

**Worcestershire Children First Safeguarding Children Policy  
(Including Child Protection)- adopted by  
HPS Care Ltd**

**January 2024**

This policy is reviewed at least annually by the  
HPS Care Management Team

Last reviewed on Date: January 2024  
Next Review Date: January 2025

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**Based on the Model Child Protection and Safeguarding Policy (*for schools*) 2020**

**To be reviewed annually by the HPS Care Management Team: Kindergarten Manager, Wrap Around Care Club Manager and Business Manager**

**Next Review Date: January 2025**

**Safeguarding Statement**

HPS Care Ltd recognises our moral and statutory responsibility to safeguard and promote the welfare of all children. We endeavour to provide a safe and welcoming environment where children are respected and valued. We are alert to the signs of abuse and neglect and follow our procedures to ensure that children receive effective support, protection and justice. Child protection forms part of the company's safeguarding responsibilities.

The Safeguarding / Child Protection policy draws upon duties conferred by the Children Acts 1989 and 2004, The Children and Families Act 2014, S175 of the 2020 Education Act, The Education (Independent School Standards) Regulations 2014 (for independent schools ), the Non-maintained Special Schools (England) Regulations 2015 (for non-maintained special schools) and the guidance contained in Working Together to Safeguard Children 2018, the DfE's statutory Guidance "Keeping Children Safe in Education September 2021, the Education and Training (Welfare of Children) Act 2021, Ofsted guidance and LA procedures including that of the Local Safeguarding Partnerships (LSP's).

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**Key Personnel:**

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**The Designated Safeguarding Lead (DSL) for WACC is Lesley Taylor**

Contact details: email: [lesleyt@hagleyprimary.worcs.sch.uk](mailto:lesleyt@hagleyprimary.worcs.sch.uk)

Telephone: 01562 883280

**The deputy DSL for WACC is Marie Harker**

Contact details:

email: [outofsch@hagleyprimary.worcs.sch.uk](mailto:outofsch@hagleyprimary.worcs.sch.uk)

Telephone: 01562 883280

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**The Designated Safeguarding Lead (DSL) for Kindergarten is Natalie Skelding**

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**The deputy DSL for Kindergarten is Lindsay Skinner/ Sarah Wilding**

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**Other named staff and contacts:**

- HPS Care Directors
  - i) Mrs Vanessa Payne BA NPQH Head teacher Hagley Primary School,
  - ii) Mrs Rebecca Core Chair of Governors Hagley Primary School
  - iii) Miss Tina Rennie Business Manager Hagley Primary School
  - iv) Mr Tom Long Governor Hagley Primary School
- Safeguarding in Education Adviser WCC: Denise Hannibal
- Local Authority Designated Officer/Position of Trust: John Hancock
- Local Safeguarding Partnership (LSP): Sally Mills 01905 843656
- Local Authority Prevent Co-ordinator: Ruth Pawsey 01905 766475
- Family Front Door : 01905 822666 (core working hours)Out of hours or at weekends: 01905 768020
- Anti Terrorist hotline: 0800 789321
- NSPCC: 0808 800500
- Ofsted: 0300 123 1231

**To submit an online Cause for Concern notification log onto:**

<http://www.worcestershire.gov.uk/childrensocialcare>

**1. Introduction**

**1.1** HPS Care Ltd Carefully recognises the contribution it can make to protect and support children in each setting. The aim of this policy is to safeguard and promote Children's welfare, safety, health and well-being by creating an honest, open, caring and supportive environment. The Children's welfare is of paramount importance.

This policy is also based on the following legislation:

- Section 175 of the Education Act 2002, which places a duty on schools and local authorities to safeguard and promote the welfare of pupils
- Keeping Children Safe In Education 2021
- The School Staffing (England) Regulations 2009, which set out what must be recorded on the single central record and the requirement for at least one person on a school interview/appointment panel to be trained in safer recruitment techniques
- Part 3 of the schedule to the Education (Independent School Standards) Regulations 2014, which places a duty on academies and independent schools 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
- 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 duties under the Counter-Terrorism and Security Act 2015 with respect to protecting people from the risk of radicalisation and extremism
- Education and Training (Welfare of Children) Act 2021
- [West Midlands procedures:](#)
- [WCF levels of need guidance:](#)
- All legislation and guidance issued by the Local Safeguarding Partnership (LSP)

## **Management of Safeguarding**

**1.2** This policy applies to all staff, volunteers and visitors to both Settings, and is an essential part of all induction. Child protection and promoting a child's welfare is the responsibility of all staff. We will ensure we comply with our duties under all relevant legislation. We will ensure this policy and our procedures are effective and comply with the law at all times, this includes training for staff.

We ensure that all parents and working partners are aware of this policy by mentioning it in our prospectuses, displaying appropriate information in our reception areas and on the school website and by raising awareness at meetings with parents/carers.

## **Whole Setting approach to Safeguarding**

Our Management Team will ensure we facilitate a whole setting approach to safeguarding. Ultimately all our systems, processes and policies will operate with the best interests of the child/children at their heart. Where there is a safeguarding concern, our Management Team should ensure the child's wishes and feelings are taken into account when determining what action to take and what services to provide. Systems should be in place for children to express their views and give feedback.

## **2. Safeguarding Commitment**

**2.1** HPS Care will adopt an open and accepting attitude towards children as part of its responsibility for pastoral care. Staff encourage children and parents/carers to feel free to talk about any concerns and to see the WACC and Kindergarten as safe places when there are difficulties. Children's worries and fears will be taken seriously, and children are encouraged to seek help from members of staff.

### **2.2** HPS Care will:

- Establish and maintain an ethos where children feel secure and are encouraged to talk and are listened to;
- Ensure that children know that there are adults available whom they can approach if they are worried or are in difficulty.
- Raise awareness of child protection issues in an age appropriate manner and equip children with the skills they need to keep them safe
- Ensure every effort is made to establish effective working relationships with parents/carers and colleagues from other agencies.
- Operate safer recruitment procedures and make sure that all appropriate checks are carried out on new staff and volunteers that will work with children: including identity, right to work, enhanced DBS criminal record and barred list (and overseas where needed) and references. All details are kept in a single central record, (this is the responsibility of the Setting Manager) which is checked and updated regularly.

**2.3** HPS Care recognises that children who are abused or who witness violence may find it difficult to develop a sense of self-worth and view the world in a positive way. For such children, kindergarten/school may be one of the few stable, secure and predictable components of their lives. Other children may be vulnerable because, for instance, they have a disability, are in care, or are experiencing some form of neglect. HPS Care WACC and Kindergarten seek to remove any barriers that may exist in being able to recognise abuse or neglect in children with Special Educational Needs or Disability. We will seek to provide such children with the necessary support and to build their self-esteem and confidence.

**2.4** Raising concerns/complaints. We will respond robustly when concerns are raised or complaints made (from children, adults including parent/carers) as we recognise that this promotes a safer environment and we seek to learn from complaints and comments. Both settings will take action and seek to resolve the concerns in a timely way, keeping people

informed as to progress wherever possible. Complaints procedures for both settings, are available on the school website.

**2.5** In the event of a pandemic such as **COVID-19**, Keeping Children Safe will remain the priority. HPS Care Ltd will follow current government guidance to maintain HPS Care WACC and HPS Care Kindergarten as a safe place for children and will take reasonable steps to protect staff, children and others within each setting.

In the case of COVID-19, this will include:

- Taking children's temperatures on arrival
- Encouraging the use of tissues and good hygiene
- Continuing to encourage children to wash hands
- Continuing to remind staff about staying a safe distance apart

## **Early Help**

Any child may benefit from early help. HPS Care staff are experienced and appropriately trained to early identify the potential need for early help for a child who:

- Is disabled or has certain health conditions and has specific additional needs;
- Has special educational needs (whether or not they have a statutory Education, Health and Care Plan);
- Has a mental health need;
- 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 or county lines;
- Is frequently missing/goes missing from care or from home;
- Is at risk of modern slavery, trafficking, sexual or criminal exploitation;
- Is at risk of being radicalised or exploited;
- Has a family member in prison, or is affected by parental offending;
- Is in a family circumstance presenting challenges for the child, such as drug and alcohol misuse, adult mental health issues and domestic abuse;
- Is misusing drugs or alcohol themselves;
- Has returned home to their family from care;
- Is at risk of 'honour'-based abuse such as female genital mutilation or forced marriage;
- Is a privately fostered child; and
- Is persistently absent from education, including persistent absences for part of the school day.

