



Registered Charity 1045352

Registered Company

3031713

## **Safeguarding Adults and Children Policy**

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## 1. Summary of Safeguarding policy

The FCRT acknowledge their legal obligation to ensure that all staff and students have a right to work and study in an environment which is safe.

Through safeguarding and child protection the FCRT will uphold the requirements set out in Keeping Children Safe in Education 2020 and the Care Act 2014.

Staff can log concerns through the MyConcern network which is a monitored and anonymous site. All concerns are dealt with seriously and there is a zero-tolerance policy in place when it comes to safeguarding issues.

The FCRT also recognises that children and young adults with SEND may face additional barriers in expressing or logging safeguarding concerns.

## 2. Terminology

Establishment or location	FCRT all sites
Individual	Any child or young person under the age of 18, and young adult between the ages of 18 – 25. At the FCRT we have both young adults and children. The youngest residents we have are from aged 16, we also have children at primary school age.
Staff	Full or part-time employee of FCRT, volunteer and agency staff.
Student	Includes all part time, residential, and junior students
Safeguarding Partners, LADO, LSAB, POVA	Safeguarding Partners – the local authority, clinical commissioning group for the area, and the chief police officer within the local area  Local Authority Designated Officer  Local Safeguarding Adults Board  Protection of Vulnerable Adults
SEND	Students with Special Educational Needs and Disabilities

### 3. Definitions

#### Safeguarding – for children

'Safeguarding' as defined in 'Working together to Safeguard Children' is:

- Protecting children from maltreatment
- Preventing impairment of children's health or development
- Ensuring that children grow up in circumstances consistent with the provision of safe and effective care
- Taking action to enable all children have the best outcomes. <sup>1</sup>

'Safeguarding' as defined in 'Keeping Children Safe in Education 2020' is:

- Protecting children from maltreatment
- Preventing impairment of children's mental and physical health or development.
- Ensuring that children grow up in circumstances consistent with the provision of safe and effective care, and
- Taking action to enable all children to have the best outcomes.<sup>2</sup>

#### Safeguarding – for adults

*Safeguarding*: means protecting an adult's right to live in safety; free from abuse and neglect. <sup>3</sup>

#### The Six Principles of Adult Safeguarding

The six principles of adult safeguarding are:

1. **Empowerment**: The presumption of a person-led decision and informed consent.  
i.e. Giving people the choice to make sensible decisions.
2. **Protection**: providing support and representation for those in greatest need.  
i.e. Supporting the vulnerable.
3. **Prevention**: Taking action before harm occurs; preventing neglect, harm or abuse is the primary objective.  
i.e. Keeping people safe.
4. **Proportionality**: proportionate and least intrusive response to the issue presented.  
i.e. Staying calm and controlled.
5. **Partnerships**: forming partnerships with local communities can create solutions as they can assist in prevent and detecting abuse  
i.e. Helpful Friends
6. **Accountability**: being accountable and having complete transparency in the delivery of safeguarding practice.<sup>4</sup>  
i.e. Taking responsibility

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<sup>1</sup> P. 4-5

<sup>2</sup> KCSIE2020

<sup>3</sup> The Care Act 2014

<sup>4</sup> Statement Government Policy on Adult Safeguarding (2013)

## Difference between safeguarding and child protection

Safeguarding and child protection are not the same.

Safeguarding is the action taken to **promote** the welfare of children and young adults, **protecting** them from harm.

Child protection is a part of safeguarding. It focuses on the protection of individuals **suffering** or likely to suffer from significant harm.

## POLICY

### **Statement**

This policy provides the framework whereby the Fortune Centre of Riding Therapy (FCRT) will safeguard and protect adults, young adults, and children from harm; where harm is identified as being within a student's home environment, caused by fellow students, staff, volunteers, or self-harm.

This policy incorporates the FCRT's child protection policy.

The FCRT recognises that they have a moral and statutory responsibility to ensure that staff and students can work and study in safeguarded environment.

We understand that children and young adults with special educational needs (SEND students) can face additional challenges in regards to reporting safeguarding.

Everyone has a responsibility to uphold the safeguarding standards laid out in this policy.

### **4. Purpose**

The purpose of this policy is to provide staff and trustees with the framework to promote safeguarding and to inform parents/carers/ guardians of what measures the FCRT undergo to make sure that their young adults and children are safeguarded whilst in our care.

This policy is set out in conjunction with legislation set out in the Appendices. This policy also complies with Hampshire's model safeguarding policy and complies with locally agreed procedures.

All policies, procedures and systems for child and adult safeguarding must be undertaken in accordance with requirement of the local authority in which FCRT is situated.

This policy and supporting information is made available to all individuals, staff and parents associated with the FCRT.

This policy must be read in conjunction with the Staff Code of Conduct.

### **5. Scope**

This policy applies to all staff (including agency staff and contractors), students, and volunteers.

### **6. Principles and Values**

The FCRT believes that:

- Everyone has a right to protection from harm
- Everyone has a right to live in a safe and secure environment and recognise that students cannot learn effectively unless they do so.

We are committed to safeguarding and promoting the welfare of children, young people, and adults with care and support needs, and will do this by adopting the following aims:

- To provide staff with the framework and means to promote and safeguard the well-being of children and in so doing ensure they meet their statutory requirements.
- To ensure best practice across the college
- To demonstrate our commitment to protecting our students and staff.

At the FCRT we adopt the following principles as a focus for ensuring safeguarding:

- Everyone has a responsibility to recognise and act to prevent on harm, abuse, and neglect.
- Everyone has the right to live free from abuse and neglect.
- Everyone has the right to treated with respect and dignity, and with a right to privacy.

At the FCRT we have clear guidelines to ensure that we manage and deal with safeguarding and child protection issues effectively.

The FCRT safeguarding culture can be described as:

- **Informed:** ensuring that the students know how to keep themselves safe from abuse in whichever form it may take. This will be done through both the formal curriculum and information opportunities.
  - Ensure that students and staff are aware of the safeguarding policies and procedures.
  - The FCRT will provide the appropriate training for all staff to ensure that they are competent in recognising, acting and prevent abuse and neglect, and create an environment where the students are safe.
- **Involved:** involve students, parents, family, and MASH in the decision-making and investigations of abuse.
- **Investigative:** any allegations of abuse will be treated with the upmost professionalism and will be investigated accordingly.
  - The FCRT will take swift and positive action if abuse is identified or suspected.
  - The FCRT will undertake a thorough recruitment process for any incoming staff. This will include DBS disclosure.
- **Open:** the FCRT will promote an organisational culture of openness so that staff and students can raise their concerns and know that they will be listened to, without concern of negative consequences.
  - If an allegation of abuse is made, the FCRT will ensure that the individual or individuals are treated fairly and in an unbiased manner, and the accused will be kept informed of the proceedings.
- **Absolute:** the FCRT operates zero-tolerance any form of abuse – which includes bullying and discrimination.

- **Unlawful behaviour will not be tolerated and where appropriate, regulatory and investigatory authorities will be informed.**

The FCRT will take a whole organisation approach to safeguarding and child protection.

The FCRT will minimise the risk of peer on peer abuse and sexual violence and harassment by:

- Raising awareness amongst staff to ensure that they are aware of the importance of:
  - Making it clear that sexual violence is completely unacceptable and will never be tolerated;
  - Not tolerating or dismissing sexual violence or sexual harassment as 'banter', 'part of growing up', 'just having a laugh'.
  - Challenging behaviour (potentially criminal in nature) such as grabbing bottoms, breasts and genitalia and flicking bras and lifting up skirts. Dismissing or tolerating such behaviour risk normalising them; and
  - Understanding that all of the above by wider societal factors beyond the FCRT, such as everyday sexist stereotypes and everyday sexist language.

