

Policy/Procedure	Policy - Child Protection and Safeguarding		
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Change History:

Version	Description	Date issued	Reason	Approved by
1	New Policy	1.06.2019	New Policy	CF
2	Updated	30.03.2020	COVID-19 Addendum	CF
3	Updated	1.09.2020	KCSIE (2020) & WCC Safeguarding Policy Update	CF

Related Policies:

Policy Ref No.	Policy Name	Policy Ref No.	Policy Name
OP/04	Anti-bullying Policy	HS/05	Managing Drugs
OP/03	Behaviour for Learning Policy	S/03	Safer Recruitment and Selection
S/06	Child Missing from Education Policy	OP/22	Searching, Screening and Confiscation
OP/07	Complaints Policy and Procedure	OP/12	Staff Behaviour (Code of Conduct)
OP/05	Curriculum Policy	OP/25	Whistleblowing
OP/08	Educational Visits Policy	HS/07	Use of Reasonable Force
S/02	E-Safety Policy	HS/08	Intimate Care Policy
OP/10	Equality and Diversity Policy	OP/28	SEND
OP/15	Exclusion Policy		
HS/01	Health and Safety Policy		

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Child Protection and Safeguarding Policy

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1 Policy statement

- 1.1 At Bright Sparks Learning Centre, the safety and well-being of all our students is paramount. We recognise our moral and statutory responsibility to safeguard and promote the welfare of all pupils and provide a safe and welcoming environment where children are respected and valued. Alert to the signs of abuse and neglect, our procedures will help to ensure that children receive effective support, protection and justice.
- 1.2 In order to fulfil its duty under section 11 of the Children Act (2004), 157 and 175 of the Education Act (2002), Bright Sparks Learning Centre has established arrangements to safeguard and promote the welfare of its students.
- 1.3 This policy is developed in line with DfE guidance set out in Keeping children safe in education (2020), Working Together to Safeguard Children (2018), HM Government advice What to do if you're worried a child is being abused (2015); and Local Safeguarding Children's Boards policies, procedures, guidance and protocols.
- 1.4 Immediate action will be taken should we suspect an individual may be at risk or it is alleged that a child is suspected of being abused.
- 1.5 The procedures contained in this policy apply to all staff, children and volunteers.
- 1.6 Failure to comply with this policy, may result in disciplinary action which might include summary dismissal (and referral to the Disclosure and Barring Service and The Teacher Regulation Agency, where appropriate).
- 1.7 The policy is available on the centre website and all staff and volunteers are required to read it and confirm they have done so in writing before commencing work in the centre.

1.8 COVID-19

- 1.8.1 **Keeping Children Safe in Education (DfE 2020)** and this policy are to remain in force throughout the response to coronavirus (COVID-19). This policy has been updated in accordance with DfE advice published in July 2020 'Guidance for full opening: schools' - <https://www.gov.uk/government/publications/actions-for-schools-during-the-coronavirus-outbreak/guidance-for-full-opening-schools>; and will be further updated when new and/or revised guidance is issued.
- 1.8.2 This policy applies to children who are attending the centre and others who may be staying at, and accessing learning from, home because of COVID-19. Please refer to our COVID ADDENDUM for specific arrangements in relation to the safeguarding of children during the pandemic.

2 Policy principles

- 2.1 This policy adheres to the following principles:
 - i. Safeguarding is everyone's responsibility

