exchange for something the victim needs or wants, and/or for the financial advantage or increased status of the perpetrator or facilitator and/or through violence or the threat of violence. CSE and CCE can affect both male and female children and can include children who have been moved (commonly referred to as

trafficking) for the purpose of exploitation. More information including definitions and indicators are included in Annex B of Keeping Children Safe in Education (September 2021).

Children can become trapped by criminal exploitation as perpetrators can threaten victims (and their families) with violence or entrap and coerce them into debt. They may be coerced into carrying weapons such as knives or begin to carry a knife for a sense of protection from harm from others. As children involved in criminal exploitation often commit crimes themselves, their vulnerability as victims is not always recognised by adults and professionals, (particularly older children), and they are not treated as victims despite the harm they have experienced. They may still have been criminally exploited even if the activity appears to be something they have agreed or consented to.

Professionals should be aware that girls (as well as boys) are at risk of criminal exploitation. Both boys and girls at risk of criminal exploitation may be at higher risk of sexual exploitation.

CSE is a form of child sexual abuse. Sexual abuse may involve physical contact, including assault by penetration (for example, rape or oral sex) or nonpenetrative acts such as masturbation, kissing, rubbing, and touching outside clothing. It may include non-contact activities, such as involving children in the production of sexual images, forcing children to look at sexual images or watch sexual activities, encouraging children to behave in sexually inappropriate ways or grooming a child in preparation for abuse including via the internet.

CSE can occur over time or be a one-off occurrence, and may happen without the child's immediate knowledge e.g. through others sharing videos or images of them on social media. CSE can affect any child, who has been coerced into engaging in sexual activities. This includes 16 and 17 year olds who can legally consent to have sex. Some children may not realise they are being exploited e.g. they believe they are in a genuine romantic relationship.

7.11 Serious violence

All staff should be aware of indicators, which may signal that children are at risk from, or are involved with serious violent crime. These may include increased absence from school, a change in friendships or relationships with older individuals or groups, a significant decline in performance, signs of self-harm or a significant change in wellbeing, or signs of assault or unexplained injuries. Unexplained gifts or new possessions could also indicate that children have been approached by, or are involved with, individuals associated with criminal networks or gangs and may be at risk of criminal exploitation (see section 7.10, above).

All staff should be aware of the range of risk factors which increase the likelihood of involvement in serious violence, such as being male, having been frequently absent or permanently excluded from school, having experienced child maltreatment and having been involved in offending, such as theft or robbery. Advice for schools is provided in the Home Office's [Preventing youth violence and gang involvement](#) and its [Criminal exploitation of children and vulnerable adults: county lines guidance](#)

The appropriate DSL will ensure that formal referrals are made to children's social care for any pupils about whom there are CCE concerns or who are at risk from or involved with serious violent crime.

7.12 Mental health

Tutors have an important role to play in supporting the mental health and wellbeing of their pupils. All staff should be aware that mental health problems can, in some cases, be an indicator that a child has suffered or is at risk of suffering abuse, neglect or exploitation.

Only appropriately trained professionals should attempt to make a diagnosis of a mental health problem.

Tutors however, are well placed to observe children and identify those whose behaviour suggests that they may be experiencing a mental health problem or be at risk of developing one.

Where children have suffered abuse and neglect, or other potentially traumatic adverse childhood experiences (ACEs), this can have a lasting impact throughout childhood, adolescence and into adulthood. It is key that staff are aware of how these children's experiences, can impact on their mental health, behaviour and education.

If staff have a mental health concern about a child that is also a safeguarding concern, immediate action should be taken, following the school's child protection procedures and speaking to the appropriate DSL.

Schools can access a range of advice to help them identify children in need of extra mental health support, this includes working with external agencies. More information can be found in the [mental health and behaviour in schools](#) guidance. Public Health England has produced a range of resources to support secondary school teachers to promote positive health, wellbeing and resilience among children. See [Rise Above](#) for links to all materials and lesson plans.

7.13 Children who need a social worker (Child in Need and Child Protection Plans)

Children may need a social worker due to safeguarding or welfare needs. Children may need this help due to abuse, neglect and complex family circumstances. A child's experiences of adversity and trauma can leave them vulnerable to further harm, as well as educationally disadvantaged in facing barriers to attendance, learning, behaviour and mental health.

Local authorities should share the fact a child has a social worker, and the school's DSL should hold and use

this information so that decisions can be made in the best interests of the child's safety, welfare and educational outcomes. This should be considered as a matter of routine.

Where children need a social worker, this should inform decisions about safeguarding (for example, responding to unauthorised absence or missing education where there are known safeguarding risks) and about promoting welfare (for example, considering the provision of pastoral and/or academic support, alongside action by statutory services).

8. Notifying parents

Where appropriate, the school will discuss any concerns about a child with the child's parents. The school DSL will normally do this in the event of a suspicion or disclosure.

SP Tutors' staff will only talk to parents about any such concerns following consultation with the appropriate DSL.

If the appropriate DSL believes that notifying the parents would increase the risk to the child, they will discuss this with the local authority children's social care team before doing so.

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

9. Pupils with special educational needs and disabilities

We recognise that pupils with special educational needs and disabilities (SEND) can face additional safeguarding challenges. Additional barriers can exist when recognising abuse and neglect in this group, including:

- Assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability without further exploration
- Pupils being more prone to peer group isolation than other pupils
- The potential for pupils with SEND being disproportionately impacted by behaviours such as bullying, without outwardly showing any signs
- Communication barriers and difficulties in overcoming these barriers

10. Online safety

It is essential that children are safeguarded from potentially harmful and inappropriate online material. Schools should adopt whole school approaches to online safety to protect and educate pupils, students and staff in their use of technology and establish mechanisms to identify, intervene and escalate concerns as appropriate.

Each school's approach to online safety should be reflected in its child protection procedures, which may refer to a separate online safety policy. Schools' approaches should reflect the four areas of risk, categorised in KCSiE:

- **content:** being exposed to illegal, inappropriate or harmful content, for example: pornography, fake news, racism, misogyny, self-harm, suicide, anti-Semitism, radicalisation and extremism.
- **contact:** being subjected to harmful online interaction with other users; for example: peer to peer pressure, commercial advertising and adults posing as children or young adults with the intention to groom or exploit them for sexual, criminal, financial or other purposes.
- **conduct:** personal online behaviour that increases the likelihood of, or causes, harm; for example, making, sending and receiving explicit images (e.g. consensual and non-consensual sharing of nudes and semi-nudes and/or pornography), sharing other explicit images and online bullying; and
- **commerce:** risks such as online gambling, inappropriate advertising, phishing and or financial scams.

Schools should carefully consider the risks associated with mobile and smart technology and set out clearly how these will be managed on their premises.

Remote learning is covered in the Acceptable Use of ICT Online Safeguarding Policy.

11. Mobile phones and cameras

Staff will not use personal mobile phones and laptops/tablets, or school equipment for personal use, in front of pupils, except in case of emergency.

Where online tuition is provided, sessions must be recorded and stored as follows:

- Bramble automatically stores recordings in the Cloud
- For all other platforms, e.g. Microsoft Teams or Google Meet, it must be stored according to the school's policy and not on the tutor's device

Staff will take care when recording images that pupils are appropriately dressed and are not participating in activities that might bring the individuals, SP Tutors or the school into disrepute. Any personal devices used must not be set to automatically upload images to any shared platforms, e.g. Family Sharing.

We will follow the Data Protection Act 2018 when taking and storing photos and recordings for use by SP Tutors. Please also refer to our data protection policy.

12. Complaints and concerns about safeguarding practices

11.1 Complaints against staff

Complaints against staff that are likely to require a child protection investigation will be handled in accordance with our procedures for dealing with allegations of abuse made against staff (see appendix 3).

11.2 Other complaints

Please refer to our complaints policy.

11.3 Whistleblowing

Please refer to our whistleblowing policy.