The FCRT will ensure that they have a clear set of values and standards, which will be upheld and demonstrated throughout all aspects of college life. This will be underpinned by the college's behaviour policy and pastoral support systems, and by a planned programme of evidence-based content delivered throughout the whole curriculum.

The FCRT will develop and educate students through a programme which is appropriate for the age and stage of development for the students and will include issues such as:

- Healthy and respectful relationships;
- What respectful behaviour looks like;
- Consent;
- Gender roles, stereotyping, equality;
- Body confidence and self-esteem;
- Prejudicial behaviour;
- That sexual violence and sexual harassment is **always** wrong.

The Children and Social Work Act 2017 placed a duty on the Secretary of State to make Relationship Education mandatory for all pupils receiving primary education and Relationship and Sex Education compulsory for pupils receiving secondary education. The statute also gave the Secretary of State the power to make elements of PSHE compulsory.

From September 2020 the Relationship and Sex Education aspect of PSHE is compulsory in schools.



## **7. Children at potentially greater risk**

As a provider of education there are additional safeguarding barriers which the FCRT staff must be aware of. Children with Special Educational Needs or Disabilities (SEND):

- Are more likely to suffer abuse;
- Are more prone to peer group isolation than other children;
- Have the potential to be disproportionately impacted by behaviours such as bullying, without outwardly showing any signs; and
- May suffer from communication barriers and difficulties in expressing if they are suffering from abuse.

And staff may:

- Assume that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability without further inquiry.

To overcome these additional barriers the FCRT will ensure that pastoral support is always available for students and ensure that staff are trained to spot signs of potential abuse. Students will always be treated with dignity and respect and involved as much as practicable in the process of safeguarding.

All staff have a fundamental role in the prevention of harm and hold equal responsibility to act on any suspicion disclosure that may indicate potential abuse or an individual at risk of harm.

## **8. Early Help**

All staff should be prepared to identify children who may benefit from early help. Staff should be particularly alert to the potential need for early help for a student who:

- Is disabled and/or has specific additional needs;
- Has special educational needs (whether or not they have a statutory Education, Health and Care Plan);
- Is a young carer;
- Is showing signs of being drawn in to anti-social or criminal behaviour, including gang involvement and association with organised crime groups;
- Is frequently missing/goes missing from care or from home;
- Is at risk of modern slavery, trafficking or exploitation;
- Is at risk of being radicalised or exploited;
- 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; and
- Is a privately fostered child.

Early help means providing support **as soon as a problem emerges** at any point in a child's or young person's life. In the first instance, staff should discuss early help requirements with the Registered Manager/DSL. Staff may be required to support other agencies and professionals in an early help assessment. While most children at the FCRT will receive significant community services, it is important to recognise that needs change over time and emerging needs may require external referral.

## **9. Multi-agency Working – Safeguarding Partners**

All FCRT sites are based in Hampshire. Therefore, they have all be designated 'relevant agencies' under the new Safeguarding Children Partnership arrangement.

The relevant safeguarding partners are Hampshire Safeguarding Children Partnership and Hampshire Safeguarding Adults Board.

We make sure that the FCRT contributes to multi-agency working in line with statutory guidance 'Working Together to Safeguard Children 2018'.

## **Keeping Children Safe in Education 2020 (KCiSE2020) Statutory Guidance**

On the 1<sup>st</sup> September 2020 KCiSE2020 replaced Keeping Children Safe in Education September 2018. The statutory guidance should be read and followed by: the governing bodies of maintained schools and colleges; and proprietors of independent schools and non-maintained special schools.

The FCRT has a duty to ensure that all their staff read at least **Part One of KCiSE2020**. Furthermore, the governing body should ensure that mechanisms are in place to assist staff to understand and discharge their role and responsibilities as set out in Part one of the guidance.

A table of substantive changes to the guidance is included in Annex H of KCiSE2020.

The guidance should be read in conjunction with:

- The statutory guidance 'Working Together to Safeguard Children',
- The departmental advice 'What to do if you are Worried a Child is Being Abused – Advice for Practitioners' and;
- The departmental advice COVID-19: safeguarding in schools, colleges and other providers.

The Department for Education (DfE) made changes in three circumstances:

1. Where legislation has required it (e.g. mandatory Relationship Education, Relationship and Sex Education and Health Education from September 2020).
2. Where the DfE has helpful additional information that will support schools and colleges to protect their children
3. Important clarification which will help the sector better understand and/or follow the guidance.

## **Human Rights Act 1998 (HRA)**

The FCRT recognises their obligation under the HRA 1998.

it is unlawful for the FCRT to act in a way which is incompatible with the European Convention on Human Rights. Important articles include:

- Article 3: the right to freedom from inhuman and degrading treatment (an Absolute right);
- Article 8: the right to respect for private and family (a Qualified right) which includes a duty to protect individuals' physical and psychological integrity;
- Article 14: requires that all of the rights and freedom set out in the Act must be protected and applied without discrimination; and
- Protocol 1 Article 2: protects the right to an effective education.

## **10 Roles and responsibilities**

### **Trustees**

Trustees have a responsibility to account for the effectiveness of policies and procedures. This includes ensuring that there are appropriate policies in place that are understood, used effectively and that their effectiveness is regularly monitored. One trustee has been nominated to have specific responsibilities for safeguarding.

### **Principal**

The Principal and Assistant Principal have a responsibility to ensure that the policies, procedures, and systems are effective in safeguarding children and adults with care and support needs. The Principal and Assistant Principal also have a responsibility to ensure that safeguarding is prioritised.

### **Assistant Principal**

The Assistant Principal is responsible for; monitoring MyConcern (FCRT safeguarding reporting software) and triaging concerns, to the Registered Manager and other relevant staff to follow up and take action. With the Principal, they have an overview of all concerns and provides support and guidance to the Registered Manager on appropriate levels of action and involvement of external agencies and Regulation 18 referrals to CQC. They are responsible for producing statistics and figures to inform the FCRT management of any trends or areas of concern, and feeding this back to the Principal and Trustees.

### **The Registered Manger (RM)**

Purpose: The RM takes lead responsibility for safeguarding and child protection. They are the first port of call for all safeguarding issues.

The RM is responsible for:

1. Ensuring that effective policies, procedures, and systems are in place for safeguarding students.
2. Taking a lead role in implement FCRT's safeguarding and child protection policy. Ensuring that the policy is reviewed annually and updated as necessary.
3. Briefing senior managers and Trustees on the safeguarding and child protection policy and ensuring that all staff know what procedure to follow in the event of a safeguarding concern.
4. Ensuring that students are aware of the channels which they can use to report a concern or allegation.
5. Ensuring that the FCRT work with outside agencies where necessary. This will include cooperation with the police, local authorities, CQC, LADO, Hampshire Safeguarding Adult Board, and Multi-agency Safeguarding Hub.
6. Taking the lead on any concerns raised via MyConcern, liaising with all relevant staff, following up and recording actions and outcomes on MyConcern.
7. Completing Regulation 18 referrals to CQC and sharing information with external agencies as required.
8. Taking a lead role on responding to information which may constitute a child protection concern.