There is an Early Help Offer accessible on Hagley Primary School's website. HPS Care staff can support children and young people by completing an early help assessment which is available at <https://www.worcestershire.gov.uk/earlyhelpfamilysupport>

## **3. Roles and Responsibilities**

### **3.1. General**

All adults working with or on behalf of children have a responsibility to safeguard and promote their welfare. This includes a responsibility to be alert to possible abuse and to record and report concerns to staff identified with child protection responsibilities, currently called

Designated Safeguarding Leads, (DSL's). Staff should be aware that they may need to work with other services as needed and assist in making decisions about individual children.

Every member of staff, including volunteers working with children, is advised to maintain an attitude of '*it could happen here*' where safeguarding is concerned and '*think beyond the obvious*'. When concerned about the welfare of a child, staff members should always act in the interests of the child and have a responsibility to take action as outlined in this policy. Staff must have a zero-tolerance approach; even if there are no reported cases, staff must not take the view that it does not happen in their settings. Similarly, staff must be vigilant and rather than waiting for a disclosure, recognise children may not always make a direct report and information may come from overheard conversations or observed behaviour changes. How a setting responds will also influence the confidence of others to report what is happening to them. They should take account of the '*one chance rule*' in relation to honour violence based issues, that an adult may have only one opportunity to save a potential victim.

All staff are encouraged to report any concerns that they have and not see these as insignificant. On occasions, a referral is justified by a single incident such as an injury or disclosure of abuse. More often however, concerns accumulate over a period of time and are evidenced by building up a picture of harm over time; this is particularly true in cases of emotional abuse and neglect. In these circumstances, it is crucial that staff record and pass on concerns in accordance with this policy to allow the DSL to build up a picture and access support for the child at the earliest opportunity. A reliance on memory without accurate and contemporaneous records of concern could lead to a failure to protect.

### **3.2 The Designated Safeguarding Lead**

The designated safeguarding lead should take lead responsibility for safeguarding children and promoting their welfare. This should be explicit in the role-holder's job description (see Annex A, which describes the broad areas of responsibility and activities related to the role).

Any deputy (or deputies) should be trained to the same standard as the designated safeguarding lead.

Whilst the activities of the designated safeguarding lead can be delegated to appropriately trained deputies, the ultimate lead responsibility for safeguarding and child protection, as set out above, remains with the designated safeguarding lead. This responsibility should not be delegated.

The designated safeguarding lead and any deputies should liaise with safeguarding partners and work with other agencies to safeguard and promote the welfare of children.

During term time, the designated safeguarding lead and/or a deputy should always be available (during WACC and Kindergarten hours) for staff to discuss any safeguarding concerns.

The designated safeguarding lead and any deputies should undergo training to provide them with the knowledge and skills required to carry out the role. The training should be updated every two years.

In addition to their formal training as set out above, their knowledge and skills should be updated (for example via e-bulletins, meeting other designated safeguarding leads, or taking



time to read and digest safeguarding developments), at regular intervals, and at least annually, to keep up with any developments relevant to their role.

The names of the Designated Safeguarding Leads for the current year are listed on **page 4** of this document.

All staff should be aware of their duty to raise concerns, where they exist, about the attitude or actions of colleagues using the whistleblowing policy.

Whistleblowing concerns about Managers should be raised with Directors. Where a Director is the sole proprietor, this should be raised with another Director and concerns should be reported directly to the Local Authority Designated Officer (LADO).

The NSPCC's dedicated helpline is available as an alternative route for staff who do not feel able to raise concerns regarding child protection failures internally or have concerns about the way a concern is being handled by their workplace. Staff can call 0800 028 0285 – line is available from 8:00 AM to 8:00 PM, Monday to Friday and email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk). The weblink is <https://www.nspcc.org.uk/keeping-children-safe/reporting-abuse/dedicated-helplines/whistleblowing-advice-line/>.

The following is also a useful resource [NSPCC- When to call the police](#)

### **3.3 Keeping Children Safe**

HPS Care will ensure that:

- There is a child protection/safeguarding policy (this document), procedures and training in place which are effective and comply with the law at all times. The policy is made available publicly through the website and is on display in each Setting.
- The policy is reviewed at least annually or more often, for example in the event of new guidance or a significant incident.
- Directors are required to have an enhanced criminal records certificate from the DBS.
- HPS Care operates safer recruitment practices, including appropriate use of references and checks on new staff and volunteers. At least one person in the recruitment process will have undertaken Safer Recruitment Training.
- There are procedures for dealing with allegations of abuse against members of staff and volunteers/ people in a position of trust (See the Whistleblowing Policy)
- Senior member of staff in both settings is the Designated Safeguarding Lead and there is also a deputy for each setting.
- The Designated Safeguarding Lead undertakes effective Local authority training (in addition to basic child protection training) and this is refreshed every two years. This should include training in Child Exploitation, Female Genital Mutilation (FGM) and Prevent (or Radicalisation) (Wrap training). In addition to this formal training, their knowledge and skills are updated at regular intervals (at least annually) via safeguarding e-briefings etc. such as the WSCB newsletters/briefings/meetings.
- All other staff and volunteers who work with children receive appropriate training at least every 3 years and updates (at least every year); and that new staff and volunteers who work with children are made aware of the arrangements for child protection and their responsibilities (including this policy). Training includes FGM/Prevent/Child Exploitation. Agency staff must be informed of Safeguarding policies and procedures, including who the DSL is, and where any required paper work is kept. Safeguarding should also be a standing item on all staff meeting agendas.

- If training/updates cannot be received in person because of unprecedented circumstances such as the COVID 19 pandemic, then awareness should be made by other means, such as Zoom conference calls, online training sessions etc to ensure all staff are kept up to date.
- Any deficiencies or weaknesses in these arrangements brought to the attention of Management and Directors will be rectified without delay.
- In the event of allegations of abuse made against a Director, one of the other three Directors will lead on the response, and this should also be reported to the Local Authority Designated Officer (LADO).
- Effective policies and procedures are in place and updated annually including a behaviour “code of conduct” for staff and volunteers.
- GDPR-HPS Care is aware that among other obligations, the Data Protection Act 2018 and the GDPR place duties on organisations and individuals to process personal information fairly and lawfully and to keep the information they hold safe and secure.
- HPS Care complies with all legislative safeguarding duties, including the duty to report suspected or known cases of FGM and the duty to prevent young people from being drawn into terrorism.

Directors will ensure that:

- The Safeguarding policies and procedures are effectively implemented and followed by all staff.
- Sufficient resources and time are allocated to enable the Designated Safeguarding Lead and other staff to discharge their responsibilities.
- Allegations of abuse or concerns that a member of staff or adult working in either setting may pose a risk of harm to a child or young person are notified to the Local Authority Designated Officer in a timely manner.
- All staff and volunteers feel able to raise concerns about poor or unsafe practice in regard to children, and such concerns are addressed sensitively and effectively in a timely manner. The NSPCC whistle blowing helpline number is also available (0800 028 0285).
- All staff are made aware that they have an individual responsibility to pass on safeguarding concerns and that if all else fails to report these directly to Children’s Social Care (Children’s Services) or the Police. Staff must also be aware that early information sharing, between and within settings, is vital for the effective identification, assessment, and allocation of appropriate service provision, whether this is when problems first emerge, or where a child is already known to local authority children’s social care.

## **4 Records, Monitoring and Transfer**

**4.1** Well-kept records are essential to good child protection practice. All staff are clear about the need to record and report concerns about a child or children. Such records should include the child's words as far as possible and should be timed, dated and signed. Incident records, or any other record pertaining to safeguarding issues should also be timed, dates and signed. Staff recording disclosure of abuse should do so within an hour. The Designated Safeguarding Lead is responsible for such records and for deciding at what point these records should be passed over to other agencies.

**4.2** Records relating to actual or alleged abuse or neglect are stored apart from normal child or staff records. Normal records sometimes have markers to show that there is sensitive

material stored elsewhere. This is to protect individuals from accidental access to sensitive material by those who do not need to know. Staff would need a justifiable reason to have access to these records (e.g. A child's key worker may need access).

**4.3** Child protection records are stored securely, with access confined to specific staff, e.g. Designated Safeguarding Leads.

**4.4** Child protection records are reviewed regularly to check whether any action or updating is needed. This includes monitoring patterns of complaints or concerns about any individuals (e.g. child who repeatedly goes missing) and ensuring these are acted upon. Each stand-alone file should have a chronology of significant events.

**4.5** When children transfer to another setting, their safeguarding records are also transferred. Safeguarding records will be transferred separately from other records and best practice is to pass these directly to a Designated Safeguarding Lead in the receiving education setting, with any necessary discussion or explanation and to obtain a signed and dated record of the transfer. In the event of a child moving out of area and a physical handover not being possible then the most secure method should be found to send the confidential records to a named Designated Safeguarding Lead. Files requested by other agencies e.g. Police, should be copied.