13. Record-keeping

All concerns, discussions and decisions made, and the reasons for those decisions, should be recorded in writing. Information should be kept confidential, stored securely and only available to those who have a right or professional need to see it.

Records should include:

- A clear and comprehensive summary of the concern;
- Details of how the concern was followed up and resolved; and
- A note of any action taken, decisions reached and the outcome

If in any doubt about recording requirements, staff should discuss it with the appropriate DSL.

In addition:

- Appendix 2 sets out our policy on record-keeping specifically with respect to recruitment and pre-employment checks
- Appendix 3 sets out our policy on record-keeping with respect to allegations of abuse made against staff

14. Training

Our safeguarding/child protection training framework is set out in the following table:

Recruitment: New staff/ volunteers	Induction: New staff/volunteers	Safeguarding/child protection training for existing staff/volunteers	DSLs and deputies
<p>As part of recruitment all staff and volunteers MUST have safeguarding/child protection training.</p> <p>This MUST be completed before their start date.</p> <p>Accepted training:</p> <p>NSPCC child protection in schools – online course [within the last academic year]</p> <p>Safeguarding/child protection training endorsed by the local safeguarding partners [within the last academic year]</p> <p>Staff/volunteers must submit their certificate as evidence of completed training. These details will be stored in their HR file.</p> <p>Staff and volunteers cannot start until they can evidence they have completed safeguarding/child protection training.</p>	<p>Safeguarding induction packs containing:</p> <ul style="list-style-type: none"> • KCSIE (September 2021) Part one and Annex B for tutors or Annex A only for staff who do not work directly with children • Code of conduct • The school’s child protection procedures • The school’s behaviour policy • This safeguarding policy <p>will be provided to all new staff and volunteers.</p> <p>Evidence of the induction will be in T-Reach, the TutorKnowHow app and in their HR file.</p>	<p>Staff MUST have safeguarding/child protection training, and separate training on online safety, at least every three years.</p> <p>Acceptable safeguarding/child protection training:</p> <p>NSPCC or training endorsed by the three local safeguarding partners.</p> <p>SP Tutors will monitor all staff have been trained on a three-year cycle from their start date.</p> <p>All staff must also complete Prevent awareness e-learning, which should be refreshed at least every three years or whenever the Home Office’s e-learning course is updated</p> <p>In addition, SP Tutors will provide an annual safeguarding/child protection update in preparation for the September term. The updates will reflect changes within statutory requirements and current issues.</p> <p>Staff/volunteers MUST watch the annual safeguarding / child protection update and confirm that they have done so. SP Tutors will keep records of this.</p> <p>Further safeguarding information will be provided through regular newsletters.</p>	<p>DSLs and deputies will complete DSL training (endorsed by the local safeguarding partners) every two years.</p> <p>All DSLs and deputies will keep themselves up to date with emerging safeguarding issues.</p>

15. Monitoring arrangements

This policy will be reviewed **annually** by SP Tutors' DSL and Operations Manager. At every review, it will be approved by SP Tutors' Directors.

16. Links with other policies

This policy links to the following SP Tutors' policies and procedures:

- Staff and persons in a position of trust code of conduct
- Complaints
- Whistleblowing
- Data Protection
- Acceptable use of ICT online safeguarding

It also links to the following school policies and procedures:

- Child protection
- Behaviour
- Curriculum
- Supporting pupils with medical conditions
- Special educational needs and disabilities

Appendix 1: Types of abuse

Abuse, including neglect, and safeguarding issues are rarely standalone events that can be covered by one definition or label. In most cases, multiple issues will overlap.

Physical abuse 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.

Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child's emotional development. Some level of emotional abuse is involved in all types of maltreatment of a child, although it may occur alone.

Emotional abuse 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
- Not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate
- 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
- Seeing or hearing the ill-treatment of another
- Serious bullying (including cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children

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
- Non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet)

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

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

Once a child is born, neglect may involve a parent or carer failing to:

- Provide adequate food, clothing and shelter (including exclusion from home or abandonment)
- Protect a child from physical and emotional harm or danger
- Ensure adequate supervision (including the use of inadequate care-givers)
- Ensure access to appropriate medical care or treatment

It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

Appendix 2: Safer recruitment and DBS checks – policy and procedures

We will record all information on the checks carried out. Copies of the checks, where appropriate, will be held in individuals' HR files. We follow requirements in retaining copies of these checks, as set out below.

Appointing new staff

When appointing new staff, we will:

- Verify their identity. It is important to ensure the person is who they claim to be, this includes being aware of the potential for individuals to change their name. Best practice is to check the name on their birth certificate, where it is available.
- Obtain (via the applicant) an enhanced Disclosure and Barring Service (DBS) certificate, including barred list information for those who will be engaging in regulated activity (see definition below).
- Obtain a separate barred list check if they will start work in regulated activity before the DBS certificate is available
- Verify their right to work in the UK. We will keep a copy of this verification for the duration of the member of staff's employment and for 2 years afterwards
- Verify their professional qualifications, as appropriate
- Ensure they are not subject to a prohibition order if they are employed to undertake teaching work
- Carry out further additional checks, as appropriate, on candidates who have lived or worked outside of the UK.
- Require a full, written employment history, (since leaving school, including education, employment and voluntary work) including reasons for any gaps in employment
- Seek references on all candidates, including internal candidates. We will scrutinise these and resolve any concerns before confirming appointments. References should always be obtained from the candidate's current employer. Where a candidate is not currently employed, verification of their most recent period of employment and reasons for leaving should be obtained from the organisation at which they were employed. If a candidate is not currently working with children but has done so previously, secure a reference from the relevant employer from the last time they worked with children. References should be completed by a senior person with appropriate authority (if the referee is school or college based, the reference should be confirmed by the headteacher/principal as accurate in respect of disciplinary investigations).

Regulated activity means a person who will be:

- Responsible, on a regular basis in a school or college, for teaching, training, instructing, caring for or supervising children
- Carrying out paid, or unsupervised unpaid, work regularly in a school or college where that work provides an opportunity for contact with children
- Engaging in intimate or personal care or overnight activity, even if this happens only once and regardless of whether they are supervised or not

Existing staff

If we have concerns about an existing member of staff's suitability to work with children, we will carry out all the relevant checks as if the individual was a new member of staff. We will also do this if an individual moves from a post that is not regulated activity to one that is.

We will refer to the DBS anyone who has harmed, or poses a risk of harm, to a child or vulnerable adult:

- Where the 'harm test' is satisfied in respect of the individual (i.e. that no action or inaction occurred but the present risk that it could was significant)
- Where the individual has received a caution or conviction for a relevant offence
- If there is reason to believe that the individual has committed a listed relevant offence, under the [Safeguarding Vulnerable Groups Act 2006 \(Prescribed Criteria and Miscellaneous Provisions\) Regulations 2009](#)
- If the individual has been removed from working in regulated activity (paid or unpaid) or would have been removed if they had not left

Volunteers

We will:

- Never leave an unchecked volunteer unsupervised or allow them to work in regulated activity
- Obtain an enhanced DBS check with barred list information for all volunteers who are working in regulated activity
- Obtain an enhanced DBS check without barred list information for all volunteers who are not in regulated activity, but who have an opportunity to come into contact with children on a regular basis, for example, supervised volunteers
- Record a risk assessment when deciding whether to seek an enhanced DBS check for any volunteers not engaging in regulated activity

Private fostering

Private fostering occurs when a child under the age of 16 (under 18, if disabled) is provided with care and accommodation by a person who is not a parent, person with parental responsibility for them or a relative, in their own home. A child is not privately fostered if the person caring for and accommodating them has done so for less than 28 days and does not intend to do so for longer. Such arrangements may come to the attention of staff through the normal course of their interaction, and promotion of learning activities, with children. Staff should notify the appropriate DSL as soon as they become aware of private fostering arrangements. The school will then notify the local authority to allow the local authority to check the arrangement is suitable and safe for the child. A link to comprehensive guidance on the circumstances in which private fostering may arise can be found at Annex A of Keeping Children Safe in Education (September 2021).