The RM is expected to

1. Refer cases of suspected abuse to the local authority children's social care as required;
2. Refer cases to the Channel programme where there is a radicalisation concern as required;
3. Liaise with the Personnel Manager to refer cases where a person is dismissed or left due to risk/harm to a child to the DBS as required;
4. Refer cases where a crime has been committed to the police as required.

*Other Duties:*

The RM:

1. Acts as a point of contact with the three safeguarding partners;
2. Liaises with the Principal/Assistant Principal to inform them of issues – especially ongoing enquiries under section 47 of the Children Act 1989 and police investigations;
3. Liaises with the 'case manager' and the designated officers at the Local Authorities for child protection concerns in cases which concern a staff member;
4. Liaises with staff (particularly pastoral support staff, college nurses, IT technicians,) on matters of safety and safeguarding and when deciding whether to make a referral by liaising with relevant agencies; and
5. Acts as a source of support and expertise for all staff.<sup>5</sup>

The RM will ensure that they, or a member of the Safeguarding Support Team, are always available when students or Associates are present on FCRT premises. This may be in person, or by on-call telephone support.

The role of Designated Safeguarding Lead 'DSL' – KCISE 2020 – the DSL needs to take into account the following review: 'Help, protection, education: concluding the Children in Need' review June 2019.

The RM's role is based on the statutory guidance in 'Keeping Children Safe in Education 2020' and 'Briefing on the role of the Designated Senior Person'.

### **Senior Staff**

All staff are required to be aware of and alert to the signs of abuse and neglect. All cases of abuse and neglect should be given the highest priority.

All staff must update their basic awareness training at least annually by completing Safeguarding Adults and Children training.

Staff will not be allowed to work solely with individuals unless they have completed basic awareness training in safeguarding and protection.

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<sup>5</sup> Keeping Children Safe in Education 2020 – Annex B, p. 92 and 93

## 11. Safer Recruiting

In accordance with the statutory guidance set out in KCSiE2020, the FCRT have adopted requirements of safer recruiting to ensure that everyone in contact with students are will safeguard and promote the students' welfare.

### DBS Certification

The level of DBS certificate required will depend on the role which is being offered and the duties involved.

For staff working in regulated activity an enhanced DBS certificate, which includes barred list information, will be required.

*Regulated activity* (as defined in KCSiE2020) is activities in which a member of staff;

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

For all other staff who have an opportunity for regular contact with children who are not engaging in regulated activity, an enhanced DBS certificate, which does not include a barred list check, will be appropriate.

## 12. Duties of an employer and an employee

This 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 or vulnerable adults in their present position, or in any capacity with children in college. This guidance should be followed where it is alleged that anyone working in the college that provides education for children under 18 years of age, including supply teachers and volunteers has:

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

This information applies to members of staff, supply staff and volunteers who are currently working regardless of whether the FCRT is where the alleged abuse took place.

### Legal duty to employees

Employers have a **duty of care** to their employees. They should act to manage and minimise the stress inherent in the allegations process. The FCRT will follow its policy for

grievances and performance management in the event of an allegation against its staff.

Allegations of sexual violence and harassment between children and young people are complex. It is imperative that the victims are protected, offered appropriate support and every effort is made to ensure their education and care is disrupted. It is also important that other children, young people and staff are protected as appropriate.

The Safeguarding policy is reviewed and updated at least once a year as required.

## PROCEDURE

### **Allegations**

There is a clear distinction between an **allegation** and a **concern** about the quality of care or practice or complaint. An allegation may relate to a person who works with children who 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 they may pose a risk of harm to children.

Allegations against people who work with children are not to be dealt with in isolation. Any action necessary to address corresponding welfare concerns in relation to the child or children involved should be taken without delay and in a co-ordinated manner.

Any allegation against people who work with children should be reported immediately to the Designated Safeguarding Lead and the Principal/Assistant Principal.

### **13. Reporting**

#### **How to report allegations: Staff**

All concerns, discussions and decisions made, and the reasons for those decisions, should be recorded on MyConcern. If in doubt about recording requirements, staff should discuss with the designated safeguarding lead.

When an allegation is made against a member of staff, set procedures are to be followed.

#### **MyConcern**

The FCRT has an online reporting system call 'MyConcern' which all staff have access to via our intranet 'SharePoint'.

All concerns logged are categorised.

MyConcern is monitored and co-ordinated by the Assistant Principal. If the nature of the concern is identified to have any safeguarding implications, it is forwarded to the Registered Manager, and any relevant group staff to be investigated and any intervention actioned.

The staff member can see when the concern has been opened, and subsequently closed on the system. The system is secure and once a concern has been submitted it cannot be edited or deleted and remains on the system.

Once the concern is dealt with it is 'filed' on the system. The system is monitored out of hours and appropriate staff are informed immediately.

Staff must act on every allegation; any repeated allegations must be treated as new and carefully assessed and investigated. Staff who are the subject of an allegation



have the right to have their case dealt with fairly, quickly and consistently and to be kept informed of its progress.

### **How students can report allegations**

All students are aware of the channels they can use to report concerns. The information is provided in their Student Handbooks, at their Induction to the college, and on various posters around the college.

## **14. Disclosure**

### **For staff: how to approach student disclosure**

Disclosure is the process by which children and young adults may start to share their experience of abuse with other.

All disclosures must be taken seriously.

Students may disclose abuse in a variety of ways, including;

- directly– making specific verbal statements about what's happened to them
- indirectly – making ambiguous verbal statements which suggest something is wrong
- behaviourally – displaying behaviour that signals something is wrong (this may or may not be deliberate)
- non-verbally – writing letters, drawing pictures or trying to communicate in other ways.

Children and young people may not always be aware that they are disclosing abuse through their actions and behaviour.

### **Barriers to disclosure**

As well as the barriers specific to a child or young person, students may also be reluctant to report abuse if they:

- feel that they will not be taken seriously
- feel too embarrassed to talk to an adult about a private or personal problem
- worry about confidentiality
- lack trust in the people around them (including parents) and in the services provided to help them
- fear the consequences of asking for help
- worry they will be causing trouble and making the situation worse
- find formal procedures overwhelming

The FCRT is committed to ensuring that there are safe and confidential passages which the students can report through. This will be implemented by ensuring that the

students can recognise abuse and know it is wrong, and know that they can talk about it.

Staff should **NOT** promise to keep a secret.

### **How to handle allegations**

1. **Listen** to the student. Give your full attention to them and keep body language open and encouraging. Respect pauses and let the student go at their own pace. Show you understand, make it clear that you're interested in what the child is telling you.

2. **Record** in detail the circumstances, timing of disclosure (including the nature and extent of any injuries), any information the student has given about the alleged abusers.

(In cases of FGM the DSL must be informed, who will trigger child protection/safeguarding procedures described in this policy and contact the Police. If a child/young person is at immediate risk – the Police (999) must be contacted immediately. If a child/young person required medical attention.)

3. **Notify** the RM and log the disclosure on MyConcern as soon as is possible. The Assistant Principal monitoring MyConcern will determine whether the matter is a child protection/safeguarding matter or a more general concern.

All staff know that they can contact the Local Authority directly should that be necessary. Where a safeguarding issue is raised for a young adult, the matter should be dealt with by the Local Safeguarding Adult Board. Where someone is over 18 but still receiving children's services, the matter should be dealt with by the local Safeguarding Adult Board.