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- ii. Bright Sparks Learning Centre's responsibility to safeguard and promote the welfare of children is of paramount importance
- iii. All children, regardless of age, gender, ability, culture, race, language, religion or sexual identity, have equal rights to protection
- iv. Children who are safe, and feel safe, are better equipped to learn
- v. The centre is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment. All adults at the centre are required to take all welfare concerns seriously and to encourage children and young people to talk to them about anything that worries them. Staff will always act in the best interests of children
- vi. Due to their day-to-day contact with pupils, staff in the centre are uniquely placed to observe changes in children's behaviour and the outward signs of abuse, neglect, exploitation and radicalisation. Children may also turn to a trusted adult in the centre when they are in distress or at risk. It is vital that all centre staff are alert to the signs of abuse, are approachable and trusted by children and young people, listen actively to children and young people and understand the procedures for reporting their concerns. The centre will act on identified concerns and will provide early help to prevent concerns from escalating
- vii. All staff have an equal responsibility to act on any suspicion or disclosure that may suggest a child is at risk of harm at home, in the community or in the centre
- viii. All staff members will maintain an attitude of 'It could happen here' where safeguarding is concerned. When concerned about the welfare of a child, staff members should always act in the interests of the child
- ix. If, at any point, there is a risk of immediate serious harm to a child a referral will be made to Children's Social Care and/or the Police immediately. **Anybody can make a referral.** If the child's situation does not appear to be improving, any staff member with concerns should press the Designated Safeguarding Lead (DSL) for re-consideration
- x. If a member of staff remains concerned about a child, they can discuss their concerns with the headteacher/principal, another DSL or contact the MASH Education Lead for additional advice as necessary
- xi. Pupils and staff involved in child protection issues will receive appropriate support
- xii. Parents and other working partners are aware of our child protection policy, displaying appropriate information within the centre and on the centre website and by raising awareness at meetings with parents
- xiii. This policy will be reviewed at least annually unless an incident, new legislation or guidance suggests the need for an interim review. Representatives of the whole community of pupils, parents, staff, volunteers and governors will be involved in reviewing, shaping and developing the centre's safeguarding arrangements and child protection policy

3 Policy aims

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

4 Definitions

- 4.1 Safeguarding** and promoting the welfare of children refers to the process of protecting children from maltreatment; preventing the 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

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taking action to enable all children to have the best outcomes.

- 4.2 **Child protection** refers to the processes undertaken to protect children who have been identified as suffering or at risk of suffering significant harm.
- 4.3 **Staff** refers to all those working for or on behalf of the centre, full-time or part-time, temporary or permanent, in either a paid or voluntary capacity.
- 4.4 **Child** includes everyone under the age of 18.
- 4.5 **Parent** refers to birth parents and other adults who are in a parenting role, for example step-parents, foster carers and adoptive parents.
- 4.6 **Carer** refers to anyone over 18 years who provides day-to-day care (unpaid) for a child whom they do not have parental responsibility e.g. close friends and extended family members.
- 4.7 **Early Help** is the support that can be provided for a child or family who may have additional needs that cannot be met by universal provision and there is perceived to be no risk of significant harm. An early Help assessment can be carried out with any child from pre-birth up to age 18 (up to the age of 25 if the person has a learning difficulty or disability.)
- 4.8 **Designated Safeguarding Lead (DSL)** refers to the person within the centre with responsibility for day-to-day application of the Safeguarding and Child Protection Policy.

5 Related policies and documents

5.1 This policy is one of a series in the centre's integrated safeguarding portfolio. Other policies related to safeguarding include:

- i. Anti-bullying Policy
- ii. Behaviour for Learning Policy
- iii. Complaints Procedure and Policy
- iv. Child Missing from Education
- v. Curriculum Policy
- vi. Educational Visits Policy
- vii. E-Safety Policy
- viii. Equality and Diversity Policy
- ix. Exclusion Policy
- x. Health and Safety Policy
- xi. Managing Drugs Policy
- xii. Missing from Education Policy
- xiii. Recruitment and Selection Policy
- xiv. Searching, Screening and Confiscation Policy
- xv. Staff Behaviour Policy (Code of Conduct)
- xvi. Whistleblowing Policy

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6 Categories of abuse¹

- 6.1 Abuse and neglect are forms of maltreatment of children. 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 adult men, women or other children or young people.
- 6.2 Staff are trained to understand and recognise indicators of all four categories of abuse as defined below.
- 6.3 **Physical abuse** is a form of abuse which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.
- 6.4 **Emotional abuse** is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyber bullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, although it may occur alone.
- 6.5 **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 (including via the internet.) Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children. The sexual abuse of children by other children is a specific safeguarding issue in education.
- 6.6 **Neglect** is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy, for example, as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to:
- i. provide adequate food, clothing and shelter (including exclusion from home or abandonment)
 - ii. protect a child from physical and emotional harm or danger
 - iii. ensure adequate supervision (including the use of inadequate care-givers)

¹ Definitions taken from [Working together to safeguard children \(2018\)](#)

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- iv. ensure access to appropriate medical care or treatment
- 6.7 It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.
- 6.8 Further information on recognising *signs and symptoms of abuse* (NSPCC) can be found in Appendix 4.
- 6.9 More information on further categories of abuse including *Female Genital Mutilation, Honour-Based Violence, Child Sexual Exploitation, Child Criminal Exploitation, Peer on Peer Abuse, Cyberbullying, Forced Marriage, Fabricated or Induced Illness, Hate Crime and Sexual Harassment* and the ways in which staff at Bright Sparks Learning Centre will respond to these, can be found in Appendix 5.