Appendix 3: Allegations made against/concerns raised in relation to staff or volunteers

This appendix is divided into two parts: the first covers allegations that may meet the harms threshold, whilst the second covers allegations/concerns that do not meet the harms threshold (referred to in Part four of KCSiE as 'low level concerns').

Part one: allegations that meet the harms threshold

This section of the policy applies to all cases in which it is alleged that a current member of staff or volunteer has:

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

It applies regardless of whether the alleged abuse took place in a school. Where an allegation might meet the harms threshold, above, we will follow the guidance in Part four of Keeping Children Safe in Education. Where an adult makes an allegation to a school that they were abused as a child, the individual should be advised to report the allegation to the police. Non-recent allegations made by a child, should be reported to the LADO in line with the local authority's procedures for dealing with non-recent allegations. The LADO will coordinate with children's social care and the police. Abuse can be reported no matter how long ago it happened.

We will deal with any allegation of abuse against a member of staff or volunteer very quickly, in a fair and consistent way that provides effective child protection while also supporting the individual who is the subject of the allegation.

Our procedures for dealing with allegations will be applied with common sense and judgement.

Suspension

Suspension will not be the default position, and will only be considered in cases where there is reason to suspect that a child or other children is/are at risk of harm, or the case is so serious that it might be grounds for dismissal. In such cases, we will only suspend an individual if we have considered all other options available and there is no reasonable alternative.

Based on an assessment of risk, we will consider alternatives such as:

- Redeployment within the school so that the individual does not have direct contact with the child or children concerned
- Moving the child or children to another tutor where they will not come into contact with the individual, making it clear that this is not a punishment and parents have been consulted
- Redeploying the individual to another role in a different location, for example to an alternative school

Definitions for outcomes of allegation investigations

- **Substantiated:** there is sufficient evidence to prove the allegation
- **Malicious:** there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive
- **False:** there is sufficient evidence to disprove the allegation
- **Unsubstantiated:** there is insufficient evidence to either prove or disprove the allegation (this does not imply guilt or innocence)
- **Unfounded:** to reflect cases where there is no evidence or proper basis which supports the allegation being made

Procedure for dealing with allegations

In the event of an allegation that meets the harms threshold above, the headteacher will take the following steps:

- Immediately discuss the allegation with the designated officer at the local authority. This is to

consider the nature, content and context of the allegation and agree a course of action, including whether further enquiries are necessary to enable a decision on how to proceed, and whether it is necessary to involve the police and/or children's social care services. (The headteacher may, on occasion, consider it necessary to involve the police *before* consulting the LADO – for example, if the accused individual is deemed to be an immediate risk to children or there is evidence of a possible criminal offence. In such cases, the headteacher will notify the LADO as soon as practicably possible after contacting the police)

- Inform SP Tutors' DSL and in their absence one of the deputy/alternate DSLs

The LADO will determine who the case manager is. The case manager will:

- Inform the accused individual of the concerns or allegations and likely course of action as soon as possible after speaking to the LADO (and the police or children's social care services, where necessary). Where the police and/or children's social care services are involved, the case manager will only share such information with the individual as has been agreed with those agencies
- Where appropriate (in the circumstances described above), carefully consider whether suspension of the individual from contact with children is justified or whether alternative arrangements such as those outlined above can be put in place. Advice will be sought from the LADO, police and/or children's social care services, as appropriate. Before an employee is suspended, the case manager must discuss it with the directors of SP Tutors, without delay.
- **If immediate suspension is considered necessary**, agree and record the rationale for this with the LADO. The record will include information about the alternatives to suspension that have been considered, and why they were rejected. Written confirmation of the suspension will be provided to the individual facing the allegation or concern, via SP Tutors within 1 working day, and the individual will be given a named contact at SP Tutors and their contact details
- **If it is decided that no further action is to be taken** in regard to the subject of the allegation or concern, record this decision and the justification for it and agree with the LADO what information should be put in writing to the individual and by whom, as well as what action should follow both in respect of the individual and those who made the initial allegation
- **If it is decided that further action is needed**, take steps as agreed with the LADO to initiate the appropriate action and/or liaise with the police and/or children's social care services as appropriate
- SP Tutors will provide effective support for the individual facing the allegation or concern, including appointing a named representative to keep them informed of the progress of the case and consider what other support is appropriate. The individual facing the allegation may wish to call the Education Support Partnership, free on 08000 562 561 or visit their website at www.educationsupportpartnership.org.uk
- Inform the parents or carers of the child/children involved about the allegation as soon as possible if they do not already know (following agreement with children's social care services and/or the police, if applicable). The case manager will also inform the parents or carers of the requirement to maintain confidentiality about any allegations made against teachers (where this applies) while investigations are ongoing. Any parent or carer who wishes to have the confidentiality restrictions removed in respect of a teacher will be advised to seek legal advice
- Keep the parents or carers of the child/children involved informed of the progress of the case and the outcome, where there is not a criminal prosecution, including the outcome of any disciplinary process (in confidence)
- Make a referral to the DBS where it is thought that the individual facing the allegation or concern has engaged in conduct that harmed or is likely to harm a child, or if the individual otherwise poses a risk of harm to a child

Schools with Early Years provision will inform Ofsted of any allegations of serious harm or abuse by any person living, working, or looking after children at the premises (whether the allegations relate to harm or abuse committed on the premises or elsewhere), and any action taken in respect of the allegations. This notification will be made as soon as reasonably possible and always within 14 days of the allegations being made.

If SP Tutors is made aware that the secretary of state has made an interim prohibition order in respect of an individual, we will immediately suspend that individual from teaching, pending the findings of the investigation by the Teaching Regulation Agency (TRA).

Where the police are involved, wherever possible SP Tutors will ask the police at the start of the investigation to obtain consent from the individuals involved to share their statements and evidence for use in our disciplinary process, should this be required at a later point.

Timescales

- Any cases where it is clear immediately that the allegation is unsubstantiated or malicious will be resolved within 1 week
- If the nature of an allegation does not require formal disciplinary action, we will instigate appropriate action within 3 working days
- If a disciplinary hearing is required and can be held without further investigation, we will hold this within 15 working days

Specific actions

Action following a criminal investigation or prosecution

The case manager will discuss with the local authority's designated officer (LADO) whether any further action, including disciplinary action, is appropriate and, if so, how to proceed, taking into account information provided by the police and/or children's social care services.

Conclusion of a case where the allegation is substantiated

If the allegation is substantiated and the individual is dismissed or SP Tutors ceases to use their services, or the individual resigns or otherwise ceases to provide their services, the case manager will discuss with the LADO whether to make a referral to the DBS for consideration of whether inclusion on the barred lists is required.

If the individual concerned is a member of teaching staff, the case manager will discuss with the LADO whether to refer the matter to the Teaching Regulation Agency (TRA) to consider prohibiting the individual from teaching.

Individuals returning to work after suspension

If it is decided on the conclusion of a case that an individual who has been suspended can return to work, SP Tutors' DSL in consultation with the Head Teacher(s) will consider how best to facilitate this. They will also consider how best to manage the individual's contact with the child or children who made the allegation, if they are still attending the school.

Malicious allegations

If an allegation is shown to be deliberately invented, or malicious, the headteacher will consider whether any disciplinary action is appropriate against the pupil(s) who made it, or whether the police should be asked to consider whether action against those who made the allegation might be appropriate, even if they are not a pupil.

Confidentiality

SP Tutors will make every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered.