Any allegation against a staff member must also be reported to the Principal. However, if the allegation is about the Principal (who is not the Regional Manager/Leader) or the DSL, then the Assistant Principal and a Trustee must be informed

If a member of staff feels their concerns are not taken seriously then they are to inform a more senior staff member, a Trustee. If they are still concerned they can contact Ofsted/CQC, the local safeguarding boards, the police or the Whistleblowing Hotline.

### **15 Allegation investigations**

The following definitions should be used when determining the outcome of allegation investigations:

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

The Assistant Principal should discuss the allegation immediately with the RM.

**The purpose of this discussion is:**

- to consider the nature, content and context of the allegation and agree a course of action.

There may be situations where the decision is to inform the police immediately (e.g. possible criminal offence).

The RM should liaise with the Personnel Manager to advise on following our policy with regards to allegations against staff.

However, where a strategy discussion (see Working Together to Safeguard Children) is needed, or police or children's social care services need to be involved, the case manager should not do that until those agencies have been consulted, and have agreed what information can be disclosed to the accused.

If there is cause to suspect a child is suffering or is likely to suffer significant harm, a strategy discussion should be convened in accordance with the statutory guidance Working Together to Safeguard Children.

In some cases, further enquiries will be needed to enable a decision about how to proceed. If so, the Principal and Assistant Principal should discuss with the RM how and by whom the investigation will be undertaken.

However, in other circumstances, such as lack of appropriate resource within the school or college, or the nature or complexity of the allegation, the allegation may require an independent investigator.

## **16 Supporting those involved**

### **Accusations against staff**

Employers have a duty of care to their employees. They should act to manage and minimise the stress inherent in the allegations process. Support for the individual is vital to fulfilling this duty.

Social contact with colleagues and friends should not be prevented unless there is evidence to suggest that such contact is likely to be prejudicial to the gathering and presentation of evidence.

### **Parents or carers**

Parents or carers of the child or children involved should be told about the allegation as soon as possible if they do not already know of it. However, where a strategy discussion is required, or police or children's social care services need to be involved, the case manager should not do so until those agencies have been consulted and have agreed what information can be disclosed to the parents or carers. Where the allegation involves a young adult over 18, individual circumstances and agreements around information sharing with parents must be adhered to. Parents or carers should also be kept informed about the progress of the case, and told the outcome where

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

Parents and carers should also be made aware of the requirement to maintain confidentiality about any allegations made against staff and teachers whilst investigations are ongoing as set out in section 141F of the Education Act 2002 (see paragraphs 233-234). If parents or carers wish to apply to the court to have reporting restrictions removed, they should be told to seek legal advice.

## **17 Confidentiality**

It is extremely important that when an allegation is made, the college makes every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered.

The Education Act 2002 introduced reporting restrictions preventing the publication of any material that may lead to the identification of a teacher who has been accused by, or on behalf of, a pupil from the same school (where that identification would identify the teacher as the subject of the allegation). The reporting restrictions apply until the point that the accused person is charged with an offence, or until the Secretary of State publishes information about an investigation or decision in a disciplinary case arising from the allegation.

The RM should take advice from the Assistant Principal/Principal, police and children's social care services to agree the following:

- who needs to know and, importantly, exactly what information can be shared;
- how to manage speculation, leaks and gossip;
- what, if any, information can be reasonably given to the wider community to reduce speculation; and
- how to manage press interest if, and when, it should arise.

## **18 Record Keeping**

Details of allegations that are found to have been malicious should be removed from personnel records. However, for all other allegations, it is important that a clear and comprehensive summary of the allegation, details of how the allegation was followed up and resolved, and a note of any action taken and decisions reached, is kept on the confidential personnel file of the accused, and a copy provided to the person concerned.

The purpose of the record is to enable accurate information to be given in response to any future request for a reference, where appropriate. It will provide clarification in cases where future DBS checks reveal information from the police about an allegation

that did not result in a criminal conviction and it will help to prevent unnecessary re-investigation if, as sometimes happens, an allegation re-surfaces after a period of time.

Cases in which an allegation was proven to be false, unsubstantiated or malicious should not be included in employer references. A history of repeated concerns or allegations which have all been found to be false, unsubstantiated or malicious should also not be included in any reference.

## **19. Information Sharing**

Information sharing is vital in identifying and tackling all forms of abuse and neglect. As part of meeting a child's needs, it is important for governing bodies and proprietors to recognise the importance of information sharing between practitioners and local agencies.

It is important that governing bodies and proprietors are 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.

The Data Protection Act 2018 and GDPR do not prevent the sharing of information for the purposes of keeping children safe. Fears about sharing information must not be allowed to stand in the way of the need to promote the welfare and protect the safety of children.

When children leave the school or college, the designated safeguarding lead should ensure their child protection file is transferred to the new school or college as soon as possible, ensuring secure transit, and confirmation of receipt should be obtained.

### **During allegations**

In a strategy discussion or the initial evaluation of the case, the agencies involved should share all relevant information they have about the person who is the subject of the allegation, and about the alleged victim.

Where the police are involved, wherever possible the employer should ask the police to obtain consent from the individuals involved to share their statements and evidence for use in the employer disciplinary process. This should be done as their investigation proceeds and will enable the police to share relevant information without delay at the conclusion of their investigation or any court case.

## **20 Disclosure to the DBS**

### **Substantiated**

If the allegation is substantiated and the person is dismissed or the employer ceases to use the person's services, or the person resigns or otherwise ceases to provide his or her services, the Principal should discuss with the RM and the Personnel Manager whether the college will decide to make a referral to the DBS for consideration of whether inclusion on the barred lists is required; and, whether to refer the matter to the TRA to consider prohibiting the individual from teaching.

**There is a legal requirement for employers to make a referral to the DBS where they think that an individual has engaged in conduct that harmed (or is likely to harm) a child; or if a person otherwise poses a risk of harm to a child.**

### **Unsubstantiated or malice**

If an allegation is shown to be deliberately invented or malicious, the Principal/Assistant Principal/RM should consider whether any disciplinary action is appropriate against the pupil or student who made it; or whether the police should be asked to consider if action might be appropriate against the person responsible, even if he or she were not a pupil or student.

### **Returning to work**

Where it is decided on the conclusion of a case that a person who has been suspended can return to work, the Personnel Manager and RM should consider how best to facilitate that. Most people will benefit from some help and support to return to work after a stressful experience. The RM should also consider how the person's contact with the child or children who made the allegation can best be managed if they are still a pupil or student at the school or college.

## **21. Staff Training**

The FCRT ensures that all staff undergo safeguarding and child protection training (including online safety) at induction. The training should be regularly updated. Induction and training should be in line with advice from the local three safeguarding partners.

All staff should receive regular safeguarding and child protection updates (for example, via email, e-bulletins, staff meetings) as required to provide them with relevant skills and knowledge to safeguard children effectively.