**4.6** A record of any allegations (proven) made against staff is kept in a confidential file by the Setting Manager.

**4.7** Extreme care should be taken by staff who are working from home to ensure that confidentiality is maintained at all times and GDPR guidelines are adhered to when sharing personal and sensitive information.

## **5. Procedures for Managing Concerns**

**5.1** HPS Care adheres to child protection procedures that have been agreed locally through Safeguarding Worcestershire

<https://www.safeguardingworcestershire.org.uk/>

**5.2** Where we identify children and families in need of support, we will carry out our responsibilities in accordance with the [West Mercia Consortium inter-agency procedures](#) and the [WSCP Levels of Need Guidance](#).

**5.3** The Designated Safeguarding Lead (DSL) should be used as a first point of contact for concerns and queries regarding any safeguarding concern. Any member of staff or visitor who receives a disclosure of abuse or suspects that a child is at risk of harm must report it immediately to the DSL or, if unavailable, to the deputy designated lead. In the absence of either of the above, the matter should be brought to the attention of the most senior member of staff.

**5.3** All concerns about a child or young person should be reported without delay and recorded.

**5.4** The DSL will consider what action to take and have appropriate discussions with parents/carers prior to referral to children's social care or another agency unless, to do so would place the child at risk of harm or compromise an investigation.

**5.5** All referrals will be made in line with [local procedures](#) as detailed on the [Worcester Children First Website](#).

**5.6** If, at any point, there is a risk of immediate serious harm to a child a referral should be made to Children's Services immediately. Anybody (any member of staff in setting, volunteer, Director etc ) can make a referral. If the child's situation does not appear to be improving the staff member with concerns should press for re-consideration by raising concerns again with the DSL and/or the Head teacher. Concerns should always lead to help for the child at some point. The child's wider context should be considered when making a referral (see Contextualising safeguarding on p.32).

**5.7** Staff should always follow the reporting procedures outlined in this policy in the first instance. However, they may also share information directly with Children's Services, or the police if:

- the situation is an emergency and the designated senior person, their deputy and the School Head teacher are all unavailable;
- they are convinced that a direct report is the only way to ensure the pupil's safety.

**5.8** Any member of staff who does not feel that concerns about a child have been responded to appropriately and in accordance with the procedures outlined in this policy should raise their concerns with Directors. If any member of staff does not feel the situation has been addressed appropriately at this point they should contact Children's Services directly with their concerns.

## **5.9 Child abuse and Neglect**

Child abuse is defined as any form of physical, emotional or sexual mistreatment or lack of care that leads to injury or harm. An individual may abuse or neglect a child directly, or by failing to protect them from harm. Some forms of child abuse and neglect are listed below.

- **Emotional abuse** is the persistent emotional maltreatment of a child so as to cause severe and persistent adverse effects on the child's emotional development. It may involve making the child feel that they are worthless, unloved, or inadequate. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.
- **Physical abuse** can involve hitting, shaking, throwing, poisoning, burning, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may be also caused when a parent or carer feigns the symptoms of, or deliberately causes, ill health to a child.
- **Sexual abuse** involves forcing or enticing a child to take part in sexual activities, whether or not the child is aware of what is happening. This is not necessarily violent and can involve physical contact, or non-contact activities such as showing children sexual activities or encouraging them to behave in sexually inappropriate ways.
- **Neglect** is the persistent failure to meet a child's basic physical and emotional needs. It can involve a failure to provide adequate food, clothing and shelter, to protect a child from

physical and emotional harm, to ensure adequate supervision or to allow access to medical treatment.

### ***Signs of child abuse and neglect***

Signs of possible abuse and neglect may include:

- significant changes in a child's behaviour
- deterioration in a child's general well-being
- unexplained bruising or marks
- comments made by a child which give cause for concern
- reasons to suspect neglect or abuse outside the setting, eg in the child's home, or that a girl may have been subjected to (or is at risk of) female genital mutilation and/or
- inappropriate behaviour displayed by a member of staff, or any other person. For example, inappropriate sexual comments, excessive one-to-one attention beyond the requirements of their role, or inappropriate sharing of images.

Children at risk of child abuse and neglect are particularly vulnerable during any period of restrictions imposed by the government (such as lockdown during the COVID 19 Pandemic), as they will have been away from their usual childcare setting, that could highlight and monitor any issues. In these circumstances, it is therefore it is important for all staff to be extra vigilant when sessions resume.

Staff should ensure that time is spent chatting to the children about their time at home and what they have been doing, to look out for any changes in the child's behaviour that may cause concern. Extra vigilance should also be made to look out for any physical signs of abuse, as for example bruises could have faded and be harder to spot. In the event of any abuse being suspected or disclosed, this (Safeguarding) policy should be adhered to.

### **5.10 Children missing from education**

Children missing from education, particularly persistently, can act as a vital warning sign to a range of safeguarding issues including neglect, sexual abuse, and child sexual and criminal exploitation. It is important the settings response to children missing from education supports identifying such abuse and also helps prevent the risk of them going missing in the future. This includes when problems are first emerging but also where children are already known to local authority children's social care and need a social worker (such as on a child in need or child protection plan, or as a looked after child), where going missing from education may increase known safeguarding risks within the family or in the community. Staff should always follow up any unexplained absences. Further information and support can be found in the Government's Missing Children and Adults Strategy.

### **5.11 Children with family members in prison**

Approximately 200,000 children in England and Wales have a parent sent to prison each year. These children 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 negative consequences for those children.

## **5.12 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, 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.

Children who have been exploited will need 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](#)

## **5.13 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 form 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 'trap house 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.

#### **5.14 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 is available in the Modern Slavery Statutory Guidance. Modern slavery: how to identify and support victims - GOV.UK ([www.gov.uk](http://www.gov.uk))

#### **5.15 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 offence, 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 designated safeguarding lead (or a deputy), 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.

Note that 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 - NCSC.GOV.UK

## **5.16 Domestic abuse**

The Domestic Abuse Act 2021 received Royal Assent on 29 April 2021. The Act 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, based on the previous cross-government definition, 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 sexual identity, age, ethnicity, socioeconomic status, sexuality or background and domestic abuse can take place inside or outside of the home. The government will issue statutory guidance to provide further information for those working with domestic abuse victims and perpetrators, including the impact on children.

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.

## **5.17 Homelessness**

Being homeless or being at risk of becoming homeless presents a real risk to a child's welfare. The designated safeguarding lead (and any deputies) 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, and in accordance with local procedures, 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.

The Homelessness Reduction Act 2017 places a new legal duty on English councils so that everyone who is homeless or at risk of homelessness will have access to meaningful help including an assessment of their needs and circumstances, the development of a personalised housing plan, and work to help them retain their accommodation or find a new place to live. The following factsheets usefully summarise the new duties: Homeless Reduction Act Factsheets. The new duties shift focus to early intervention and encourage those at risk to seek support as soon as possible, before they are facing a homelessness crisis.

In most cases school and college 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 social care will be the lead agency for these children and the designated safeguarding lead (or a deputy) should ensure appropriate referrals are made based on the child's circumstances. The Department and the Ministry of Housing, Communities and Local Government have published joint statutory guidance on the provision of accommodation for 16 and 17 year olds who may be homeless and/or require accommodation: [here](#).

### **5.18 'honour-based' abuse (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.

#### **Actions**

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 designated safeguarding lead (or deputy). As appropriate, they will activate local safeguarding procedures, using existing national and local protocols for multi-agency liaison with police and children's social care. Where FGM has taken place, since 31 October 2015 there has been a mandatory reporting duty placed on teachers.

### **5.19 FGM mandatory reporting duty for teachers**

FGM comprises all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs. It is illegal in the UK and a form of child abuse with long-lasting harmful consequences.

Section 5B of the Female Genital Mutilation Act 2003 (as inserted by section 74 of the Serious Crime Act 2015) places a statutory duty upon teachers along with regulated health and social care professionals in England and Wales, to report to the police where they discover (either through disclosure by the victim or visual evidence) that FGM appears to have been carried out on a girl under 18. HPS Care staff will also abide by this duty. Those failing to report such cases may face disciplinary sanctions. It will be rare for staff to see visual evidence, and they should not be examining children, but the same definition of what is meant by “to discover that an act of FGM appears to have been carried out” is used for all professionals to whom this mandatory reporting duty applies. Information on when and how to make a report can be found at: [Mandatory reporting of female genital mutilation procedural information](#).

Staff must personally report to the police cases where they discover that an act of FGM appears to have been carried out. Unless the member of staff has good reason not to, they should still consider and discuss any such case with the designated safeguarding lead (or deputy) and involve children’s social care as appropriate. The duty does not apply in relation to at risk or suspected cases (i.e. where the member of staff does not discover that an act of FGM appears to have been carried out, either through disclosure by the victim or visual evidence) or in cases where the woman is 18 or over. In these cases, staff should follow local safeguarding procedures. The following is a useful summary of the FGM mandatory reporting duty: [FGM Fact Sheet](#).