7 Children with special educational needs or disabilities or with mental health needs

- 7.1 Children with special educational needs (SEN), disabilities or who have mental health needs, can face additional safeguarding challenges. Additional barriers can exist when recognising abuse and neglect in this group of children, which can include:
 - i. assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability or mental health issues without further exploration
 - ii. the potential for children with SEN and disabilities being disproportionately impacted by behaviours such as bullying, without outwardly showing any signs; and
 - iii. communication barriers and difficulties in overcoming those barriers
- 7.2 Staff are trained to manage these additional barriers to ensure this group of children are appropriately safeguarded; and are aware that mental health difficulties can, in some cases, be an indicator that a child has suffered or is at risk of suffering abuse, neglect or exploitation.
- 7.3 The centre recognises that it has an important role to play in supporting the mental health and wellbeing of our pupils, and that staff are well placed to observe children day-to-day and identify those whose behaviour suggests that they might be experiencing a mental health problem or be at risk of developing one. Only appropriately trained professionals, however, will be commissioned to make a diagnosis of a mental health problem.
- 7.4 Staff are not expected or trained to diagnose mental health conditions or issues; however, they will record and report any concerns about a child's mental health to the Designated Safeguarding Lead as with any other safeguarding concern, recognising that mental health concerns may be an outcome and/or indicator of wider safeguarding issues and concerns.

8 Child protection and safeguarding risks

The centre recognises the following child-protection and safeguarding risks:

- 8.1 **Involvement in gang-related activity:** the centre recognises the risks posed to children by involvement in, or contact with, gangs. If any adult or child has concern that a child may have links with, or be influenced by, a gang, they are required to communicate their concerns immediately to the DSL/DDSL in the same manner that any child protection concern is reported.

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- 8.2.1 **Extremism and radicalisation:** Bright Sparks Learning Centre acknowledges recent legislation The Counter-Terrorism and Security Act (the CTSA 2015) and its duty under section 26 to have ‘due regard for the need to prevent people from being drawn into terrorism’; “the Prevent duty”. Regular monitoring of the centre’s internet/email systems takes place and pupils and staff are provided with appropriate awareness training and ongoing education.
- 8.2.2 Extremism is defined in the Counter-Extremism Strategy (2015) as 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 faith and beliefs. This also includes calling for the death of members of the armed forces. Even very young children have been exposed, in rare circumstances, to extremism at home and elsewhere including online.
- 8.2.3 Radicalisation refers to the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups.
- 8.2.4 Bright Sparks Learning Centre recognises that protecting children from the risk of radicalisation is part of the centre’s wider safeguarding duties and is similar in nature to protecting children from other harms and abuse (e.g. drugs, gangs, neglect, sexual exploitation). The centre is committed to building children’s resilience to radicalisation by promoting fundamental British values and enabling them to challenge extremist views.
- 8.2.5 The centre assesses the risks of radicalisation within its pupil and staff population and adopts measures to mitigate such risks. The centre’s policy ‘Preventing Radicalisation and Extremism’ provides further detail. Educating pupils, and adults, to raise awareness of the problem and training members of the staff so that they can respond effectively to general or specific concerns are important aspects of the centre’s approach.
- 8.2.6 The Designated Safeguarding Lead is responsible for the centre’s strategy for protecting children from those risks.
- 8.2.7 During the process of radicalisation, it is possible to intervene to prevent vulnerable people being radicalised. The centre is committed to preventing pupils from being radicalised and drawn into any form of extremism or terrorism. The centre promotes the values of democracy, the rule of law, individual liberty, mutual respect and tolerance of those with different faiths and beliefs by providing pupils with opportunities through the curriculum to discuss issues of religion, ethnicity and culture and learn how to discuss and debate points of view; and by ensuring that all pupils are valued and listened to within the centre.
- 8.2.8 Centre staff receive training that provides them with both the information they need to understand the risks affecting children and young people in this area; and a specific understanding of how to identify individual children who may be at risk of radicalisation and how to support them. Staff are trained to report all concerns about possible radicalisation and extremism to the DSL immediately as they would any other safeguarding concern, identifying early indicators of possible radicalisation including changes in behaviour and attitudes to learning; and expressions of interest in extremist ideas along with a tolerance towards potential violence to certain members of society.
- 8.2.9 Concerns that a child (or a member of staff) may be vulnerable to violent extremism or radicalisation, must be forwarded to Claire Fyfe, Designated Safeguarding Lead (DSL)/Principal or Judith Little (Deputy

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Designated Safeguarding Lead) as a matter of utmost urgency. Should the life of the individual or others be at risk, 999 should be called.