The case manager will take advice from the local authority's designated officer (LADO), police and children's social care services, as appropriate, to agree:

- Who needs to know about the allegation and what information can be shared
- How to manage speculation, leaks and gossip, including how to make parents or carers of a child/children involved aware of their obligations with respect to confidentiality
- What, if any, information can be reasonably given to the wider community to reduce speculation
- How to manage press interest if, and when, it arises

Record-keeping

SP Tutors will maintain clear records about any case where the allegation or concern meets the criteria above and store them on the individual's confidential HR file for the duration of the case. Such records will include:

- A clear and comprehensive summary of the allegation
- Details of how the allegation was followed up and resolved
- Notes of any action taken and decisions reached (and justification for these, as stated above)

If an allegation or concern is not found to have been malicious, SP Tutors will retain the records of the

case on the individual's confidential HR file, and provide a copy to the individual. We will retain these records at least until the individual has reached normal pension age, or for 10 years from the date of the allegation if that is longer.

The records of any allegation that is found to be malicious will be deleted from the individual's HR file.

References

When providing employer references, we will not refer to any allegation that has been proven to be false, unsubstantiated, malicious or unfounded, or any history of allegations where all such allegations have been proven to be false, unsubstantiated, malicious or unfounded.

Learning lessons

After any cases where the allegations are *substantiated*, we will review the circumstances of the case with the local authority's designated officer (LADO) to determine whether there are any improvements that we can make to SP Tutors' procedures or practice to help prevent similar events in the future.

This will include consideration of (as applicable):

- Issues arising from the decision to suspend the member of staff
- The duration of the suspension
- Whether or not the suspension was justified
- The use of suspension when the individual is subsequently reinstated. We will consider how future investigations of a similar nature could be carried out without suspending the individual

Part two: concerns that do not meet the harms threshold

As part of our approach to safeguarding, we promote an open and transparent culture in which all concerns about all adults working on our behalf are dealt with promptly and appropriately.

Low level concerns

The term 'low level' concern does not mean that it is insignificant, it means that the behaviour does not meet the harms threshold set out above. A low level concern is any concern – no matter how small, and even if no more than causing a sense of unease or a nagging doubt – that an adult working on our behalf may have acted in a way that is inconsistent with the staff (and persons in a position of trust) code of conduct, including inappropriate conduct outside of work, but that does not meet the harms threshold for referral to the LADO. Examples of such behaviour could include, but are not limited to:

- being over friendly with children;
- having favourites;
- taking photographs of children on their mobile phone;
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door; or,
- using inappropriate sexualised, intimidating or offensive language.

Such behaviour can exist on a wide spectrum, from the inadvertent or thoughtless, or behaviour that might look inappropriate but might not be in specific circumstances, through to that which is ultimately intended to enable abuse. Sharing, recording and dealing with low level concerns appropriately not only keeps children safe but also protects those working in or on behalf of schools.

Reporting low level concerns

Low level concerns should be reported as per section 7.6, above.

Staff are encouraged and should feel confident to self-refer where, for example, they have found themselves in a situation which could be misinterpreted, might appear compromising to others, and/or, on reflection, believe they have behaved in a way they consider falls below the expected professional standards.

Recording low level concerns

All low level concerns will be recorded in writing. The record should include details of the concern, the context in which the concern arose, action taken and the rationale for decisions. The name of the individual sharing their concerns should also be noted. If the individual wishes to remain anonymous that should be respected as far as reasonably possible. The records must be kept confidential and held securely. They must be retained at least until the individual leaves the school's/trust's employment.

Responding to low level concerns

Working with the school's headteacher as appropriate, SP Tutors' DSL will collect as much evidence as possible by speaking:

- directly to the person who raised the concern, unless it has been raised anonymously;
- to the individual involved; and,
- to any witnesses.

Records should be reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified. Where a pattern of such behaviour is identified, SP Tutors will decide on a course of action, either through our disciplinary procedures or, where a pattern of behaviour moves from a concern to meeting the harms threshold, it must be referred to the LADO. Consideration should also be given to whether there are wider cultural issues within SP Tutors that enabled the behaviour to occur and, where appropriate, policies should be revised or extra training delivered to minimise the risk of it happening again.

References

Low level concerns should not be included in references unless they relate to issues which would normally be included, for example, misconduct or poor performance. However, where a low level concern (or group of concerns) has met the threshold for referral to the LADO, and been found to be substantiated, it should be referred to in a reference.

Appendix 4: Specific safeguarding issues

Child abduction and community safety incidents

Child abduction is the unauthorised removal or retention of a minor from a parent or anyone with legal responsibility for the child. Child abduction can be committed by parents or other family members; by people known but not related to the victim (such as neighbours, friends and acquaintances); and by strangers.

Other community safety incidents in the vicinity of a school can raise concerns amongst children and parents, for example, people loitering nearby or unknown adults engaging children in conversation.

As children get older and are granted more independence (for example, as they start walking to school on their own) our schools will give them practical advice on how to keep themselves safe. Lessons will focus on building children's confidence and abilities rather than simply warning them about all strangers. Further information is available at: www.actionagainstabduction.org and www.clevernevergoes.org.

Children and the court system

Children are sometimes required to give evidence in criminal courts, either for crimes committed against them or for crimes they have witnessed. There are two age appropriate guides to support children [5-11-year olds](#) and [12-17 year olds](#).

The guides explain each step of the process, support and special measures that are available.

There are diagrams illustrating the courtroom structure and the use of video links is explained.

Making child arrangements via the family courts following separation can be stressful and entrench conflict in families. This can be stressful for children. The Ministry of Justice has launched an online [child arrangements information tool](#) with clear and concise information on the dispute resolution service. This may be useful for some parents and carers.

Children missing from education

A child going missing from education is a potential indicator of abuse or neglect, and such children are at risk of being victims of harm, including sexual abuse or exploitation, child criminal exploitation or radicalisation. There are many circumstances where a child may become missing from education, but some children are particularly at risk. These include children who:

- Are at risk of harm or neglect
- Come from Gypsy, Roma, or Traveller families
- Come from the families of service personnel
- Go missing or run away from home or care
- Are supervised by the youth justice system
- Cease to attend a school
- Come from new migrant families

SP Tutors' system (T-Reach) asks tutors to record pupil attendance and absence from tutoring sessions which is shared with the key teacher. This will contribute to the school's procedures for unauthorised absence and for dealing with children who go missing from education, particularly on repeat occasions, to help identify the risk of abuse and neglect, including sexual exploitation, and to help prevent the risks of going missing in future.

Staff will be trained in signs to look out for and the individual triggers to be aware of when considering the risks of potential safeguarding concerns which may be related to being missing, such as mental health problems, substance abuse, travelling to conflict zones, FGM and forced marriage.

If a staff member suspects that a child is suffering from harm or neglect, they will follow local child protection procedures, informing the appropriate DSL. An immediate referral must be made to the local authority children's social care team, and the police, if the child is in immediate danger or at risk of harm.

Children with family members in prison

Children with family members in prison are at risk of poor outcomes including poverty, stigma, isolation and poor mental health. The National Information Centre on Children of Offenders ([NICCO](#)) provides

information designed to support professionals working with offenders and their children, to help mitigate the negative consequences for those children.

Staff will inform the appropriate DSL if they know a pupil has a family member in prison so that the appropriate DSL can ensure support is in place.

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

We know that different forms of harm often overlap, and that perpetrators may subject children and young people to multiple forms of abuse, such as criminal exploitation (including county lines) and sexual exploitation.

In some cases, the exploitation or abuse will be in exchange for something the victim needs or wants (for example, money, gifts or affection), and/or will be to the financial benefit or other advantage, such as increased status, of the perpetrator or facilitator.

Children can be exploited by adult males or females, as individuals or in groups. They may also be exploited by other children, who themselves may be experiencing exploitation – where this is the case, it is important that the child perpetrator is also recognised as a victim.

Whilst the age of the child may be a contributing factor for an imbalance of power, there are a range of other factors that could make a child more vulnerable to exploitation, including gender, sexual identity, cognitive ability, learning difficulties, communication ability, physical strength, status, and access to economic or other resources.