Further information can be found in the Multi-agency statutory guidance on female genital mutilation and the FGM resource pack particularly section 13.

## 5.20 Forced marriage

Forcing a person into a marriage is a crime in England and Wales. 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.

A lack of full and free consent can be where a person does not consent or where they cannot consent (if they have learning disabilities, for example). Nevertheless, some perpetrators use perceived cultural practices as a way to coerce a person into marriage. Settings can play an important role in safeguarding children from forced marriage. The Forced Marriage Unit has published [statutory guidance](#) and [Multi-agency guidelines](#). Staff can contact the Forced Marriage Unit if they need advice or information: Contact: 020 7008 0151 or email [fm@fco.gov.uk](mailto:fm@fco.gov.uk).

## 5.21 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 the 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 an action that endangers or causes serious violence to a person/people; causes serious damage to property; or seriously interferes 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.

As defined in the Government's Counter Extremism Strategy,  
<https://www.gov.uk/government/publications/counter-extremism-strategy>.

As defined in the Revised Prevent Duty Guidance for England and Wales,  
<https://www.gov.uk/government/publications/prevent-duty-guidance/revised-prevent-duty-guidance-for-england-and-wales>.

As defined in the Terrorism Act 2000 (TACT 2000),  
<http://www.legislation.gov.uk/ukpga/2000/11/contents>

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 which may include the designated safeguarding lead (or deputy) making a Prevent referral.

Staff should also be aware that children spending more time at home and not in setting due to circumstances such as the COVID 19 pandemic, could be at more risk of radicalisation. As the setting reopens then continuing forward, time should be spent talking to each child about what they have been doing at home, while away from WACC/Kindergarten, and listening out for any potential warning signs, as per this (Safeguarding) policy.

The designated safeguarding lead (and any deputies) should be aware of local procedures for making a Prevent referral.

## 5.22 The Prevent duty

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. HPS Care staff will also abide by this duty.

The Prevent duty should be seen as part of the wider safeguarding obligations. Designated safeguarding leads and other senior leaders should familiarise themselves with the revised [Prevent duty guidance: for England and Wales](#), The guidance is set out in terms of four general themes: risk assessment, working in partnership, staff training, and IT policies.

## 5.23 Channel

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.

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

The Home Office has developed three e-learning modules:

- [Prevent awareness e-learning](#) 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.
- [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 school 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.

For advice specific to further education, the Education and Training Foundation (ETF) hosts the [Prevent for FE and Training](#). This hosts a range of free, sector specific resources to support further education settings comply with the Prevent duty. This includes the Prevent Awareness e-learning, which offers an introduction to the duty, and the Prevent Referral e-learning, which is designed to support staff to make robust, informed and proportionate referrals. The ETF Online Learning environment provides online training modules for practitioners, leaders and managers, support staff and governors/Board members outlining their roles and responsibilities under the duty.

## 5.24 Peer on peer/child on child abuse

Children can abuse other children. This is generally referred to as peer on peer abuse and can take many forms. 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.

All staff should understand, that even if there are no reports in their schools it does not mean it is not happening, it may be the case that it is just not being reported. As such it is important if staff have **any** concerns regarding peer on peer abuse they should speak to their designated safeguarding lead (or deputy).

It is essential that **all** staff understand the importance of challenging inappropriate behaviours between peers, many of which are listed below, that are actually abusive in nature. Downplaying certain behaviours, for example dismissing sexual harassment as “just banter”, “just having a laugh”, “part of growing up” or “boys being boys” can lead to a culture of unacceptable behaviours, an unsafe environment for children and in worst case scenarios a culture that normalises abuse leading to children accepting it as normal and not coming forward to report it.

Peer on peer abuse is most likely to include, but may not be limited to:

- bullying (including cyberbullying, prejudice-based and discriminatory 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 - further information below);
- sexual harassment, such as sexual comments, remarks, jokes and online sexual harassment, which may be standalone or part of a broader pattern of abuse (further information below);
- 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 nudes and semi nudes 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 without their permission, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm (further information below); 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).

**All** staff should be clear as to the school's or college's policy and procedures with regards to peer on peer abuse and the important role they have to play in preventing it and responding where they believe a child may be at risk from it.

## **5.25 Sexual violence and sexual harassment between children**

### **Context**

Sexual violence and sexual harassment can occur between two children of any age and sex from primary to secondary stage and into colleges. It can also occur online. It can also occur through a group of children sexually assaulting or sexually harassing a single child or group of children.

Children who are victims of sexual violence and sexual harassment will likely find the experience stressful and distressing. This will, in all likelihood, adversely affect their educational attainment. Sexual violence and sexual harassment exist on a continuum and may overlap, they can occur online and offline (both physical and verbal) and are never acceptable.

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.

Staff should be aware that some groups are potentially more at risk. Evidence shows girls, children with special educational needs and disabilities (SEND) and LGBT children are at greater risk.

Staff should be aware of the importance of:

- challenging inappropriate behaviours;
- making clear that sexual violence and sexual harassment is not acceptable, will never be tolerated and is 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”; and,
- 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.

## **What is sexual violence and sexual harassment?**

It is important that staff are aware of sexual violence and the fact children can, and sometimes do, abuse their peers in this way. When referring to sexual violence we are referring to sexual violence 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: s/he intentionally penetrates the vagina or anus of another person (B) with a part of her/his 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: s/he intentionally touches another person (B), the touching is sexual, B does not consent to the touching and A does not reasonably believe that B consents.

Causing someone to engage in sexual activity without consent:

A person (A) commits an offence if: s/he intentionally causes 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 s/he agrees by choice to that penetration and has 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

## **5.26 Sexual harassment**

When referring to sexual harassment we mean 'unwanted conduct of a sexual nature' that can occur online and offline. 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 (staff 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 nudes and semi-nudes images and/or videos. 140 As set out in UKCIS Sharing nudes and semi-nudes: advice for education settings working with children and young people (which provides detailed advice for schools and colleges) taking and sharing nude photographs of U18s is a criminal offence;
- sharing of unwanted explicit content;
- upskirting (is a criminal offence)
- sexualised online bullying;
- unwanted sexual comments and messages, including, on social media;
- sexual exploitation; coercion and threats.

## **Upskirting**

The Voyeurism (Offences) Act, which is commonly known as the Upskirting Act, came into force on 12 April 2019. 'Upskirting' is where someone takes a picture under a person's clothing (not necessarily a skirt) without their permission and or knowledge, with the intention of viewing their genitals or buttocks (with or without underwear) to obtain sexual gratification, or cause the victim humiliation, distress or alarm. It is a criminal offence. Anyone of any gender, can be a victim.

## **The response to a report of sexual violence or sexual harassment**

The initial response to a report from a child is incredibly important. How the setting responds to a report can encourage or undermine the confidence of future victims of sexual violence and sexual harassment to report or come forward. Settings 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 follow the referral process as set out in this document. As is always the case, if staff are in any doubt as to what to do they should speak to the designated safeguarding lead (or a deputy).

A number of toolkits with further information and advice are available in the DfE's *Keeping Children Safe in Education 2021*.

## **Preventative Strategies**

There are a number of measures HPS Care can take in order to prevent peer on peer abuse rather than manage the issues in a reactive way. These include:

- Recognising that peer on peer abuse can and will occur on any site even with the most stringent of policies and support mechanisms. It is important to continue to recognise and manage such risks and learn how to improve and move forward with strategies in supporting children to talk about any issues and through sharing information with all staff.
- Ensuring that we have an open environment where children feel safe to share information about anything that is upsetting or worrying them. To enable such an open and honest environment it is necessary to ensure the whole workforce feels confident and enabled to talk about issues and challenge perceptions of children including use of inappropriate language and behaviour towards one another.
- Providing staff training around abusive behaviours and talking to children in a way that continues to create an open and honest environment without prejudice.
- Ensuring signposting is available to children in the event that they don't feel confident raising an issue to staff or a peer.

## **Reporting abuse**

The initial response to a report from a child is important. 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.

Staff must be aware that there could be multiple issues overlapping and/or multiple types of abuse/exploitation/neglect.