- 8.2.10 The DSL (or DDSL) will make appropriate referrals to the Police PREVENT team and Channel programme in respect of any pupil whose behaviour or comments suggest that they are vulnerable to being radicalised and drawn into extremism and terrorism in order to ensure that children receive appropriate support.
- 8.2.11 Channel is a programme which focuses on providing support at an early stage to people who are identified as being vulnerable to being drawn into terrorism. It provides a mechanism for schools and educational provisions to make referrals if they are concerned that an individual might be vulnerable to radicalisation. An individual's engagement with the programme is entirely voluntary at all stages.
- 8.2.12 As a Channel partner, the school, college or educational provision may be asked to attend a Channel panel to discuss the individual referred to determine whether they are vulnerable to being drawn into terrorism and consider the appropriate support.
- 8.2.13 The centre will discuss any concerns about possible radicalisation identified in centre with a child's parents/carers as with any other safeguarding or child protection issue unless there is reason to believe that doing so would place the child at risk; and will also support parents/carers who raise concerns about their children being vulnerable to radicalisation. Subject to consultation with the Police PREVENT team and in the interests of making proportionate responses, the centre may offer support to children and their families through the provision of early help as appropriate.
- 8.2.14 The centre expects all staff, volunteers, visiting practitioners, contractors and individuals or agencies that hire the premises to behave in accordance with the centre's Staff Behaviour Policy (Code of Conduct) and will challenge the expression and/or promotion of extremist views and ideas by any adult on the centre's premises or at events held at the centre, and, when necessary, will make appropriate referrals in respect of any such adult.
- 8.2.15 As part of the centre's overall safeguarding arrangements and ongoing action plan for improvement, the DSL will consider identified local issues; intelligence from pupils, parents, staff and partner agencies; and new information from national issues and learning to review practice and procedures in order to keep pupils safe.
- 8.2.16 Initial concerns will be referred to the Warwickshire's Multi Agency Safeguarding Hub (MASH), who will notify the Warwickshire Prevent Lead. Bright Sparks Learning Centre will then follow their advice.
- 8.2.17 Further information, guidance and advice can be provided by Warwickshire Police and West Mercia Police Prevent officers (prevent@warwickshireandwestmercia.pnn.police.uk)
- 8.2.20 Concerns related to extremism can be referred to The Department for Education, either via telephone: (020 7340 7264) or email: counter.extremism@education.gov.uk
- 8.2.21 The promotion of extremist religious views and partisan political views via the teaching of any subject will not be tolerated at Bright Sparks Learning Centre.

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- 8.2.22 Whilst in attendance at Bright Sparks Learning Centre, all staff must offer a balanced presentation of views and opinion to children. Failure to comply with the above, could lead to disciplinary procedures being taken which might include summary dismissal.
- 8.3.1 **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 forms 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 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. County lines activity and the associated violence, drug dealing and exploitation has a devastating impact on children, vulnerable adults and local communities.
- 8.3.2 For more information on county lines, please refer to: [Home Office ‘Criminal Exploitation of children and vulnerable adults: County Lines guidance.’\(2018\)](#)

9 Children who may be particularly vulnerable

9.1 Some children are more vulnerable to abuse and neglect than others. A number of factors may contribute to increased vulnerability including: a child’s personality, behaviour, disability and family circumstances; communication issues; isolation; social exclusion; a reluctance on the part of some adults to accept that abuse can occur; societal attitudes and assumptions including prejudice and discrimination.