Some of the following can be indicators of both child criminal and sexual exploitation where children:

- appear with unexplained gifts, money or new possessions;
- associate with other children involved in exploitation;
- suffer from changes in emotional well-being;
- misuse drugs and alcohol;
- go missing for periods of time or regularly come home late; and
- regularly miss school or education or do not take part in education.

Schools should provide children who have been exploited with additional support to help maintain them in education.

CSE 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.

Some additional specific indicators that may be present in CSE are children who:

- have older boyfriends or girlfriends; and
- suffer from sexually transmitted infections, display sexual behaviours beyond expected sexual development or become pregnant.

Further information on signs of a child's involvement in sexual exploitation is available in Home Office guidance: [Child sexual exploitation: guide for practitioners](#)

If a member of staff suspects that a pupil is experiencing CCE or CSE, they will discuss this with the appropriate DSL. The DSL will trigger the local safeguarding procedures, including a referral to the local authority's children's social care team and the police, if appropriate.

County Lines

County lines is a term used to describe gangs and organised criminal networks involved in exporting illegal drugs using dedicated mobile phone lines or other forms of "deal line". This activity can happen locally as well as across the UK - no specified distance of travel is required. Children and vulnerable adults are exploited to move, store and sell drugs and money. Offenders will often use coercion, intimidation, violence (including sexual violence) and weapons to ensure compliance of victims.

Children can be targeted and recruited into county lines in a number of locations including schools (mainstream and special), further and higher educational institutions, pupil referral units, children's homes and care homes.

Children are also increasingly being targeted and recruited online using social media. Children can easily become trapped by this type of exploitation as county lines gangs can manufacture drug debts which need to be worked off or threaten serious violence and kidnap towards victims (and their families) if they attempt to leave the county lines network.

A number of the indicators for CSE and CCE, as detailed above, may be applicable to where children are

involved in county lines. Some additional specific indicators that may be present where a child is criminally exploited through involvement in county lines are children who:

- go missing and are subsequently found in areas away from their home;
- have been the victim or perpetrator of serious violence (e.g. knife crime);
- are involved in receiving requests for drugs via a phone line, moving drugs, handing over and collecting money for drugs;
- are exposed to techniques such as 'plugging', where drugs are concealed internally to avoid detection;
- are found in accommodation that they have no connection with, often called a 'traphouse or cuckooing' or hotel room where there is drug activity;
- owe a 'debt bond' to their exploiters;
- have their bank accounts used to facilitate drug dealing.

Further information on the signs of a child's involvement in county lines is available in guidance published by the [Home Office](#).

If a member of staff suspects that a pupil is exposed to county lines, they will discuss this with the appropriate DSL. The DSL will trigger the local safeguarding procedures, including a referral to the local authority's children's social care team and the police, if appropriate.

Modern slavery and the National Referral Mechanism

Modern slavery encompasses human trafficking and slavery, servitude and forced or compulsory labour. Exploitation can take many forms, including: sexual exploitation, forced labour, slavery, servitude, forced criminality and the removal of organs.

Further information on the signs that someone may be a victim of modern slavery, the support available to victims and how to refer them to the NRM (National Referral Mechanism) is available in the Modern Slavery Statutory Guidance: [Modern slavery: how to identify and support victims](#).

We have a zero-tolerance approach to modern slavery and are committed to acting ethically and with integrity in all our business dealings and relationships and to implementing and enforcing effective systems and controls to ensure modern slavery is not taking place anywhere in our organisation or in any of our supply chains under the Modern Slavery Act 2015.

Cybercrime

Cybercrime is criminal activity committed using computers and/or the internet. It is broadly categorised as either 'cyber-enabled' (crimes that can happen off-line but are enabled at scale and at speed on-line) or 'cyber dependent' (crimes that can be committed only by using a computer). Cyber-dependent crimes include:

- unauthorised access to computers (illegal 'hacking'), for example accessing a school's computer network to look for test paper answers or change grades awarded;
- denial of Service (DoS or DDoS) attacks or 'booting'. These are attempts to make a computer, network or website unavailable by overwhelming it with internet traffic from multiple sources; and,
- making, supplying or obtaining malware (malicious software) such as viruses, spyware, ransomware, botnets and Remote Access Trojans with the intent to commit further offences, including those above.

Children with particular skill and interest in computing and technology may inadvertently or deliberately stray into cyber-dependent crime.

If there are concerns about a child in this area, the appropriate DSL should consider referring into the Cyber Choices programme. This is a nationwide police programme supported by the Home Office and led by the National Crime Agency, working with regional and local policing. It aims to intervene where young people are at risk of committing, or being drawn into, low level cyber-dependent offences and divert them to a more positive use of their skills and interests.

Cyber Choices does not currently cover 'cyber-enabled' crime such as fraud, purchasing of illegal drugs on-line and child sexual abuse and exploitation, nor other areas of concern such as on-line bullying or general on-line safety.

Additional advice can be found at: [Cyber Choices](#), [NPCC- When to call the Police](#) and [National Cyber Security Centre](#).

Domestic abuse

The Domestic Abuse Act 2021 introduces the first ever statutory definition of domestic abuse and

recognises the impact of domestic abuse on children, as victims in their own right, if they see, hear or experience the effects of abuse. The statutory definition of domestic abuse ensures that different types of relationships are captured, including ex-partners and family members. The definition captures a range of different abusive behaviours, including physical, emotional and economic abuse and coercive and controlling behaviour. Both the person who is carrying out the behaviour and the person to whom the behaviour is directed towards must be aged 16 or over and they must be “personally connected” (as defined in section 2 of the 2021 Act).

Types of domestic abuse include intimate partner violence, abuse by family members, teenage relationship abuse and child/adolescent to parent violence and abuse. Anyone can be a victim of domestic abuse, regardless of gender, age, ethnicity, socio-economic status, sexuality or background and domestic abuse can take place inside or outside of the home.

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

Young people can also experience domestic abuse within their own intimate relationships. This form of peer on peer abuse is sometimes referred to as ‘teenage relationship abuse’. Depending on the age of the young people, this may not be recognised in law under the statutory definition of ‘domestic abuse’ (if one or both parties are under 16). However, as with any child under 18, where there are concerns about safety or welfare, child safeguarding procedures should be followed and both young victims and young perpetrators should be offered support.

Operation Encompass

Operation Encompass operates in all police forces across England. It helps police and schools work together to provide emotional and practical help to children. The system ensures that when police are called to an incident of domestic abuse, where there are children in the household who have experienced the domestic incident, the police will inform the key adult (usually the designated safeguarding lead) in school before the child or children arrive at school the following day. This ensures that the school has up to date relevant information about the child’s circumstances and can enable immediate support to be put in place, according to the child’s needs. Operation Encompass does not replace statutory safeguarding procedures. Where appropriate, the police and/or schools should make a referral to children’s social care if they are concerned about a child’s welfare. More information about the scheme and how schools can become involved is available on the [Operation Encompass](#) website.

National Domestic Abuse Helpline

Refuge runs the National Domestic Abuse Helpline, which can be called free of charge and in confidence, 24 hours a day on 0808 2000 247. Its website provides guidance and support for potential victims, as well as those who are worried about friends and loved ones. It also has a form through which a safe time from the team for a call can be booked.

Additional advice on identifying children who are affected by domestic abuse and how they can be helped is available at:

- [NSPCC - UK domestic-abuse Signs Symptoms Effects](#)
- [Refuge what is domestic violence/effects of domestic violence on children](#)
- [SafeLives: young people and domestic abuse](#)
- [Domestic abuse: specialist sources of support](#) (includes information for adult victims, young people facing abuse in their own relationships and parents experiencing child to parent violence/abuse)
- [Operation Encompass](#) (includes information for schools on the impact of domestic abuse on children)

If a member of staff suspects that a pupil is experiencing or being exposed to domestic abuse, they will discuss this with the appropriate DSL. The DSL will trigger the local safeguarding procedures, including a referral to the local authority’s children’s social care team and the police, if appropriate.