## **Appendices**

### **Appendix 1: Legislation and Statutory guidance**

- The Children Act 2004, as amended by the Children and Social Work Act 2017
- Statutory Instrument 2015 no. 541 Social Care, England The Young people's/care home Homes (England) Regulations 2015 in force as of April 2015
- Prevent Duty Guidance: for England and Wales (March 2015)
- The Health and social Care Act 2008 (Regulated Activities) Regulations 2015
- Female Genital Mutilation Act 2003 (s74 Serious Crime Act 2015)
- Terrorism Act 2000
- Counter Terrorism and Security Act 2015
- The Teacher Disciplinary regulations 2012
- The School staffing regulations, England 2009
- Part 3 and 4 Schedule to the Education Independent School Standard Regulations 2014
- Keep learners Safe 2015
- The Care Act 2014
- Social Services and Wellbeing Act 2014
- Working Together to Safeguard Children 2018
- Keeping Children Safe in Education 2020
- What to do if you're worried a child is being abused
- [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/719902/Sexual\\_violence\\_and\\_sexual\\_harassment\\_between\\_children\\_in\\_schools\\_and\\_colleges.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/719902/Sexual_violence_and_sexual_harassment_between_children_in_schools_and_colleges.pdf)
- Teaching online safety in school

## **Appendix 2: High Risk Safeguarding issues**

The follow Safeguarding uses are all considered to be child/adult protection issues and should be referred immediately to the most relevant agency

### **Abuse**

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

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

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

**Financial abuse** involves excessive financial control, or harm over a person's financial resources, or ability to work. It may involve forcing someone to take out credit or loans, exploitation of their benefits or resources.

**Sexual abuse:** involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse. Sexual abuse can take place online, and technology can be used to facilitate offline abuse. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children. The sexual abuse of children by other children is a specific safeguarding issue in education (see paragraph 29).



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

### **Bullying**

The FCRT policy and procedure for dealing with bullying is covered in a separate policy. The FCRT operate a zero tolerance attitude towards bullying.

### **Child Sexual exploitation**

Sexual exploitation can be very difficult to identify. Young people who are being sexually exploited may:

- go missing from home, care or education
- be involved in abusive relationships
- hang out with groups of older people
- be involved in gangs or anti-social groups
- have older boyfriends or girlfriends
- spend time at places of concern, such as hotels or known brothels
- be involved in petty crime such as shoplifting
- have access to drugs and alcohol
- have new things such as clothes and mobile phones, which they aren't able to easily explain

### **Peer on peer/ child on child abuse**

All staff must be aware that children can be perpetrators of abuse.

This can include (but is not limited to):

- Bullying;
- Physical abuse (hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm);
- Sexual violence (rape, assault by penetration and sexual assault);
- Sexual harassment such as sexual remarks, jokes, and online sexual harassment which may be stand-alone or part of a broader pattern of abuse;
- Sexting (also known as youth produced sexual imagery); and
- Initiation/hazing type violence and rituals.

Staff must be clear as to the FCRT systems with regards to peer on peer abuse.

Abuse is abuse and should never be tolerated or passed off as 'banter' or 'just having a laugh'.

### **Contextual safeguarding**

Safeguarding incidents and/or behaviours can be associated with factors outside the school or college and/or can occur between children outside the school or college.

All staff, but especially the designated safeguarding managers, should be considering the context within which such incidents and/or behaviour occur. This is known as contextual safeguarding, which means assessment of children should consider whether wider environmental factors are present in a child's life that are a threat to their safety and/or welfare.

6.13. Children's social care assessment should consider such factors so it is important that schools and colleges provide as much information as possible as part of the referral process. This will allow any assessment to consider all the available evidence and the full context of any abuse.

### **Peer on peer/Child on Child and sexual violence and harassment**

Sexual violence and sexual harassment can occur between two children of any age and sex. It can also occur through a group of children sexually harassing a single child or group of children.

Sexual violence is rape, assault by penetration or sexual assault. Sexual harassment is unwanted conduct of sexual nature. Harmful sexual behaviour is problematic, abuse and violent behaviour that is developmentally inappropriate and may cause developmental damage. More information can be found in DfE: Sexual Violence and Sexual harassment between children in school and colleges.

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

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

Whilst any report of sexual violence or sexual harassment should be taken seriously, staff should be aware that girls are more likely to be the victims of sexual violence and sexual harassment and sexual abuse is more likely to be perpetrated by boys.

Children with SEND are three times more likely to be abused than their peers. Additional barriers can sometimes exist when recognising abuse in SEND children. These include:

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

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

The FCRT should be aware that their staff can be victims of sexual violence and sexual harassment. The FCRT should have arrangements in place to protect their staff from abuse, including clear reporting and support mechanisms.

Situations where children/young people are forced or coerced into sexual activity by peers or associates can be related with gang/serious youth violence activity but that is not always the case. Peer influence or peer pressure is a major factor in the decisions made by young people to join particular groups. Many young people see it as a 'way out' from their day to day life and feel a strong bond with their peers, one which they may be lacking at home: Examples of peer on peer abuse including sexualised online bullying include:

- Racist and Religious Bullying- a range of hurtful behaviour, both physical and psychological that makes a person feel unwelcome, marginalised, excluded, powerless or worthless because their of colour, ethnicity, faith, community, national origin, or national status.
- Sexual, Sexist Bullying – any behaviour whether physical or non-physical, where sexuality or gender is used as a weapon by boys or girls, this may include any of the following:
  - Spreading rumours about someones alleged sex life
  - Using offensive terms to describe a person
  - Inappropriate touching or attempts to do so
  - Non – consensual sharing of sexual images and videos
  - Unwanted sexual comments and messages, including those on social media
  - Any sexual exploitation, coercion and threats
  - Sexual assault and rape.
- Upskirting – this involves taking a picture under a person's clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratifications or cause the victim humiliation, distress or alarm. The Voyeurism Offence Act (commonly known as the Upskirting Bill) was introduced on the 21 June 2018 and came into force on the 12<sup>th</sup> April 2019. This act made the act of upskirting a criminal offence.
- Transphobic bullying – is based on fear, hatred, or disbelief, or mistrust of people who are transgender, thought to be transgender, or whose gender expression doesn't conform to traditional gender roles.
- Homophobic bullying – targets someone because of their sexual orientation
- Disablist bullying – targets a young person solely based on their disability. This can included (but is not limited to) manipulative bullying where a perpetrator forces the victim to act in a certain way, or exploiting a certain aspect of the victims disability.

Staff must be aware that if a student is being subjected, or at risk of being subjected to sexual violence or sexual harassment, the abuse may breach any or all of the

Human Rights as set out in para 5.11. depending on the nature of the conduct and the circumstances.

All individuals, staff and students, will be provided with safeguarding information in a format which is appropriate for their understanding and communication.

The document '[Sexual Violence and Sexual Harassment between children in schools and colleges](#)' can provide more information on how to minimise risk of sexual harassment.

## **County lines**

County lines is a term used to describe gangs and organised criminal networks involved in exporting illegal drugs (primarily crack cocaine and heroin) into one or more importing areas [within the UK], using dedicated mobile phone lines or other form of "deal line

Exploitation is an integral part of the county lines offending model with children and vulnerable adults exploited to move [and store] 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, further and higher educational institutions, pupil referral units, special educational needs schools, children's homes and care homes. Children are often recruited to move drugs and money between locations and are known to be exposed to techniques such as 'plugging', where drugs are concealed internally to avoid detection. Children can easily become trapped by this type of exploitation as county lines gangs create drug debts and can threaten serious violence and kidnap towards victims (and their families) if they attempt to leave the county lines network.

All staff should be aware of indicators of abuse and neglect so that they are able to identify cases of children who may be in need of help or protection. If safe are unsure they should always speak to the Registered Manager.

All staff should be aware that abuse, neglect and safeguarding issues are rarely stand-alone events that can be covered in one definition and label. In most cases multiple issues will overlap with one another.