9.2 Special consideration will be given to any individual who:

- i. has special educational needs (whether or not they have a statutory EHC Plan²)
- ii. is vulnerable to discrimination and maltreatment on the grounds of gender, race, ethnicity, religion, disability or sexuality
- iii. is vulnerable to being bullied, or engaging in bullying behaviours
- iv. is looked after by the local authority
- v. is a young carer
- vi. is returning home to their family following a period of time in local authority care
- vii. otherwise living away from home including as a privately fostered child
- viii. is living in family circumstances which present challenges for the child, such as parental drug and alcohol misuse, adult mental health issues and domestic abuse
- ix. is living in temporary accommodation
- x. is living a transient lifestyle
- xi. is living in chaotic and unsupportive home situations
- xii. is misusing drugs and alcohol, experiencing mental health issues or domestic abuse themselves
- xiii. is frequently going missing from home, care or education
- xiv. is showing signs of being drawn into anti-social or criminal behaviour, including gang involvement and association with organised crime groups, such as county lines
- xv. is involved directly or indirectly in child sexual exploitation (CSE)
- xvi. is at risk of modern slavery, trafficking or exploitation
- xvii. is at risk of being radicalised, exploited and/or involved in extremism
- xviii. is at risk of female genital mutilation (FGM), forced marriage or Honour Based Abuse (HBA)

² Education, Health and Care Plan

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- xix. does not have English as a first language
- xx. is an asylum seeker

9.3 This list provides examples of additionally vulnerable groups and is not exhaustive. Special consideration includes the provision of safeguarding information and resources in community languages and accessible formats for children and parents/carers with communication needs.

10. Children who are looked after, were previously looked after or who have a social worker

- 10.1 The most common reason for children becoming looked after is as a result of abuse or neglect. Children who were previously looked after potentially remain vulnerable. The centre ensures that staff have the necessary skills and understanding to keep children who are looked after, and children who were previously looked after, safe and ensures that appropriate staff have information about a child's looked after status and care arrangements, including the level of authority delegated to the carer by the authority looking after the child.
- 10.2 The designated teacher for children who are looked after and previously looked after, and the DSL hold details of the social workers for all children who are looked after or were previously looked after; and the name and contact details of the Local Authority's virtual head for children who are looked after.
- 10.3 The centre recognises that when a child has a social worker, this is an indicator that she/he may be more vulnerable to harm than other children as well as facing barriers to educational attainment in relation to attendance, learning, behaviour and poor mental health issues.
- 10.4 The centre will take those issues and needs into account when making plans to support children who have a social worker.

11 Care leavers

- 11.1 Local authorities have ongoing responsibilities to young people who cease to be looked after and become care leavers. That includes keeping in touch with them, preparing an assessment of their needs and appointing a Personal Advisor who develops a pathway plan with the young person. This plan describes how the local authority will support the care leaver to participate in education or training. The DSL will have details of the local authority Personal Advisor appointed to guide and support all care leavers; and should liaise with them as necessary regarding any issues of concern affecting a care leaver.

12 Private fostering arrangements

- 12.1 A private fostering arrangement is one that is made privately (without the involvement of a local authority) for the care of a child under the age of 16 years (*under 18 if the child has a disability*) by someone other than a parent or close relative³, in their own home, with the intention that it should last for 28 days or more.
- 12.2 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.

³ A close relative is defined as a 'grandparent, brother, sister, uncle or aunt' and includes half-siblings and step-parents; it does not include great-aunts or uncles, great grandparents or cousins.

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- 12.3 On admission to the centre, Bright Sparks Learning Centre will take steps to verify who has parental responsibility for the child and the relationship of the adults accompanying the child who is being registered.
- 12.4 Private fostering occurs in all cultures including British culture and a private fostering arrangement may start at any age.
- 12.5 Whilst most privately fostered children are appropriately supported, looked after and remain safe and well, they are a potentially vulnerable group who should be monitored by the local authority, particularly when the child has come from another country. In some cases, privately fostered children are affected by abuse and neglect; have been trafficked; are sexually or criminally exploited; or suffer modern-day slavery.
- 12.6 Parents and private foster carers both have a legal duty to inform Children's Social Care in the relevant local authority at least six weeks before the arrangement is due to start. Not to do so is a criminal offence.
- 12.7 Schools have a mandatory duty to report to Children's Social Care in the local authority where they are aware or suspect that a child is subject to a private fostering arrangement. The centre will follow this requirement.
- 12.8 Centre staff should notify the designated safeguarding lead when they become aware of, or suspect, private fostering arrangements. The designated safeguarding lead will speak to the family of the child involved to check that they are aware of their duty to inform the LA. The centre will also fulfil its duty to inform the local authority of the private fostering arrangement.

13 Children with family members in prison

- 13.1 Approximately 200,000 children 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 centre will seek to support pupils/students in this position through pastoral care, early help and discussions with parents/carers and other family members as appropriate.