Homelessness

Being homeless or being at risk of becoming homeless presents a real risk to a child’s welfare. The school’s DSL should be aware of contact details and referral routes into the Local Housing Authority so they can raise/progress concerns at the earliest opportunity. Indicators that a family may be at risk of homelessness include household debt, rent arrears, domestic abuse and anti-social behaviour, as well as the family being asked to leave a property. Whilst referrals and or discussion with the Local Housing Authority should be progressed as appropriate, this does not, and should not, replace a referral into children’s social care where a child has been harmed or is at risk of harm.

In most cases school staff will be considering homelessness in the context of children who live with their families, and intervention will be on that basis. However, it should also be recognised in some cases 16

and 17 year olds could be living independently from their parents or guardians, for example through their exclusion from the family home, and will require a different level of intervention and support. Children's services will be the lead agency for these young people and the DSL should ensure appropriate referrals are made based on the child's circumstances.

If a member of staff suspects that a pupil is homeless, they will discuss this with the appropriate DSL. The DSL will trigger the local safeguarding procedures, including a referral to the local authority's children's social care team and the police, if appropriate.

So-called 'honour-based' abuse (HBA) (including Female Genital Mutilation and Forced Marriage)

So-called 'honour-based' abuse (HBA) encompasses incidents or crimes which have been committed to protect or defend the honour of the family and/or the community, including female genital mutilation (FGM), forced marriage, and practices such as breast ironing. Abuse committed in the context of preserving "honour" often involves a wider network of family or community pressure and can include multiple perpetrators. It is important to be aware of this dynamic and additional risk factors when deciding what form of safeguarding action to take. All forms of HBA are abuse (regardless of the motivation) and should be handled and escalated as such. 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 HBA, or already having suffered HBA.

If staff have a concern regarding a child that might be at risk of HBA or who has suffered from HBA, they should speak to the appropriate DSL. The DSL will activate local safeguarding procedures, using existing national and local protocols for multiagency liaison with police and children's social care.

FGM

SP Tutors will make sure that staff have access to appropriate training to equip them to be alert to children affected by FGM or at risk of FGM.

Section 7.3 of this policy sets out the procedures to be followed if a staff member discovers that an act of FGM appears to have been carried out or suspects that a pupil is at risk of FGM.

Indicators that FGM has already occurred include:

- A pupil confiding in a professional that FGM has taken place
- A mother/family member disclosing that FGM has been carried out
- A family/pupil already being known to social services in relation to other safeguarding issues
- A girl:
 - Having difficulty walking, sitting or standing, or looking uncomfortable
 - Finding it hard to sit still for long periods of time (where this was not a problem previously)
 - Spending longer than normal in the bathroom or toilet due to difficulties urinating
 - Having frequent urinary, menstrual or stomach problems
 - Avoiding physical exercise or missing PE
 - Being repeatedly absent from school, or absent for a prolonged period
 - Demonstrating increased emotional and psychological needs – for example, withdrawal or depression, or significant change in behaviour
 - Being reluctant to undergo any medical examinations
 - Asking for help, but not being explicit about the problem
 - Talking about pain or discomfort between her legs

Potential signs that a pupil may be at risk of FGM include:

- The girl's family having a history of practising FGM (this is the biggest risk factor to consider)
- FGM being known to be practised in the girl's community or country of origin
- A parent or family member expressing concern that FGM may be carried out
- A family not engaging with professionals (health, education or other) or already being known to social care in relation to other safeguarding issues
- A girl:

- Having a mother, older sibling or cousin who has undergone FGM
- Having a limited level of integration within UK society
- Confiding to a professional that she is to have a “special procedure” or to attend a special occasion to “become a woman”
- Talking about a long holiday to her country of origin or another country where the practice is prevalent, or parents stating that they or a relative will take the girl out of the country for a prolonged period
- Requesting help from a teacher or another adult because she is aware or suspects that she is at immediate risk of FGM
- Talking about FGM in conversation – for example, a girl may tell other children about it (although it is important to take into account the context of the discussion)
- Being unexpectedly absent from school
- Having sections missing from her ‘red book’ (child health record) and/or attending a travel clinic or equivalent for vaccinations/anti-malarial medication

The above indicators and risk factors are not intended to be exhaustive.

If a member of staff suspects that a pupil is at risk of, or has experienced FGM, they will discuss this with the appropriate DSL. The DSL will trigger the local safeguarding procedures, including a referral to the local authority’s children’s social care team and the police, if appropriate. Where a member of staff is a qualified teacher, in addition, they must personally report known cases of FGM to the police.

Forced marriage

Forcing a person into marriage is a crime. A forced marriage is one entered into without the full and free consent of one or both parties and where violence, threats, or any other form of coercion is used to cause a person to enter into a marriage. Threats can be physical or emotional and psychological.

Staff will receive training around forced marriage and the presenting symptoms. We are aware of the 'one chance' rule, i.e. we may only have one chance to speak to the potential victim and only one chance to save them.

If a member of staff suspects that a pupil is being forced into marriage they will report this to the appropriate DSL.

The DSL will:

- Speak to the pupil about the concerns in a secure and private place
- Activate the local safeguarding procedures and refer the case to the local authority's designated officer (LADO)
- Seek advice from the Forced Marriage Unit on 020 7008 0151 or fm@fco.gov.uk
- Refer the pupil to an education welfare officer, pastoral tutor, learning mentor, or school counsellor, as appropriate

Preventing radicalisation

Children are vulnerable to extremist ideology and radicalisation. Similar to protecting children from other forms of harms and abuse, protecting children from this risk should be a part of our safeguarding approach.

- **Extremism** is the vocal or active opposition to our fundamental values, including democracy, the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs. This also includes calling for the death of members of the armed forces.
- **Radicalisation** refers to the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups.
- **Terrorism** is an action that endangers or causes serious violence to a person/people; causes serious damage to property; or seriously interferes with or disrupts an electronic system. The use or threat must be designed to influence the government or to intimidate the public and is made for the purpose of advancing a political, religious or ideological cause.

There is no single way of identifying whether a child is likely to be susceptible to an extremist ideology. Background factors combined with specific influences such as family and friends may contribute to a child's vulnerability. Similarly, radicalisation can occur through many different methods (such as social media or the internet) and settings (such as within the home).

However, it is possible to protect vulnerable people from extremist ideology and intervene to prevent those at risk of radicalisation being radicalised. As with other safeguarding risks, staff should be alert to changes in children's behaviour, which could indicate that they may be in need of help or protection. Staff should use their judgement in identifying children who might be at risk of radicalisation and act proportionately (see section 7.5 above) which may include the appropriate DSL making a Prevent referral

The school's DSL should be aware of local procedures for making a Prevent referral.

All schools and colleges are subject to a duty under section 26 of the Counter-Terrorism and Security Act 2015 (the CTSA 2015), in the exercise of their functions, to have "due regard to the need to prevent people from being drawn into terrorism". This duty is known as the Prevent duty.

The Prevent duty is part of schools' wider safeguarding obligations. Designated safeguarding leads and other senior leaders should familiarise themselves with the revised [Prevent duty guidance: for England and Wales](#), especially paragraphs 57-76, which are specifically concerned with schools (and also cover childcare).

Channel is a voluntary, confidential support programme which focuses on providing support at an early stage to people who are identified as being vulnerable to being drawn into terrorism. Prevent referrals may be passed to a multi-agency Channel panel, which will discuss the individual referred to determine whether they are vulnerable to being drawn into terrorism and consider the appropriate support required. A representative from the school may be asked to attend the Channel panel to help with this assessment. An individual's engagement with the programme is entirely voluntary at all stages.

Guidance on Channel is available at: [Channel guidance](#).