See [Home office advice here:](https://www.gov.uk/government/publications/criminal-exploitation-of-children-and-vulnerable-adults-county-lines/criminal-exploitation-of-children-and-vulnerable-adults-county-lines)  
<https://www.gov.uk/government/publications/criminal-exploitation-of-children-and-vulnerable-adults-county-lines/criminal-exploitation-of-children-and-vulnerable-adults-county-lines>

## **Forced Marriage**

In regards to children and young people: a forced marriage is where one or both people do not (or in cases of people with learning disabilities or reduced capacity, cannot) consent to the marriage, as they are pressurised, or abuse is used, to force them to do so.

The pressure imposed on people may be physical (threats, physical violence or sexual violence), emotional or psychological (making someone feel as though they are bringing 'shame' on the family), or financial (taking someone's wage). The Anti-social Behaviour, Crime and Policing Act 2014 made it a criminal offence to force someone to marry.

It remains important for staff to recognise the presenting symptoms of a potential victim and understand how to respond.

Advice and help can be found nationally through the Forced Marriage Unit on (+44 (0) 20 7008 0151/ [fm@fco.gov.uk](mailto:fm@fco.gov.uk))

Whilst all staff should be aware how to recognise symptoms it is imperative that they contact a trained specialist as soon as possible. The relevant documents for Multi-agency practice guidelines and the guidelines in regards to forced marriages and learning disabilities can be found in Appendix....

See 'Mandatory reporting of Female Genital Mutilation' procedural information from the Home Office

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

FGM comprises of all procedures involving partial or total removal or alteration of the external female genitalia or any other injury to the female genital organs for non-medical reasons, hence it interferes with the natural function of girls' and women's bodies. It is sometimes known as 'female circumcision' or 'female genital cutting'.

The age at which the procedure is carried out varies according to the community in which they live in. The majority of FGM cases are thought to take place between the ages of 5 to 8 years. FGM procedures can cause:

- Severe bleeding
- Infections
- Complications during childbirth – including the death of the baby.

In 2003 it became a criminal offence for UK nationals or permanent UK residents to take their child abroad to have FGM.

As of October 2015 we have a duty to report to the police when we discover (either through disclosure by the victim or visual evidence) that FGM has been carried out on a girl under 18. If any member of staff is concerned they must refer to the Head of Safeguarding or deputy who will immediately contact the police.

### **Grooming**

this is the process by which an online user gains the trust of another user with the intention of doing them harm or coercing them into engaging in risky or harmful behaviour. This behaviour could occur online (eg. Sending sexually explicit image) or offline (e.g. agreeing to meet in person).

Grooming technique can be used to prepare children for sexual abuse and exploitation, radicalisation (DfE2017) and criminal exploitation.

Grooming can affect any child. However children who may be particularly vulnerable include:

- Children in care
- Children who are experiencing difficulties with peers, including social and communication problems
- Children with low self-esteem and confidence
- Children who have limited awareness about online risks
- Children whose online activity isn't appropriately supervised or monitored<sup>6</sup>

To prevent grooming the FCRT will strive to teach and empower children and young people how to recognise and speak out against abuse. This will include:

- Teaching the students about healthy relationship
- Helping the students develop the awareness and skills needed to keep safe online.<sup>7</sup>

The FCRT will, where appropriate, support parents/carers to: recognise the signs of grooming; and have conversations about the on-line activity and how to stay safe.

The FCRT will, where appropriate: raise awareness through regular communications with the families; will educate and ensure that students are aware of online safety as part of the curriculum; and identify with the families and carers how the students can be safeguarded against grooming.

## **Online Safety and Social Media**

As technology becomes increasingly fundamental in today's society, pupils growing up in this world are living their lives seamlessly on and offline. This present both positive and exciting opportunities, but also challenges and risks.

As of September 2020 Relationship and Sex Education will be compulsory for all secondary schools. Through these new subjects pupils will be taught about online safety and harms. This will include what positive, healthy and respectful online relationships look like, the effects of their online actions on others and knowing how to recognise and display respectful behaviours online. Throughout these subjects, teachers will address online safety and appropriate behaviour in an age and developmental appropriate way that is relevant to our students lives.

The FCRT will focus on the underpinning knowledge and behaviours that can help student to navigate the online world safely and confidently regardless of the device, platform or app. Underpinning knowledge and behaviours include:

- How to evaluate what they see online
- How to recognise techniques used for persuasion

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<sup>6</sup> Coffey and Lloyd, 2014; DfE, 2017

<sup>7</sup> <https://learning.nspcc.org.uk/research-resources/briefings/grooming#article-top>

- Online behaviour
- How to identify online risks
- How and when to seek support

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

1. **Content:** being exposed to illegal, inappropriate or harmful material: for example pornography, fake news, racist or radical and extremist views;
2. **Contact:** being subjected to harmful online interaction with other users; for example commercial advertising as well as adults posing as children or young adults; and
3. **Conduct:** personal online behaviour that increases the likelihood of, or causes, harm; for example making, sending and receiving explicit images, or online bullying.

. Teaching Online Safety in Schools is a useful reminder to include reporting acting on online safety related to child protection, behaviour policy and anti-bullying policy. The FCRT should make it clear what is expected of their staff and students both online and offline.

## **Sexting**

Sexting is when someone shares sexual, naked or semi-naked images or videos of themselves or others, or sends sexually explicit messages. They can be sent using mobiles, tablets, smartphones, laptops – any device that enables the sharing of media and messages. Sexting may also be referred to as trading nudes, pic for pic, and dirties.

The creating and sharing of sexual photos and videos of under-18s is illegal. The sharing of sexual imagery of people under the age of 18 by adults constitutes child sexual abuse and schools should always inform the police. (per the Sexual Offences Act 2003)

6.... If a young person is found creating or sharing images, the police can choose to record that a crime has been committed but that taking formal action isn't in the public interest. There are many reasons why a child or young person may want to send naked or semi-naked images or videos to someone. These include:

- Peer pressure
- Being blackmailed, harassed or threatened
- To increase their self-esteem
- To prove their sexuality
- Feeling worried about being seen as 'not sexy' or 'shy' if they don't
- Feeling confident about themselves and wanting to share that confidence with others
- Feeling like they 'owe' their boyfriend or girlfriend
- Being in love with someone and fully trusting them

The risk of sexting is that young people are at risk of include: losing control of images (once something's shared online it's public and can be saved and copied by others); blackmail, bullying and harm. In response to this the FCRT will provide education and

guidance to students becoming victims to the above risks. This will be by encouraging the student to consider the risks of sexting and seeking if help when appropriate.

### **Teenage relationship abuse**

Research has demonstrated that teenagers don't readily understand what constitutes abusive behaviour such as controlling behaviour which can escalate to physical and sexual abuse

Furthermore other research has show that teenagers may not fully comprehend the extent and the implications of consent. This can lead to normalisation of abusive behaviour and long-term detrimental impact on how teenagers perceive relationships.

In order to address this and safeguard students at the FCRT, we will educate and provide guidance to prevent students from becoming victims or perpetrators fo abusive relationships.

### **Preventing extremism and radicalisation**

Children are vulnerable to extremist ideologies and radicalisation.

The FCRT recognise their duty to protect all our young people and children from these risks. This includes:

- Extremism: The vocal or active opposition to our country's fundamental values. This includes democracy, the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs.
- Radicalisation: 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 disputes an electronic system. The use of 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.

Staff should use their judgement in identifying children or young people who might be at risk of radicalisation and act proportionately which may include the designated safeguarding lead making a PREVENT referral.