14 Attendance

- 14.1 We recognise that full attendance at the centre is important to the well-being of all our pupils enabling them to access the opportunities made available to them at the centre. Attendance is monitored closely. Poor or irregular attendance is addressed without delay in partnership with local education authorities including Warwickshire County Council Attendance, Compliance and Enforcement (ACE) Service when patterns of absence give rise to concern.

15 Children Missing from Education

- 15.1 The centre operates in accordance with statutory guidance *Children Missing Education (DfE 2016)* - https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/550416/Children_Missing_Education_-_statutory_guidance.pdf
- 15.2 All children, regardless of their circumstances, are entitled to an efficient, full-time education which is suitable to their age, ability, aptitude and any special educational needs they may have.

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- 15.3 A child going missing from education is a potential indicator of abuse and neglect, including sexual abuse or exploitation, child criminal exploitation, radicalisation or mental health problems. Staff will also be alert to signs of children at risk of travelling to conflict zones, female genital mutilation and forced marriage.
- 15.4 Effective information sharing between parents, schools, educational providers and local authorities is critical to ensuring that all children of compulsory school age are safe and receiving suitable education.
- 15.5 Attendance, absence and exclusions are closely monitored. All staff are informed as part of their induction about the procedure for reporting and taking action when children do not arrive at the centre and/or do not attend regularly. The DSL will monitor unauthorised absence and take appropriate action including notifying the local authority, particularly where children go missing repeatedly and/or are missing for periods during the school day.
- 15.6 We will follow the DfE legal requirements for schools in respect of recording and reporting of children who leave the centre without any known destination.

16 Children who run away or go missing from home or care

- 16.1 The centre recognises that children who run away or go missing (particularly repeatedly), and are thus absent from their normal residence, are potentially vulnerable to abuse and neglect, which may include sexual abuse or exploitation and child criminal exploitation. Children running away or going missing from home or care, may also indicate mental health problems, risk of substance abuse, risk of travelling to conflict zones, risk of female genital mutilation or risk of forced marriage.
- 16.2 **Keeping Children Safe in Education (2020)** highlights that 'Statutory Guidance on Children who Run Away or go Missing from Home or Care' (DfE 2014) requires that every child or young person who runs away or goes missing must be offered a Return Home Interview (RHI) within a period of 72 hours of their return.
- 16.3 RHI's are intended to ascertain the factors that triggered the young person's absence. Those factors may include difficulties at home, in school /educational settings and in the community. The short timescale of 72 hours is imposed in order to ensure that the RHI remains relevant to the young person and enables any required action to be initiated at the earliest opportunity.
- 16.4 RHI's are undertaken by practitioners who are independent in order to facilitate a discussion with the young person that is as open as possible. As soon as the Local Authority receives notification that a young person has gone missing from home or care, a letter will be sent to parents/carers seeking their consent to an RHI with their son/daughter. Direct contact will then be made with parents/carers and the young person to make arrangements for the interview.
- 16.5 In order to fulfil the timescale of within 72 hours, it is essential that all opportunities to interview young people including times during the school day are utilised.
- 16.6 When necessary, and in conjunction with the Local Authority, the centre will facilitate Return Home Interviews, both in terms of releasing the young person from their normal timetable to participate in an interview and in providing an appropriate and safe space on the centre's site for the interview to take place.
- 16.7 The centre will check with the Local Authority whether or not parents/carers have given their consent to the interview. However, young people aged 16 and 17 years old are generally considered to be able to consent

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and withhold consent to their own information being shared and therefore to participate in an RHI or not. With reference to the Fraser Guidelines, younger children may also be deemed able to consent.

- 16.8 If the Local Authority has not received consent from parents/carers, and the young person is not assessed as being capable of giving or withholding informed consent, the centre will contact the parent/carer and seek to secure their consent. Parents/carers may also choose to accompany their son/daughter in interviews and the centre will facilitate that as appropriate.

17 Contextual Safeguarding

- 17.1 Safeguarding incidents and/or behaviours can be associated with factors both outside children's home environments and outside educational settings; and/or can occur between children outside the educational setting. The DSL, deputy DSLs and all staff will consider the context within which such incidents and/or behaviours occur.
- 17.2 Contextual safeguarding means that assessments of children should consider wider environmental factors present in a child's life that are a threat to their safety and/or welfare.
- 17.3 Extra-familial harms may take a variety of forms and children can be vulnerable to multiple harms including (but not limited to) sexual exploitations.
- 17.3 Staff will listen to children and be vigilant about any signs or indicators that would suggest children may be at risk in the community and will share intelligence with the Police in order to prevent children suffering harm.
- 17.4 The centre will provide as much information as possible when asked to do so as part of a police investigation and/or when making referrals to Children's Social Care, thus allowing any investigation or assessment to consider all the available evidence and the full context of any abuse.