If staff have a concern about a child or a child makes a report to them, they should follow the referral process. As is always the case, if staff are in any doubt as to what to do they should speak to the designated safeguarding lead (or a deputy). Additional advice and support

- What to do if you're worried a child is being abused – DfE advice
- Domestic abuse: Various Information/Guidance - Home Office (HO)
- Faith based abuse: National Action Plan - DfE advice
- Relationship abuse: disrespect nobody - Home Office website

## **5.27 Children with additional vulnerabilities**

There are many children who have additional needs or whose living arrangements may mean that they are more vulnerable to harm, for example children with special educational needs, disabled children, children with certain health conditions, children with mental health needs children at risk of 'honour'-based abuse, children who have a parent in prison (or are affected by parental offending), children who are persistently missing from education and children in public



care or privately fostered children. It is essential that the setting knows who shares parental responsibility for children and has effective relationships with partner agencies in relation to these children (for example, Virtual School for Children in Care).

Both settings will ensure that staff have sufficient knowledge and guidance so that they are aware of the additional challenges faced by these children and the impact of their additional vulnerabilities. These can include: assumptions that indicators of possible abuse such as behaviour, mood and injury relate to a child's disability without further exploration; no single point of contact for the school as a child has a number of care-givers and involved professionals; assumptions that state approved care-givers are providing safe care for the child; communication needs of a child which can lead to over reliance on parental accounts and interpretations.

### **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 designated safeguarding lead 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. There are clear powers to share this information under existing duties on both local authorities and schools and colleges to safeguard and promote the welfare of children.

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).

Findings from the Children in Need review, 'Improving the educational outcomes of Children in Need of help and protection' contains further information; the conclusion of the review, 'Help, protection, education' sets out action Government is taking to support this.

### **Children requiring mental health support**

Settings have an important role to play in supporting the mental health and wellbeing of their children.

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. Governing bodies and proprietors should ensure they have clear systems and processes in place for identifying possible mental health problems, including routes to escalate and clear referral and accountability systems.

The Department of Education has published advice and guidance on Preventing and Tackling Bullying, Mental Health and Behaviour in Schools (which may also be useful for other settings). The Mental Health and Behaviour in Schools guidance sets out how schools and colleges can help prevent mental health problems by promoting resilience as part of an integrated, whole school/college approach to social and emotional wellbeing, which is tailored to the needs of their pupils.

## **Looked after children and previously looked after children**

The most common reason for children becoming looked after is as a result of abuse and/or neglect. Governing bodies and proprietors should ensure that staff have the skills, knowledge and understanding to keep looked after children safe.

In particular, they should ensure that appropriate staff have the information they need in relation to a child's looked after legal status (whether they are looked after under voluntary arrangements with consent of parents, or on an interim or full care order) and the child's contact arrangements with birth parents or those with parental responsibility. They should also have information about the child's care arrangements and the levels of authority delegated to the carer by the authority looking after him/her. The designated safeguarding lead should have details of the child's social worker and the name of the virtual school head in the authority that looks after the child.

A previously looked after child potentially remains vulnerable and all staff should have the skills, knowledge and understanding to keep previously looked after children safe. When dealing with looked after children and previously looked after children, it is important that all agencies work together and prompt action is taken when necessary to safeguard these children, who are a particularly vulnerable group.

## **Children with special educational needs and disabilities or physical health issues**

Children with special educational needs or disabilities (SEND) or certain health conditions can face additional safeguarding challenges. Additional barriers can exist when recognising abuse and neglect in this group of children. These can include:

- assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's condition without further exploration;
- these children being more prone to peer group isolation or bullying (including prejudice-based bullying) than other children;
- the potential for children with SEND or certain medical conditions being disproportionately impacted by behaviours such as bullying, without outwardly showing any signs; and
- communication barriers and difficulties in managing or reporting these challenges.

To address these additional challenges, settings should consider extra pastoral support and attention for these children, along with ensuring any appropriate support for communication is in place.

Further information can be found in the Department for Education's: 'SEND Code of Practice 0 to 25' and 'Supporting Pupils at School with Medical Conditions'.

## **5.28 Private fostering - LA notification when identified**

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. The setting should then notify the local authority to allow the local authority to check the arrangement is suitable and safe for the child.

See DfE statutory guidance [Children Act 1989 Private fostering](#) for comprehensive guidance on private fostering

A private fostering arrangement occurs when someone other than a parent or a close relative care for a child for a period of 28 days or more, with the agreement of the child's parents. It applies to children under the age of 16 or aged under 18 if the child is disabled. Children looked after by the local authority or who are placed in a residential school, children's home or hospital are not considered to be privately fostered.

Private fostering occurs in all cultures, including British culture and children may be privately fostered at any age.

Most privately fostered children remain safe and well but safeguarding concerns have been raised in some cases, so it is important that both Settings are alert to possible safeguarding issues, including the possibility that a child has been trafficked into the country.

By law, a parent, private foster carer or other persons involved in making a private fostering arrangement must notify Children's Services as soon as possible. If we become aware of a privately fostering arrangement, we will check that Children's Services have been informed.

### **When to make a referral and/or get help and advice**

The DSL will make the decision about contacting the Family Front door when they have a concern about a child. The DSL may do this to take advice OR to make a referral.

If the concerns are based on more concrete indicators – i.e. the young person says this is going to happen to them, or disclosure that it has happened to them or to an older sibling – schools should make a child protection referral and inform the Police as required by the mandatory reporting duty. The setting should not:

- Contact the parents before seeking advice from children's social care;
- Make any attempt to mediate between the child/young person and parents.

It is important to keep in mind that the parents may not see FGM or Breast Ironing as a form of abuse; however, they may be under a great deal of pressure from their community and or family to subject their daughters to it. Some parents from identified communities may seek advice and support as to how to resist and prevent FGM for their daughters, and education about the harmful effects of FGM and Breast Ironing may help to make parents feel stronger in resisting the pressure of others in the community. Remember that religious teaching does not support FGM or Breast Ironing.

### **The 'one chance' rule**

In the same way that we talk about the 'one chance rule' in respect of young people coming forward with fears that they may be forced into marriage, young people disclosing fears that they are going to be sent abroad for FGM are taking the 'one chance', of seeking help. It is essential that we take such concerns seriously and act without delay. Never underestimate the determination of parents who have decided that it is right for their daughter to undergo FGM. Attempts to mediate may place the child/young person at greater risk, and the family

may feel so threatened at the news of their child's disclosure that they bring forward their plans or take action to silence her.

## **5.29 Supporting Children**

What support they require depends on the individual child. It may be that they wish to seek counselling or one to one support via a mentor. It may also be that they feel able to deal with the incident(s) on their own or with support of family and friends. In which case it is necessary that this child continues to be monitored and offered support should they require it in the future. If the incidents are of a bullying nature, the child may need support in improving peer groups/relationships with other children or some restorative justice work with all those involved may be required.

Other interventions that could be considered may target a whole group of children, for example a speaker on cyber bullying, relationship abuse etc. It may be that HPS Care works with the school to support the school curriculum that may cover these issues in class.

If the child feels particularly vulnerable it may be that a risk assessment can be put in place for them whilst in kindergarten or a WACC so that they have someone named that they can talk to, support strategies for managing future issues and identified services to offer additional support.

If a child has displayed harmful behaviour, it is important to find out why the child has behaved in such a way. It may be that the child is experiencing their own difficulties and may even have been harmed themselves. In such cases support such as one to one mentoring or counselling may also be appropriate. Particular support from identified services may be necessary through a Team around a child/strengthening families/early help referral and the child may require additional support from family members.

Once the support required to meet the individual needs of the child has been met, it is important that child receives a consequence for their behaviour. This may be in the form of restorative justice e.g. making amends with the child they have targeted if this has been some form of bullying. In the cases of sexually harmful behaviour it may be a requirement for the child to engage in one to one work with a particular service or agency (if a crime has been committed this may be through the Police or Youth Offending Service). If there is any form of criminal investigation ongoing it may be that this child cannot be educated on site until the investigation has concluded. In which case, the children will need to be provided with appropriate support and education whilst off site.

Even following the conclusion of any investigation the behaviour that the child has displayed may continue to pose a risk to others in which case an individual risk assessment may be required. This would be completed via a multiagency response to ensure that the needs of the child and the risks towards others are measured by all of those agencies involved including the child and their parents. This may mean additional supervision of the child or protective strategies if the child feels at risk of engaging in further inappropriate or harmful behaviour.

### **After care**

It is important that following the incident the children involved continue to feel supported and receive help even if they have stated that they are managing the incident. Sometimes the feelings of remorse, regret or unhappiness may occur at a much later stage than the incident. It is important to ensure that the children do not engage in any further harmful behaviour either towards someone else or to themselves as a way of coping (e.g. self-harm). In which case, regular reviews with the children following the incident(s) are imperative.