### **The PREVENT Duty**

All schools and colleges are subject to the duty under s 26 of the Counter-Terrorism and Security Act 2015. In exercise of this duty the FCRT must have 'due regard' to the need to prevent people from being drawn into terrorism.

Designated safeguarding leads and other senior leaders should familiarise themselves with the revised Prevent duty guidance: for England and Wales, especially paragraphs 57-76, which are specifically concerned with schools (and also covers childcare). The guidance is set out in terms of four general themes: risk assessment, working in partnership, staff training, and IT policies.



## **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

### **Hampshire PREVENT Partnership Board:**

Hampshire Children: 0300 555 1384

Adults: 0300 5551386

Information and advice is also available from:

Anti-Terrorist Hotline: 0800 789321

Crime Stoppers: 0800 555111

## **Appendix 3: Signs of a potential victim**

### **General signs of abuse:**

Many of the signs that a child is being abused are the same regardless of the type of abuse. Anyone working with children or young people needs to be able to recognise the signs. These include a child:

- being afraid of particular places or making excuses to avoid particular people
- knowing about or being involved in 'adult issues' which are inappropriate for their age or stage of development, for example alcohol, drugs and/or sexual behaviour
- having angry outbursts or behaving aggressively towards others
- becoming withdrawn or appearing anxious, clingy or depressed
- self-harming or having thoughts about suicide
- showing changes in eating habits or developing eating disorders
- regularly experiencing nightmares or sleep problems
- regularly wetting the bed or soiling their clothes
- running away or regularly going missing from home or care
- not receiving adequate medical attention after injuries.

### **Physical Abuse**

All children have trips, falls and accidents which may cause cuts, bumps and bruises. These injuries tend to affect bony areas of their body such as elbows, knees and shins and are not usually a cause for concern.

Injuries that are more likely to indicate physical abuse include:

#### Bruising

- bruises on the cheeks, ears, palms, arms and feet
- bruises on the back, buttocks, tummy, hips and backs of legs
- multiple bruises in clusters, usually on the upper arms or outer thighs
- bruising which looks like it has been caused by fingers, a hand or an object, like a belt or shoe
- large oval-shaped bite marks.

#### Burns or scalds

- any burns which have a clear shape of an object, for example cigarette burns
- burns to the backs of hands, feet, legs, genitals or buttocks.

### **Sexual abuse**

There may be physical signs that a child has suffered sexual abuse.

These include:

- anal or vaginal soreness or itching
- bruising or bleeding near the genital area
- discomfort when walking or sitting down

- an unusual discharge
- sexually transmitted infections (STI)
- pregnancy.

Changes in the child's mood or behaviour may also cause concern. They may want to avoid spending time with specific people.

For example:

- they could use sexual language or know things about sex that you wouldn't expect them to
- they might become sexually active or pregnant at a young age.

### **Child exploitation**

Exploitation can be very difficult to identify. Young people who are being exploited may:

- go missing from home, care or education
- be involved in abusive relationships
- hang out with groups of older people
- be involved in gangs or anti-social groups
- have older boyfriends or girlfriends
- spend time at places of concern, such as hotels or known brothels
- be involved in petty crime such as shoplifting
- have access to drugs and alcohol
- have new things such as clothes and mobile phones, which they aren't able to easily explain

### **Emotional Abuse**

There aren't usually any obvious physical signs of emotional abuse but you may spot changes in a child's actions or emotions.

Older children may:

- use language, act in a way or know about things that you wouldn't expect for their age
- struggle to control strong emotions or have extreme outbursts
- seem isolated from their parents
- lack social skills or have few, if any, friends
- fear making mistakes
- fear their parent being approached regarding their behaviour
- self-harm.

### **Domestic abuse**

It can be difficult to tell if domestic abuse is happening, because abusers can act very differently when other people are around.

Children who witness domestic abuse may:

- become aggressive
- display anti-social behaviour

- suffer from depression or anxiety
- not do as well at school - due to difficulties at home or disruption of moving to and from refuges.

## **Safeguarding during Covid-19**

In January 2020 an outbreak of Covid-19 infected England. Over the year national lockdowns were enforced and there was a considerable change to way education was conducted.

The government continues to update and review its response to Covid-19, this section will follow the updates and be changed accordingly.

### **Welcoming Students back to education**

All schools and colleges are expected to allow and strongly encourage vulnerable children and young people to attend.

The definition of vulnerable children and young people includes children and young people who have a social worker, an education, health and care (EHC) plan or who may be vulnerable for another reason at local discretion ("otherwise vulnerable").

Regardless of setting, schools and colleges are encouraged to work collaboratively with other schools, colleges and education providers and other local partners (including the local authority, social workers, police, youth services and key workers) to best facilitate opportunities for face-to face provision for vulnerable children and young people.<sup>8</sup>

The government recognises the need for SEND students to continue to receive high-quality teaching and specialist support. This is because SEND students and their families can be disproportionately impacted by being out of education.

Specialist post-16 settings should continue to welcome and encourage students to attend as per their usual timetable where the young person wishes to attend.

A young person attending a specialist post-16 institution may decide they do not want to attend despite a place being available for them. Where the young person is not able to make this decision for themselves, the education setting should discuss attendance with the young person's parent or legal guardian. Young people themselves should be given the opportunity to express their views and preferences to the extent that they are able.

### **Risk assessments for students with education, health and care plans (EHC)**

Following the partial closure of educational and childcare settings from the 20<sup>th</sup> March 2020 the government has asked local authorities to consider the needs of all students with EHC plan and to carry out a risk assessment. These risk assessments may prove useful to help identify any additional support that students with EHC plans need in order to ensure they can safely attend full-time education.<sup>9</sup>

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<sup>8</sup> Guidance for special schools, specialist post-16 providers and alternative provision during the national lockdown, January 2021. P.6

<sup>9</sup> Guidance for full opening: special schools and other specialist settings (updated 3/02/2021)

## **Provision of staffing and training due pandemic**

On occasion special schools and specialist post-16 institutions may encounter circumstances where they cannot provide their usual interventions and provision at adequate staffing ratios, or with staff with vital specialist training. In these circumstances they should seek to resume as close as possible to the specified provision for the child or young person as soon as possible. Pupil level risk assessments, which were used last spring, should not be used to filter children and young people in or out of attendance, but could be helpful to prioritise the provision a child or young person can get if full-time provision for all is not possible.

## **Recording attendance**

All schools should continue to record attendance in the register. Schools should follow up on absences of the pupils expected to be in school but where a parent wishes their child to be absent, schools should authorise the absence during the national lockdown period. Absences will not be penalised.

Where schools grant a leave of absence to a vulnerable child or young person they should still speak to parents and carers, and social workers (where applicable) to explore the reasons for this and any concerns raised.

All pupils who are not eligible to be in school should be marked as Code X. They are not attending because they are following public health advice.

Where a young person at a specialist post-16 institution or their parent or legal guardian has decided that they will not attend their education setting, the education provider should keep a record of how the decision on attendance was made.

For residential special schools and residential specialist post-16 institutions, local authorities should maintain a register of all pupils and students with EHC plans, including any still under assessment for EHC plans who have been sent home. The local authority should also contact the family frequently to ensure that risks are being managed and to establish whether additional support is necessary and how that will be delivered.

## **EHC Plans**

Where a pupil or student has an Education, Health and Care (EHC) plan, it remains the duty of the local authority and health commissioning body to secure or arrange the provision specified in the plan (under section 42 of the Children and Families Act 2014). However the government recognises that there may be times when it becomes more difficult to do so than usual.