18 Centre responsibilities

- 18.1 As part of their staff induction process, all staff must read Part One of Keeping Children Safe in Education (2020). In addition, all staff who work directly with children must read Part Five and Annex A. Copies of these documents will be given to staff on induction; additional paper copies are available in the staff reference policy folder and the centre's office safeguarding policies folder. Electronic copies are available from the staff Dropbox folder.
- 18.2 Staff in the centre are uniquely placed to observe changes in children's behaviour and the outward signs of abuse, neglect, exploitation and radicalisation. All members of staff have a responsibility to provide a safe environment in which children can learn. It is vital that all staff at the centre are alert to the signs of abuse, are approachable and trusted by students, listen actively to children and understand the procedures for reporting their concerns.
- 18.3 It is essential that staff report all of their concerns, however minor or insignificant they may think they are – they do not need 'absolute proof' that the child is at risk. Staff must not assume a colleague or another professional will act.

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- 18.4 Staff must immediately report any concern relating to the safety and welfare of children in order to enable early identification, assessment and response. Child protection concerns / information must be forwarded to Claire Fyfe (DSL)/ Principal or Judith Little (DDSL)/Deputy Principal.
- 18.5 Staff who feel uncertain about sharing information, should consult either Claire Fyfe (DSL)/Principal or Judith Little (DDSL / Deputy Principal.) The need to promote the welfare, protection and safety of children is of paramount importance and must not be compromised due to fear or uncertainty.
- 18.6 An immediate referral should be made to children's social care and/or the police should a child be in immediate danger or at risk of harm.
- 18.7 All staff should be prepared to identify children who may benefit from early help; referrals should be made to Claire Fyfe, Designated Safeguarding Lead (DSL). Claire Fyfe, (DSL) will generally lead on liaising with other agencies and setting up an inter-agency assessment, if appropriate.

19 Designated Safeguarding Lead/Deputies (DSL/DDSL)

- 19.1 Bright Sparks Learning Centre has appointed designated persons who are responsible for dealing with any concern related to the safeguarding and protection of children (including online safety). It is their role to respond to any expression of concern and make clear the lines of responsibility in respect of child protection and safeguarding.
- 19.2 Key personnel:
- **The Designated Safeguarding Lead (DDSL) is Claire Fyfe (Principal)**
Contact details: email office@brightsparkslearningcentre.org tel: 01827 872 377 or 07494 973915
 - **The Deputy Designated Safeguarding Lead (DDSL) is Judith Little (Deputy Principal)**
Contact details: email office@brightsparkslearningcentre.org tel: 01827 872 377 or 07494 973915
- 19.3 The role of the DSL is to assume lead responsibility for safeguarding and child protection in the centre.
- 19.4 The Designated Safeguarding Lead (DSL):
- i. is a senior member of staff from the centre's leadership team and therefore has the status and authority within the centre to carry out the duties of the post, including committing resources and supporting and directing other staff.
 - ii. takes lead responsibility for safeguarding and child protection (including online safety) in the centre, which will not be delegated although the activities of the DSL may be delegated to appropriately trained deputies. The role and responsibility are explicit in the role holder's job description.
 - iii. is appropriately trained (**including Prevent training**), receives refresher training at two-yearly intervals and regularly (at least annually) updates their knowledge and skills to keep up with any developments relevant to their role.
 - iv. has a working knowledge of relevant national guidance in respect of all specific safeguarding issues highlighted in **sections 27-40 (pages 9-12)** and Annex A (pages 82-96) of *Keeping Children Safe in Education 2020*, ensuring that all staff receive necessary training, information and guidance.
 - v. acts as a source of advice, support and expertise to the centre community