### 5.30 Protecting children

- Governing bodies and proprietors should be doing all that they reasonably can to limit children's exposure to the above risks from the IT system. As part of this process, Directors should ensure the school has appropriate filters and monitoring systems in place. *(Please note HPS Care uses the school IT systems and equipment).*
- Whilst considering their responsibility to safeguard and promote the welfare of children, and provide them with a safe environment in which to learn, Directors and Managers should consider the age range of children, the number of children, how often they access the IT system and the proportionality of costs vs risks.
- The appropriateness of any filters and monitoring systems are a matter for individual schools and that will be informed in part, by the risk assessment required by the Prevent Duty. The UK Safer Internet Centre has published guidance as to what "appropriate" filtering and monitoring might look like: [UK Safer Internet Centre: appropriate filtering and monitoring](#).
- Guidance on e-security is available from the [National Education Network](#). Support for schools is available via the: [schools' buying strategy](#) with specific advice on procurement here: [buying for schools](#).
- Whilst filtering and monitoring is an important part of the online safety picture for schools to consider, it is only one part. Directors and Managers should work with the school to consider an approach to online safety. This will include a clear policy on the use of mobile technology. Many children have unlimited and unrestricted access to the internet via 3G, 4G and 5G in particular and the school should carefully consider how this is managed on their premises.
- Whilst it is essential that appropriate filters and monitoring systems are in place, there should be caution that "over blocking" does not lead to unreasonable restrictions as to what children can be taught with regard to online teaching and safeguarding.

### 5.31 Allegations against staff

HPS Care staff should be mindful of the position of trust that they are in when working within an education setting. They need to comply with guidance about conduct and safe practice, including safe use of mobile phones. Children's allegations or concerns about staff conduct will be taken seriously and followed up in a transparent and timely way.

This part of the guidance is about managing cases of allegations that might indicate a person would pose a risk of harm if they continue to work in regular or close contact with children in their present position, or in any capacity with children. This guidance should be followed where it is alleged that anyone working in either setting that provides education/care for children under 18 years of age, including supply staff and volunteers has:

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

This part of the guidance relates to members of staff, supply staff and volunteers who are currently working in any setting regardless of whether the setting is where the alleged abuse took place. Allegations against a member of staff who is no longer working should be referred to the police. Historical allegations of abuse should also be referred to the police.

HPS Care has a duty of care to their employees. They should ensure they provide effective support for anyone facing an allegation and provide them with a named contact if they are suspended. Where HPS Care are not the employer of an individual they still have responsibility to ensure allegations are dealt with appropriately and that they liaise with relevant parties (this includes bank staff and volunteers). It is essential that any allegation of abuse made against a member of staff or volunteer is dealt with very quickly, in a fair and consistent way that provides effective protection for the child and, at the same time supports the person who is the subject of the allegation. If the DSL reports the allegation to the LADO and Ofsted, the LADO will advise if other agencies (e.g. Police) need to be informed and if it is necessary to suspend the member of staff. If appropriate, the Disclosure and Barring Service (DBS) may need to be informed.

Under exceptional circumstance such as the COVID 19 Pandemic, where members of staff may be working from home and not have access to record incidents, the incident should be recorded and reported as per the safeguarding policy and the incident record completed as soon as the member of staff is back in the workplace as well as any other documentation that needs to be completed.

Further guidance on managing allegations against staff can be found in the DfE's *Keeping Children Safe in Education 2021*.

## **Supply Staff**

- In some circumstances HPS Care will have to consider an allegation against an individual not directly employed by them, where its disciplinary procedures do not fully apply, for example, supply staff provided by an employment agency or business (referred to in this section as 'the agency').
- Whilst HPS Care is not the employer of supply staff, they should ensure allegations are dealt with properly. In no circumstances should HPS Care decide to cease to use a supply staff due to safeguarding concerns, without finding out the facts and liaising with the local authority designated officer (LADO) to determine a suitable outcome. Managers and Directors should discuss with the agency whether it is appropriate to suspend the supply staff, or redeploy them to another part of the business, whilst they carry out their investigation.
- Agencies should be fully involved and co-operate in any enquiries from the LADO, police and/or children's social services. HPS Care will usually take the lead because agencies do not have direct access to children or other staff, so they will not be able to collect the facts when an allegation is made, nor do they have all the relevant information required by the LADO as part of the referral process. Supply staff, whilst not employed by HPS Care, are under the supervision, direction and control of the governing body or proprietor when working in the company. They should be advised to contact their trade union representative if they have one, or a colleague for support. The allegations management meeting which is often arranged by the LADO should address issues such as information sharing, to ensure that any previous concerns or allegations known to the agency are taken into account during the investigation.

- When using an agency, HPS Care should inform the agency of its process for managing allegations. This should include inviting the agency's human resource manager or equivalent to meetings and keeping them up to date with information about its policies.

### **5.32 What HPS Care staff should do if they have safeguarding concerns about another staff member who may pose a risk of harm to children**

If staff have safeguarding concerns, or an allegation is made about another member of staff (including supply staff and volunteers) posing a risk of harm to children, then:

- this should be referred to the DSL, Management and/or Directors;
- where there are concerns/allegations about a Manager, this should be referred to Directors. If there is a concern/allegation about a Director, it should be referred to another Director and/or the designated officer(s) at the local authority.

A Director on all such occasions will discuss the content of the allegation with LADO, prior to undertaking any investigation.

The company will follow the DfE and West Mercia procedures, [LA procedures](#) for managing allegations against staff, a copy of which is available in school.

A Director will be guided by the LADO and an HR consultant when considering suspension or other neutral protective steps.

Publication of material that may lead to the identification of a member of staff who is the subject of an allegation is prohibited by law; this includes verbal conversations or written material including content placed on social media sites.

### **5.33 Managing Professional Disagreements**

On occasions there will be disagreements between professionals as to how concerns are handled and these can impact on effective working relationships. The company will support staff to promote positive partnerships and will ensure that staff are aware of how to escalate concerns and disagreements if appropriate and use the WSCP escalation procedures<sup>7</sup>if necessary.

<sup>7</sup><http://westmidlands.procedures.org.uk/local-content/4gjN/escalation-policy-resolution-of-professional-disagreements>

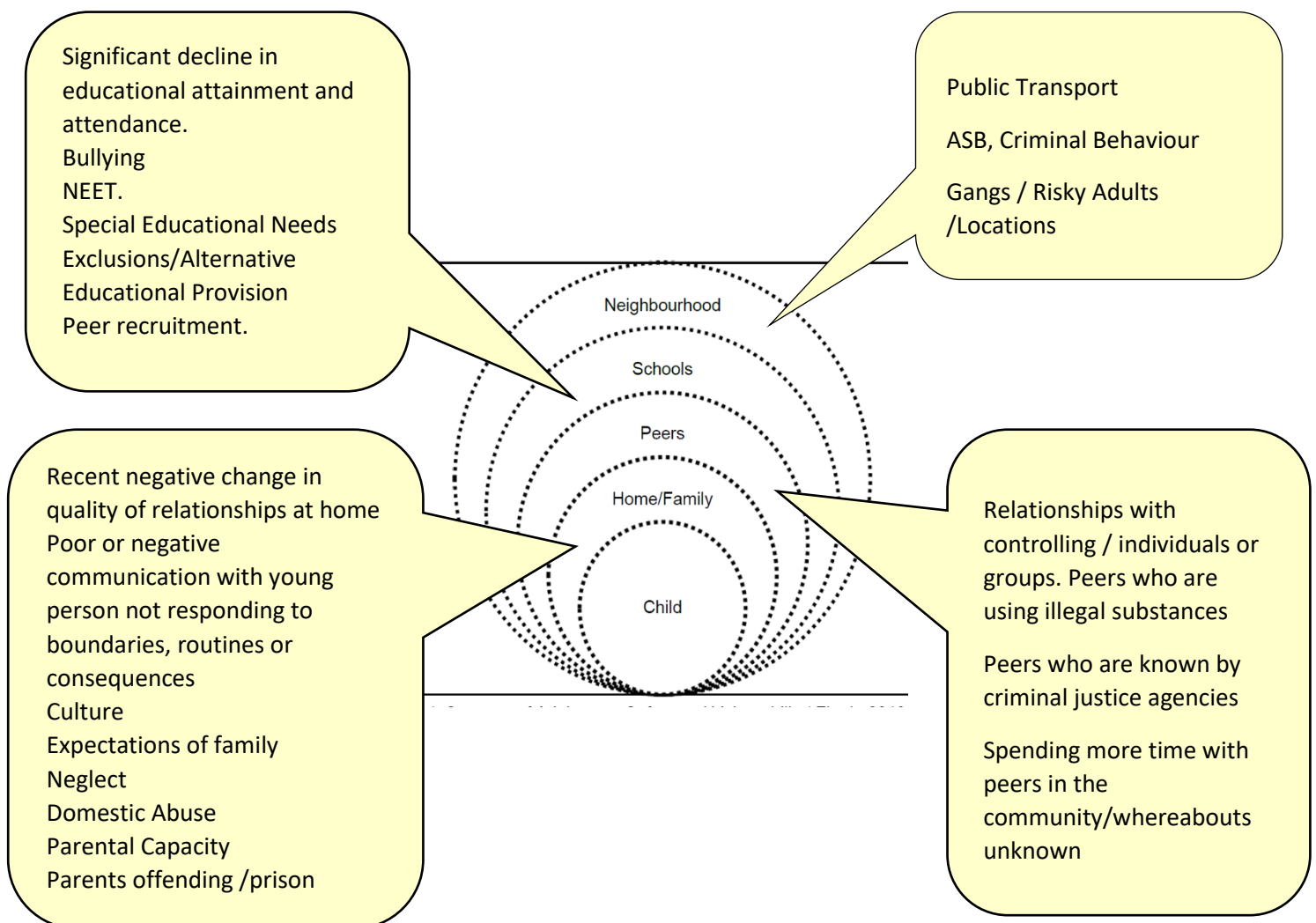
### **5.34 The use of 'reasonable force'**

There are circumstances when it is appropriate for staff 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 room.