In these circumstances, education settings, local authorities and health partners (where applicable) should discuss with families to co-produce alternative arrangements for delivering provision. These decisions should be considered on a case-by-case basis which takes account of the needs of, and circumstances specific to, the child or young person, avoiding a 'one size fits all' approach.

## **Transport**

Transport services to education settings should continue to be provided where children and young people need them, and local authorities remain under a statutory duty to provide free home to school transport for all eligible children and young people. The transport to school and other places of education: 2020 to 2021 academic year guidance remains in place. Where fewer children and young people are attending school or college, social distancing should be maximised where possible.<sup>10</sup>

It is important, wherever it is possible, that:

- social distancing should be maximised within vehicles
- children either sit with their 'bubble' on school transport, or with the same constant group of children each day
- children and young people clean their hands before boarding transport and again on disembarking
- additional cleaning of vehicles is put in place
- organised queuing and boarding is put in place where possible
- ventilation of fresh air (from outside the vehicle) is maximised, particularly through opening windows and ceiling vents<sup>11</sup>

In accordance with advice from PHE, children and young people aged 11 and over must wear a face covering when travelling on dedicated transport to secondary school. This does not apply to people who are exempt from wearing a face covering on public transport.

## **Advice to minimise coronavirus (Covid-19) risks**

Settings should have facilitated all students to make a full return from the start of the autumn term.

Settings must comply with health and safety law, which requires them to assess risks and put in place proportionate control measures.

Essential measures include:

- the requirement take people who are ill should stay at home
- robust hand and respiratory hygiene
- enhanced cleaning arrangements
- active engagement with NHS Test and Trace

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<sup>10</sup> Guidance for special schools, specialist post-16 providers and alternative provision during the national lockdown, January 2021

<sup>11</sup> Guidance for full opening of special schools and other specialist settings (updated 3/02/2021)

- formal consideration of how to reduce contacts and maximise distancing between those in the setting and, wherever possible, minimise the potential for contamination as much as is reasonably practicable.

Reducing contact will vary from setting to setting but should include as best as possible:

- creating groups or 'bubbles' of students
- avoiding contact between groups/'bubbles'
- staff maintain distance from other pupils and staff as much as possible

### **Health and safety risk assessments**

Employers must protect people from harm. This includes taking reasonable step to protect staff, pupils and other from Covid-19 within the education setting.

It is a legal requirement that settings should have revisited and updated existing risk assessment before the autumn term began. Schools should determine whether a review of their risk assessment is necessary.

Employers should have active arrangements in place to monitor whether the controls are effective, working as planned, and update them appropriately if any issues are identified and if changes in public health advice are announced.

### **The system of controls**

This is a set of actions education setting must take. They are grouped into 'prevention' and 'response to infection'.

Prevention:

- Minimise contact with individuals who are unwell by ensuring that those who have Covid-19 symptoms, or who have someone in their household who does, or those who have been advised to self-isolate by NHS Test and Trace, do not attend the setting.
- Where recommended, use face coverings in schools.
  - o Exemptions apply to those who:
    - Cannot put on, wear or remove a face covering because of a physical impairment or disability, illness or mental health difficulties
    - Speak to or provide assistance to someone who relies on lip reading, clear sound or facial expression to communicate.
  - o Safe wearing and removal of face coverings:
    - Settings should have a process for removing face coverings when those who use face coverings arrive and when face coverings are worn within the setting. This process should be communicated clearly to pupils and staff and allow for adjustments to be made for those children and young people with SEND who may be



- distressed if required to remove a face covering against their wishes.
- Safe wearing of face coverings requires cleaning of hands before and after touching – including to remove or put them on – and the safe storage of them in individual, sealable plastic bags between use.
  - Local restriction tiers 2,3, or 4: In the event of an area moving into local restriction tiers 2, 3 or 4, settings will need to communicate quickly and clearly to staff, parents and pupils that the new arrangements require the use of face coverings in certain circumstances.
  - Clean hand thoroughly more often than usual:
    - This can be done with soap and water or hand sanitiser. Special settings must ensure that pupils clean their hands regularly, including when they arrive at the setting, when they return from breaks, when they change rooms and before and after eating.
  - Ensure good respiratory hygiene by promoting 'catch it, bin it, kill it ' approach:
    - The 'catch it, bin it, kill it' approach continues to be very important, so settings must ensure that they have enough tissues and bins available to support pupils and staff to follow this routine.
    - Some pupils with complex needs will struggle to maintain as good respiratory hygiene as their peers, for example those who spit uncontrollably or use saliva as a sensory stimulant. This should be considered in risk assessments in order to support these pupils and the staff working with them and is not a reason to deny these pupils face to face education.
  - Introduce enhanced cleaning, including cleaning frequently touched surface often using standard products such as detergents:
  - Minimise contact between individual and maintain social distancing wherever possible.
  - Where necessary, wear appropriate personal protective equipment (PPE)
  - Keep occupied spaces well ventilated. This could include:
    - mechanical ventilation systems
    - natural ventilation – opening windows
    - natural ventilation – if necessary external opening doors may also be used

#### Response to any infection:

- engage with the NHS Test and Trace process. This means ensuring that staff members, parents and carers understand that they will need to be ready and will to:
  - Self isolate and book a test if they are displaying symptoms.
  - Provide details of anyone they have been in close contact with if they were to test positive for Covid-19 or if asked by NHS Test and Trace.
  - Self-isolate if they or a member of their household is symptomatic, or if they have been in close contact with someone who has tested positive for Covid-19.

## **Rapid Asymptomatic test in specialist settings**

Per the government guidance the FCRT is conducting Asymptomatic testing for all students and staff on FCRT sites.

Settings are encouraged to:

- Test staff on a twice weekly basis, with 3 to 4 apart
- Off one off testing of students of secondary school age and those aged 19 to 25 with education, health and care (EHC) plans when they return to their setting

The government also recognise the addition barriers and concerns facing students with SEND when it comes to self-swabbing. However with careful and sensitive management they are confident that the asymptomatic testing programme can be rolled out to most students with SEND. Where this is not the case, it is crucial that there is no disadvantage to their education.

## **Informed consent to testing**

Testing is voluntary, but those who are eligible for tests are strongly encouraged to participate to reduce the risk of transmission within schools and colleges.

The person giving the consent (parent or legal guardian or the young person) needs to have a sound understanding of the risks and benefits of testing. The setting is responsible for communicating the purpose of the testing.

Young people aged 16 or over do not need parental or legal guardian consent provided that they are able to make the decision for themselves. However, the setting will need to decide whether the young person can reasonably provide informed consent themselves and may exceptionally need to consider undertaking a mental capacity assessment (MCA).

Settings should keep a record of how the decision on consent was made. There is further guidance on the [Mental Capacity Act 2005 and deprivation of liberty safeguards \(DoLS\) during the coronavirus \(COVID-19\) outbreak](#).

The school or special post-16 institution should exercise due care and judgement and, in appropriate circumstances, may choose not to test a child or young person, even when consent has been given. Settings should not make it a requirement to have been tested in order to attend.

## **Safeguarding**

Schools and colleges must comply with their legal duties as appropriate regarding pre-appointment checks when utilising agency staff, contractors and volunteers to support testing schools and colleges, including having regard to the statutory safeguarding guidance on [keeping children safe in education](#) and [safeguarding in colleges](#).