The Department for Education has published further advice for schools on the [Prevent duty](#). The advice is intended to complement the Prevent guidance and signposts to other sources of advice and support. The Home Office has developed three e-learning modules:

- All our staff complete [Prevent awareness e-learning](#), which offers an introduction to the Prevent duty

- [Prevent referrals e-learning](#) supports staff to make Prevent referrals that are robust, informed and with good intention. Each school's Prevent Lead should complete this.
- [Channel awareness e-learning](#) is aimed at staff who may be asked to contribute to or sit on a multi-agency Channel panel.

[Educate Against Hate](#), is a government website designed to support teachers and leaders to help them safeguard their students from radicalisation and extremism. The platform provides free information and resources to help school staff identify and address the risks, as well as build resilience to radicalisation.

Sexual violence and sexual harassment between children

Sexual violence and sexual harassment can occur between two children of any age and sex, from primary through to secondary stage and into colleges. It can occur through a group of children sexually assaulting or sexually harassing a single child or group of children. Sexual violence and sexual harassment exist on a continuum and may overlap; they can occur online and face to face (both physically and verbally) and are never acceptable. All our staff working with children are advised to maintain an attitude of 'it could happen here'.

Children who are victims of sexual violence and sexual harassment wherever it happens, will likely find the experience stressful and distressing. This will, in all likelihood, adversely affect their educational attainment and will be exacerbated if the alleged perpetrator(s) attends the same school. Safeguarding incidents and/or behaviours can be associated with factors outside the school, including intimate personal relationships (see also the sections above on child sexual exploitation and child criminal exploitation).

Sexual violence

When referring to sexual violence we are referring to sexual offences under the Sexual Offences Act 2003 as described below:

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

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

Sexual Assault: A person (A) commits an offence of sexual assault if: they intentionally touch another person (B), the touching is sexual, B does not consent to the touching and A does not reasonably believe that B consents. Sexual assault covers a very wide range of sexual behaviour, so a single act of kissing someone without consent or touching someone's bottom/breasts/genitalia without consent, can still constitute sexual assault.

Causing someone to engage in sexual activity without consent: A person (A) commits an offence if: they intentionally cause another person (B) to engage in an activity, the activity is sexual, B does not consent to engaging in the activity, and A does not reasonably believe that B consents. This could include forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party.

What is consent? Consent is about having the freedom and capacity to choose. Consent to sexual activity may be given to one sort of sexual activity but not another, e.g. to vaginal but not anal sex or penetration with conditions, such as wearing a condom. Consent can be withdrawn at any time during sexual activity and each time activity occurs. Someone consents to vaginal, anal or oral penetration only if they agree by choice to that penetration and have the freedom and capacity to make that choice. Further information about consent can be found here: [Rape Crisis England & Wales - Sexual consent](#)

- a child under the age of 13 can never consent to any sexual activity;
- the age of consent is 16;
- sexual intercourse without consent is rape.

Health needs resulting from sexual assault

Sexual assault can result in a range of health needs, including physical, mental, and sexual health problems and unwanted pregnancy. Children and young people that have a health need arising from sexual assault or abuse can access specialist NHS support from a Sexual Assault Referral Centre (SARC). SARCs offer confidential and non-judgemental support to victims and survivors of sexual assault and abuse. They provide medical, practical, and emotional care and advice to all children and adults, regardless of when the incident occurred.

Sexual harassment

When referring to sexual harassment we mean 'unwanted conduct of a sexual nature' that can occur online and offline and both inside and outside of school. When we reference sexual harassment, we do so in the context of child on child sexual harassment. Sexual harassment is likely to: violate a child's dignity,

and/or make them feel intimidated, degraded or humiliated and/or create a hostile, offensive or sexualised environment.

Whilst not intended to be an exhaustive list, sexual harassment can include:

- sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance and calling someone sexualised names;
- sexual “jokes” or taunting;
- physical behaviour, such as: deliberately brushing against someone, interfering with someone’s clothes (schools should be considering when any of this crosses a line into sexual violence - it is important to talk to and consider the experience of the victim) and displaying pictures, photos or drawings of a sexual nature; and
- online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence. It may include:
 - consensual and non-consensual sharing of nude and semi-nude images and videos. Taking and sharing nude photographs of under 18s is a criminal offence;
 - sharing of unwanted explicit content;
 - upskirting (which is a criminal offence);
 - sexualised online bullying;
 - unwanted sexual comments and messages, including, on social media; and
 - sexual exploitation; coercion and threats

Responding to reports of sexual violence and sexual harassment

The initial response to a report from a child is incredibly important. How a school responds to a report can encourage or undermine the confidence of future victims of sexual violence and sexual harassment to report or come forward. Schools not recognising, acknowledging or understanding the scale of harassment and abuse and/or downplaying of some behaviours can actually lead to a culture of unacceptable behaviour. It is essential that all victims are reassured that they are being taken seriously and that they will be supported and kept safe. A victim should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report.

If staff have a concern about a child or a child makes a report to them, they should speak to the appropriate DSL. The DSL will trigger the local safeguarding procedures, including a referral to the local authority’s children’s social care team and the police, if appropriate.

Unfounded, false or malicious reports

If a report is determined to be unfounded, false or malicious, the appropriate DSL should consider whether the child and/or the person who has made the allegation is in need of help or may have been abused by someone else and this is a cry for help. In such circumstances, a referral to children’s social care may be appropriate.

If a report is shown to be deliberately invented or malicious, the school will consider whether any disciplinary action is appropriate against the individual who made it as per their behaviour policy.

Annex C: Role of the Designated Safeguarding Lead

An appropriate senior member of staff, from each school's leadership team, will be appointed to the role of designated safeguarding lead. The designated safeguarding lead should take lead responsibility for safeguarding and child protection (including online safety). This should be explicit in the role holder's job description.

This person should have the appropriate status and authority within the school to carry out the duties of the post. The role of the designated safeguarding lead carries a significant level of responsibility, and they should be given the additional time, funding, training, resources and support they need to carry out the role effectively. Their additional responsibilities include providing advice and support to other staff on child welfare, safeguarding and child protection matters, taking part in strategy discussions and inter-agency meetings, and/or supporting other staff to do so, and contributing to the assessment of children.

In addition, SP Tutors has its own DSL and Deputy DSL available during school hours for staff to discuss any safeguarding concerns. Out of school hours, a rota of the DSL, Deputy DSL and alternate DSLs will operate. Details are on the title page of this policy.

The usual appropriate DSL is the school's DSL.

Deputy designated safeguarding leads

Any deputies should be trained to the same standard as the designated safeguarding lead and the role should be explicit in their job description. Whilst the activities of the designated safeguarding lead can be delegated to appropriately trained deputies, the ultimate lead responsibility for child protection, as set out above, remains with the designated safeguarding lead, this lead responsibility should not be delegated.

Availability

During term time the school's designated safeguarding lead (or a deputy) should always be available (during school hours) for staff in the school to discuss any safeguarding concerns. Whilst generally speaking the designated safeguarding lead (or deputy) would be expected to be available in person, it is a matter for individual schools, working with the designated safeguarding lead, to define what "available" means and whether in exceptional circumstances availability via phone and or Skype or other such media is acceptable.

It is a matter for individual schools and the designated safeguarding lead to arrange adequate and appropriate cover arrangements for any out of hours/out of term activities.

SP Tutors DSL, Deputy DSL will be available via telephone or MS Teams during school hours for staff to discuss any safeguarding concerns. Out of school hours, a rota of the DSL, Deputy DSL and alternate DSLs will operate, making them available via mobile phone, accessed through SP Tutors usual telephone number. Details are on the title page of this policy.

Manage referrals

The designated safeguarding lead is expected to refer cases:

- of suspected abuse and neglect to the local authority children's social care as required and support staff who make referrals to local authority children's social care;
- to the Channel programme where there is a radicalisation concern as required and support staff who make referrals to the Channel programme;
- where a person is dismissed or left due to risk/harm to a child to the Disclosure and Barring Service as required; and
- where a crime may have been committed to the police as required. [NPCC – When to call the police](#) should help staff understand when to consider calling the police and what to expect when working with them.