## 6 Contextualised Safeguarding

All staff should be aware that safeguarding incidents and/or behaviours can be associated with factors outside the Setting/s and/or can occur between children outside of these environments.

All staff, but especially the 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. Mental Health

All staff should also 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. Staff, however, are well placed to observe children day-to-day 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, 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 advice set out in this policy and speaking to the designated safeguarding lead or a deputy.

The department of Education has published advice and guidance on Preventing and Tackling Bullying, and Mental Health and Behaviour in Schools (which may also be useful for HPS Care). Public Health England have also provided guidance on promoting children's emotional health and wellbeing.

## **8 Children potentially at greater risk of harm**

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 designated safeguarding lead 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. There are clear powers to share this information under existing duties on both local authorities and schools and colleges to safeguard and promote the welfare of children.

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).

Findings from the Children in Need review, ['Improving the educational outcomes of Children in Need of help and protection'](#) contains further information; the conclusion of the review, ['Help, protection, education'](#) sets out action Government is taking to support this.

## **9 Inspection**

- Since September 2019, Ofsted's inspections of early years, schools and post-16 provision are carried out under Ofsted's Education Inspection Framework. Inspectors will always report on whether or not arrangements for safeguarding children and learners are effective.
- In addition to the framework and inspections handbooks, Ofsted publishes specific guidance to inspectors on inspecting safeguarding: Inspecting safeguarding in early years, education and skills settings.
- The Independent Schools Inspectorate (ISI) is approved to inspect certain independent schools and will also report on safeguarding arrangements. ISI has a published framework which informs how it inspects at Independent Schools Inspectorate.

## 10. Other Relevant Policies

The Governing Body's statutory responsibility for safeguarding the welfare of children goes beyond compliance with child protection procedures. The safeguarding duty is relevant for the discharge of all functions and activities. This policy needs to be considered in conjunction with the following policies:

- Administering Medication Policy
- Bullying Policy
- Health and Safety Policy
- Complaints Policy
- Contenance and Intimate Care Policy
- First Aid Policy
- Missing Child Policy
- SEN Policy
- Social Media Policy
- The Use of Mobile Phones and Cameras Policy (Annex C)
- Uncollected Children Policy
- Visitor Policy
- Whistleblowing

### Policy approval

<b>WACC Manager (L. Taylor)</b>	09/01/2024
<b>Kindergarten Manager (N Skelding)</b>	09/01/2024
<b>Approved by HPS Care Management Team and Directors</b>	09/01/2024
<b>Review Date</b>	09/01/2025

## **Annex A: Role of the 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 setting to carry out the duties of the post. They should be given the time, funding, training, resources and support to provide advice and support to other staff on child welfare and child protection matters, to take part in strategy discussions and inter-agency meetings, and/or to support other staff to do so, and to contribute to the assessment of children.

### **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.

### **Manage referrals**

The designated safeguarding lead is expected to:

- refer cases of suspected abuse to the local authority children's social care as required;
- support staff who make referrals to local authority children's social care;
- refer cases to the Channel programme where there is a radicalisation concern as required;
- support staff who make referrals to the Channel programme;
- refer cases where a person is dismissed or left due to risk/harm to a child to the Disclosure and Barring Service as required; and
- refer cases where a crime may have been committed to the Police as required.
- act as a point of contact with the three safeguarding partners;
- liaise with Directors to inform him or her of issues- especially ongoing enquiries under section 47 of the Children Act 1989 and police investigations;
- as required, liaise with the "case manager" (and the designated officer(s) at the local authority for child protection concerns in cases which concern a staff member;
- liaise with staff (especially pastoral support staff, school nurses, IT Technicians, and SENCOs, or the named person with oversight for SEN in a college and Senior Mental Health Leads) on matters of safety and safeguarding (including online and digital safety) and when deciding whether to make a referral by liaising with relevant agencies; and
- act as a source of support, advice and expertise for all staff.

### **Training**

The designated safeguarding lead (and any deputies) should undergo training to provide them with the knowledge and skills required to carry out the role and promote the welfare of children. 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, 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;
- ensure each member of staff has access to, and understands, the Settings child protection policy and procedures, especially new and part time staff;
- are alert to the specific needs of children in need, those with special educational needs 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 three 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 or college 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 or college;
- can recognise the additional risks that children with SEN and disabilities (SEND) face online, for example, from online bullying, grooming and radicalisation and are confident they have the capability to support SEND children 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 or college 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.

## **Raise Awareness**

The designated safeguarding lead should:

- ensure the child protection policies are known, understood and used appropriately;
- ensure the child protection policy is reviewed annually (as a minimum) and the procedures and implementation are updated and reviewed regularly
- ensure the child protection policy is available publicly and parents are aware of the fact that referrals about suspected abuse or neglect may be made and the role of the setting/s in this; and
- 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.
- help promote educational outcomes by sharing the information about the welfare safeguarding and child protection issues that children, including children with a social worker, are experiencing, or have experienced, with teachers and school and college leadership staff.
- Their role could include ensuring that the setting/s, and their staff, know who these children are, understand their academic progress and attainment and maintain a culture of high aspirations for this cohort; supporting staff to identify the challenges that children in this group might face and the additional support and adjustments that they could make to best support these children.

## **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 this guidance.

Where children leave the school or college (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 5 days for an in-year transfer or within the first 5 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.

## **Availability**

During term time the designated safeguarding lead (or a deputy) should always be available (during setting hours) for staff in the setting 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 settings, 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 settings and the designated safeguarding lead to arrange adequate and appropriate cover arrangements for any out of hours/out of term activities.

## **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 or college 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**

Therefore the designated safeguarding lead should be equipped to:

- understand the importance of information sharing, both within the school and college, 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 (UK GDPR); and,
- be able to keep detailed, accurate, secure written records of concerns and referrals and understand the purpose of this record-keeping.

## Annex B: Online Safety

*(Please note, both HPS Care settings use Hagley Primary School IT systems and equipment)*

The use of technology has become a significant component of many safeguarding issues. Child sexual exploitation; radicalisation; sexual predation: technology often provides the platform that facilitates harm. An effective approach to online safety and the use of mobile phones and Cameras empowers a setting to protect and educate all staff, children, volunteers and parents/cares in their use of technology and establishes mechanisms to identify, intervene in, and escalate any incident where appropriate.

### Online Safety

The breadth of issues classified within online safety is considerable, but can be categorised into four areas of risk:

**-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. If you feel your pupils, students or staff are at risk, please report it to the Anti-Phishing Working Group(<https://apwg.org/>).

### Education

There are opportunities to teach safeguarding, including online safety.HPS Care will liase with the school about the best ways to do this. Resources that could support include:

- Be Internet Legends developed by Parent Zone and Google is a free internet safety curriculum with PSHE accredited lesson plans and teaching resources for Key Stage 2 pupils
- Disrespect nobody is Home Office advice and includes resources on healthy relationships, including sexting and pornography
- Education for a connected world framework from the UK Council for Internet Safety supports the development of the curriculum and is of particular relevance to RSHE education and Computing. It is designed, however, to be usable across the curriculum and beyond (covering early years through to age 18) and to be central to a whole school or college approach to safeguarding and online safety.

- PSHE association provides guidance to schools on developing their PSHE curriculum
- Thinkuknow is the National Crime Agency/CEOPs education programme with age specific resources
- UK Safer Internet Centre developed guidance and resources that can help with the teaching of the online safety component of the Computing Curriculum.