Work with others

The designated safeguarding lead is expected to:

- act as a source of support, advice, and expertise for all staff;
- act as a point of contact with the safeguarding partners;
- liaise with the headteacher or principal to inform them of issues - especially ongoing enquiries under section 47 of the Children Act 1989 and police investigations;
- as required, liaise with the "case manager" (as per Part four of Keeping Children Safe in Education (KCSIE)) and the locality authority designated officer(s) (LADO) for child protection concerns in cases which concern a staff member;

- liaise with staff (especially teachers, pastoral support staff, school nurses, IT Technicians, senior mental health leads and special educational needs coordinators (SENCOs)) on matters of safety and safeguarding and welfare (including online and digital safety) and when deciding whether to make a referral by liaising with relevant agencies so that children's needs are considered holistically;
- liaise with the senior mental health lead and, where available, the Mental Health Support Team, where safeguarding concerns are linked to mental health;
- promote supportive engagement with parents and/or carers in safeguarding and promoting the welfare of children, including where families may be facing challenging circumstances;
- work with the headteacher and relevant strategic leads, taking lead responsibility for promoting educational outcomes by knowing the welfare, safeguarding and child protection issues that children in need are experiencing, or have experienced, and identifying the impact that these issues might be having on children's attendance, engagement and achievement at school. This includes:
 - ensuring that the school knows who its cohort of children who have or have had a social worker are, understanding their academic progress and attainment, and maintaining a culture of high aspirations for this cohort; and,
 - supporting teaching staff to provide additional academic support or reasonable adjustments to help children who have or have had a social worker reach their potential, recognising that even when statutory social care intervention has ended there is still a lasting impact on children's educational outcomes.

Information sharing and managing the child protection file

The designated safeguarding lead is responsible for ensuring that child protection files are kept up to date. Information should be kept confidential and stored securely. It is good practice to keep concerns and referrals in a separate child protection file for each child.

Records should include:

- a clear and comprehensive summary of the concern;
- details of how the concern was followed up and resolved;
- a note of any action taken, decisions reached and the outcome.

They should ensure the file is only accessed by those who need to see it and where the file or content within it is shared, this happens in line with information sharing advice as set out in Part one and Part two of KCSiE.

Where children leave the school (including in year transfers) the designated safeguarding lead should ensure their child protection file is transferred to the new school or college as soon as possible, and within five days for an in-year transfer or within the first five days of the start of a new term. This should be transferred separately from the main pupil file, ensuring secure transit, and confirmation of receipt should be obtained. Receiving schools and colleges should ensure key staff such as designated safeguarding leads and SENCOs or the named person with oversight for SEN in colleges, are aware as required. Lack of information about their circumstances can impact on the child's safety, welfare and educational outcomes. In addition to the child protection file, the designated safeguarding lead should also consider if it would be appropriate to share any additional information with the new school or college in advance of a child leaving to help them put in place the right support to safeguard this child and to help the child thrive in the school or college. For example, information that would allow the new school or college to continue supporting children who have had a social worker and been victims of abuse and have that support in place for when the child arrives.

Raising Awareness

The designated safeguarding lead should:

- ensure each member of staff has access to, and understands, the organisation's safeguarding policy and the school's child protection procedures, especially new and part-time staff;
- ensure the school's child protection procedures are reviewed annually (as a minimum) and the procedures and implementation are updated and reviewed regularly, and work with the local governing body regarding this;
- ensure the organisation's safeguarding policy and the school's child protection procedures are available publicly and parents are aware of the fact that referrals about suspected abuse or neglect may be made and the role of the school in this;
- link with the safeguarding partner arrangements to make sure staff are aware of any training opportunities and the latest local policies on local safeguarding arrangements; and
- help promote educational outcomes by sharing the information about the welfare, safeguarding and child protection issues that children who have or have had a social worker, are experiencing, or have experienced, with teachers and school and college leadership staff.

Training, knowledge and skills

The designated safeguarding lead (and any deputies) should undergo training to provide them with the knowledge and skills required to carry out the role. This training should be updated at least every two years. The designated safeguarding lead should undertake Prevent awareness training. Training should provide designated safeguarding leads with a good understanding of their own role, how to identify, understand and respond to specific needs that can increase the vulnerability of children, as well as the specific harms that can put children at risk, and the processes, procedures and responsibilities of other agencies, particularly children's social care, so they:

- understand the assessment process for providing early help and statutory intervention, including local criteria for action and local authority children's social care referral arrangements;
- have a working knowledge of how local authorities conduct a child protection case conference and a child protection review conference and be able to attend and contribute to these effectively when required to do so;
- understand the importance of the role the designated safeguarding lead has in providing information and support to children's social care in order to safeguard and promote the welfare of children;
- understand the lasting impact that adversity and trauma can have, including on children's behaviour, mental health and wellbeing, and what is needed in responding to this in promoting educational outcomes
- are alert to the specific needs of children in need, those with special educational needs and disabilities (SEND), those with relevant health conditions and young carers;
- understand relevant data protection legislation and regulations, especially the Data Protection Act 2018 and the General Data Protection Regulation;
- understand the importance of information sharing, both within the school, and with the safeguarding partners, other agencies, organisations and practitioners;
- are able to keep detailed, accurate, secure written records of concerns and referrals;
- understand and support the school with regards to the requirements of the Prevent duty and are able to provide advice and support to staff on protecting children from the risk of radicalisation;
- are able to understand the unique risks associated with online safety and be confident that they have the relevant knowledge and up to date capability required to keep children safe whilst they are online at school;
- can recognise the additional risks that children with special educational needs and disabilities (SEND) face online, for example, from online bullying, grooming and radicalisation and are confident they have the capability to support children with SEND to stay safe online;
- obtain access to resources and attend any relevant or refresher training courses; and
- encourage a culture of listening to children and taking account of their wishes and feelings, among all staff, in any measures the school may put in place to protect them.

In addition to the formal training set out above, their knowledge and skills should be refreshed (this might be via e-bulletins, meeting other designated safeguarding leads, or simply taking time to read and digest safeguarding developments) at regular intervals, as required, and at least annually, to allow them to understand and keep up with any developments relevant to their role.

Providing support to staff

Training should support the designated safeguarding lead in developing expertise, so they can support and advise staff and help them feel confident on welfare, safeguarding and child protection matters. This includes specifically to:

- ensure that staff are supported during the referrals processes; and
- support staff to consider how safeguarding, welfare and educational outcomes are linked, including to inform the provision of academic and pastoral support.

Understanding the views of children

It is important that children feel heard and understood. Therefore, designated safeguarding leads should be supported in developing knowledge and skills to:

- encourage a culture of listening to children and taking account of their wishes and feelings, among all staff, and in any measures the school may put in place to protect them; and
- understand the difficulties that children may have in approaching staff about their circumstances and consider how to build trusted relationships which facilitate communication.

Holding and sharing information

The critical importance of recording, holding, using and sharing information effectively is set out in Parts one, two and five of KCSiE, and therefore the designated safeguarding lead should be equipped to:

- understand the importance of information sharing, both within the school, and with other schools

- and colleges on transfer including in-year and between primary and secondary education, and with the safeguarding partners, other agencies, organisations and practitioners;
- understand relevant data protection legislation and regulations, especially the Data Protection Act 2018 and the UK General Data Protection Regulation (UKGDPR); and
 - be able to keep detailed, accurate, secure written records of concerns and referrals and understand the purpose of this record-keeping.

In addition, SP Tutors own DSL or Deputy DSL will be available during school hours for staff to discuss any safeguarding concerns. Out of school hours, a rota of the DSL, Deputy DSL and alternate DSLs will operate. Details are on the title page of this policy.