### Protecting children

Directors and Managers should be doing all that they reasonably can to limit children's exposure to the above risks from the school's IT system. As part of this process, Directors and Managers should ensure the school has appropriate filters and monitoring systems in place.

Whilst considering their responsibility to safeguard and promote the welfare of children, and provide them with a safe environment in which to learn, Directors and Managers should consider the age range of children, the number of children, how often they access the IT system and the proportionality of costs vs risks.

The appropriateness of any filters and monitoring systems are a matter for individual schools and will be informed in part, by the risk assessment required by the Prevent Duty. The UK Safer Internet Centre has published guidance as to what "appropriate" filtering and monitoring might look like: UK Safer Internet Centre: appropriate filtering and monitoring.

Whilst filtering and monitoring is an important part of the online safety picture for schools to consider, it is only one part. Directors and Managers should consider a whole school/HPS Care approach to online safety. This will include a clear policy on the use of mobile technology in the school. Many children have unlimited and unrestricted access to the internet via 3G, 4G and 5G in particular and the school should carefully consider how this is managed on their premises.

Whilst it is essential that Directors and Managers ensure that appropriate filters and monitoring systems are in place, they should be careful that "over blocking" does not lead to unreasonable restrictions as to what children can be taught with regard to online teaching and safeguarding.

### Reviewing online safety

Technology in this area evolves and changes rapidly. A free online safety self-review tool for schools can be found via the 360 safe website. UKCIS has published Online safety in schools and colleges: Questions for the governing board to help responsible bodies assure themselves that their online safety arrangements are effective.

### Staff training

Directors and Managers should ensure that, as part of the requirement for staff to undergo regularly updated safeguarding training (at least every 3 years) and the requirement to ensure children are taught about safeguarding, including online safety, that online safety training for staff is integrated, aligned and considered as part of the overarching safeguarding approach.



## Information and support

There is a wealth of information available to support schools and parents/carers to keep children safe online. The following list is not exhaustive but should provide a useful starting point:

### Advice for governing bodies/proprietors and senior leaders

- Childnet provide guidance for schools on cyberbullying
- Educateagainsthate provides practical advice and support on protecting children from extremism and radicalisation
- London Grid for Learning provides advice on all aspects of a school or college's online safety arrangements
- NSPCC provides advice on all aspects of a school or college's online safety arrangements
- Safer recruitment consortium "guidance for safe working practice", which may help ensure staff behaviour policies are robust and effective
- Searching screening and confiscation is departmental advice for schools on searching children and confiscating items such as mobile phones
- South West Grid for Learning provides advice on all aspects of a school or college's online safety arrangements
- Use of social media for online radicalisation - A briefing note for schools on how social media is used to encourage travel to Syria and Iraq
- UK Council for Internet Safety have provided advice on sexting-in-schools-and-colleges and using-external-visitors-to-support-online-safety-education
- Departmental guidance on safeguarding and remote education including planning remote education strategies and teaching remotely
- London Grid for learning guidance, including platform specific advice
- National cyber security centre guidance on choosing, configuring and deploying video conferencing
- UK Safer Internet Centre guidance on safe remote learning

### Support for children

- Childline for free and confidential advice
- UK Safer Internet Centre to report and remove harmful online content
- CEOP for advice on making a report about online abuse
- Parental support
- Childnet offers a toolkit to support parents and carers of children of any age to start discussions about their online life, to set boundaries around online behaviour and technology use, and to find out where to get more help and support
- Commonsensemedia provide independent reviews, age ratings, & other information about all types of media for children and their parents

- Government advice about protecting children from specific online harms such as child sexual abuse, sexting, and cyberbullying
- Government advice about security and privacy settings, blocking unsuitable content, and parental controls
- Internet Matters provide age-specific online safety checklists, guides on how to set parental controls on a range of devices, and a host of practical tips to help children get the most out of their digital world
- Let's Talk About It provides advice for parents and carers to keep children safe from online radicalisation
- London Grid for Learning provides support for parents and carers to keep their children safe online, including tips to keep primary aged children safe online
- Lucy Faithfull Foundation StopItNow resource can be used by parents and carers who are concerned about someone's behaviour, including children who may be displaying concerning sexual behaviour (not just about online)
- National Crime Agency/CEOP Thinkuknow provides support for parents and carers to keep their children safe online
- Net-aware provides support for parents and carers from the NSPCC and O2, including a guide to social networks, apps and games
- Parentzone provides help for parents and carers on how to keep their children safe online
- Parent info from Parentzone and the National Crime Agency provides support and guidance for parents from leading experts and organisations
- UK Safer Internet Centre provide tips, advice, guides and other resources to help keep children safe online

#### Advice for Early Years Settings

<https://www.gov.uk/government/publications/safeguarding-children-and-protecting-professionals-in-early-years-settings-online-safety-considerations>

## **Annex C The use of all digital devices (Policy)**

**HPS Care is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment.**

HPS Care Ltd fosters a 'culture of safety' in which the children and staff are protected from abuse, harm, and distress. We therefore have a clear policy on the acceptable use of all digital devices (including phones, cameras and smart watches with cameras) and that is understood and adhered to by everyone: staff, children, parents/carers, volunteers and visitors. Abiding by the terms of the club's mobile phone policy ensures that we all:

- Protect children from harm and abuse
- Prevent staff from being subject to false allegations
- Help staff remain focused on the care of children
- Work in an open and transparent environment.

Personal mobile phones and devices that include a camera will not be used in either setting and will be stored in the office or other secure location if brought onto site. Parents and visitors should not to use their mobile phones whilst on the premises, unless there are extenuating circumstances, in which case a quiet area away from children will be provided.

Staff are asked to use the setting number as an emergency contact number. If a member of staff needs to make an urgent personal call they can use the setting phone or make a personal call from their mobile in the office area. If a member of staff has a family emergency or similar and needs to keep their mobile phone to hand, prior permission must be sought from the Manager or Deputy.

In the event of a trip/outing one mobile phone, belonging to either the Manager or Deputy should be taken and used for emergency calls only.

Whilst we understand that some children in the Wrap Around Care Club have mobile phones, we actively discourage them from using their phones within the club. HPS Care does not accept any responsibility for loss or damage to mobile phones brought to the setting by the children. Children must not use their mobile phone to take photographs of any kind. A member of staff can take a photograph of a particular activity if requested, using the club camera.

When taking photographs, consideration should always be given to whether the use of photography will place our children at risk. Images may be used to harm children, for example as a preliminary to 'grooming' or by displaying them inappropriately on the internet, particularly social networking sites. It is for this reason, photographs will only be taken of children with their parents/carers permission (this may include the Local Authority in the case of Looked After Children). Permission will also be sought if including images of children on our website. Additional consideration given to photographing vulnerable children, particularly Looked After Children or those known to be fleeing domestic violence.

Only HPS Care cameras/lpads/Smart phones will be used to take photographs of children. On occasion, photographs may be taken in the interests of recording development and significant

events. These photographs will remain in the setting or will be passed to parents/carers. We will follow the policy for the storage and retention of photographs.

At special events, family members may want to take photographs or videos. On these occasions we do allow this, but insists **that parents do not publish images (e.g. on social networking sites) that include any children other than their own.**

Staff/visitors/volunteers or students must not take or store photographs of children on their own devices or for personal use. Under no circumstances should staff post any images which include children at Kindergarten or the Wrap Around Care Club on social media sites.

<b>WACC Manager (L. Taylor)</b>	09/01/2024
<b>Kindergarten Manager (N. Skelding)</b>	09/01/2024
<b>Approved by HPS Care Management Team and Directors</b>	09/01/2024
<b>Review Date</b>	09/01/2025

## HPS Care Safety and Welfare – Concern Form

The below form is used by HPS Care to record safeguarding concerns. WCC templates are used for allegations of abuse, complaints and when setting up a safeguarding file  
<https://www.worcestershire.gov.uk/WCFEducationServices/info/15/early-years-1/76/early-years-childcare>

<b>Setting Name:</b>		
<b>Child's Name:</b>		<b>D.O.B:</b>
<b>Concern Date:</b>	<b>Concern Time:</b>	<b>Date Concern Passed to School:</b>
<b>Staff Name:</b> ..... .....		<b>Staff Name:</b> ..... .....
<b>Print:</b> ..... .....		<b>Print:</b> ..... .....
<b>Staff Role:</b>		
<b>Reasons for completing this form:</b>		
<b>Details of concern/incident</b> – factual record – who/what/where/when (continue on reverse of sheet if necessary)		
<b>Any other relevant information</b> (witnesses, immediate action taken)		
<b>Action taken</b>		
<b>Reporting staff signature</b> .....		<b>Date:</b>
.....		

**DSL – Response/Outcome**

**DSL signature** ..... **Date** ..... **Time**  
.....