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- vi. is alert to the specific needs of children in need; those with special educational needs; children who are looked after or were previously looked after; children who have a social worker; and young carers; and oversees the provisions of effective pastoral support to all of those children, promoting their educational outcomes by sharing information about their welfare, circumstances and needs with teachers and other staff as appropriate
- vii. has a working knowledge of locally agreed multi-agency safeguarding arrangements and procedures put in place by Warwickshire Safeguarding
- viii. understands the early help process to ensure effective support, assessment and understanding of children's additional needs in order to inform appropriate provision of early help and intervention.
- ix. keeps detailed and accurate written records of all concerns, ensuring that such records are stored securely and flagged, but kept separate from, the pupil's general file.
- x. ensures that, when a pupil under the age of 18 years leaves the centre all child protection records are passed to the new school/educational setting (separately from the main pupil file and ensuring secure transit) and confirmation of receipt is obtained. If the child is the subject of an open case to Children's Social Care, the pupil's social worker is also informed.
- xi. considers whether to share any information about a child leaving the centre with the receiving school/educational provider in advance so that the receiving setting is appropriately informed in order to support the child as effectively as possible and plan for her/his arrival.
- xii. co-ordinates the centre's contribution to child protection plans as part of core groups, attending and actively participating in core group meetings.
- xiii. understands the relevance of data protection legislation and regulations, especially the Data Protection Act 2018 and General Data Protection Regulation (GDPR) in respect of safeguarding children.
- xiv. ensures that the child protection and safeguarding policy and procedures are reviewed and updated at least annually, working with the whole centre's community of pupils, parents, staff, volunteers and/or directors regarding this.
- xv. informs the headteacher/principal of any serious safeguarding enquiries, especially under section 47 of the Children Act 1989 and any Police investigations (where the DSL role is not carried out by the headteacher/principal).
- xvi. keeps a record of staff attendance at child protection training.
- xvii. makes the child protection and safeguarding policy available publicly, i.e. on the centre's website or by other means.
- xviii. ensures parents are aware of the centre's role in safeguarding and that referrals about suspected abuse and neglect may be made.
- xix. ensures that the centre holds more than one emergency contact number for every pupil/student.
- xx. ensures that the headteacher/principal is aware of the responsibility under *Working Together 2018* to refer all allegations that a child has been harmed by or that children may be at risk of harm from a member of staff or volunteer to the Designated Officer (DO) in the Local Authority within one working day prior to any internal investigation; and to the Disclosure and Barring Service (DBS) as appropriate.

The DSL and DDSL will undertake the following duties:

- 19.5 Manage referrals:
- i. refer cases of suspected abuse to Children's Social Care or the Police; and, where a crime may have been committed, refers cases to the Police.
 - ii. refers cases using the prescribed pro forma to Children's Social Care and the Prevent policing team for a joint assessment where there is a concern that a child is at risk of radicalisation; and to the Channel panel if

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subsequently advised to do so.

- iii. ensure that the appropriate information is available at the time of referral
- iv. support staff who make referrals to local authority children's social care
- v. refer cases to the Channel programme where there is a radicalisation concern as required
- vi. support staff who make referrals to the channel programme
- vii. refer cases where person is dismissed or left due to risk/harm to a child to the Disclosure and Barring Service as required
- viii. refer cases where a crime may have been committed to the Police as required.

19.6 Work with others

- i. works closely with pastoral support staff; the SENCo; the designated teacher for children who are looked after or were previously looked after; staff with designated responsibility for promoting children's mental health and emotional wellbeing; the ICT lead and any ICT support staff; and school nurses in relation to safeguarding matters (including online and digital safety) and whether to make referrals to relevant partner agencies.
- ii. act as a point of contact with the three safeguarding partners
- iii. encourages a culture of listening to children and taking account of their wishes and feelings
- iv. provide information to the Local authority on safeguarding and child protection in compliance with the Children Act (2004)
- v. 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
- vi. liaise with staff on matters of safety and safeguarding (including online and digital safety) and when deciding whether to make a referral by liaising with relevant agencies
- vii. liaise with local social services and other agencies as appropriate
- viii. keep relevant people within the centre informed about any action taken and further action required
- ix. act as a source of support, advice and expertise for all staff
- x. liaises with the principal (where the DSL role is not carried out by the principal) as appropriate.
- xi. develop effective links with relevant statutory and voluntary agencies including Warwickshire Safeguarding and other local safeguarding partnerships
- xii. attend and/or contribute to child protection conferences, strategy meetings and multi-agency exploitation meetings
- xiii. ensures that staff do everything they can to support social workers and contribute to assessments of children when Children's Social Care become involved
- xiv. notifies Children's Social Care if a child with a child protection plan is absent without explanation at intervals as defined in the plan.

19.7 Training

- i. undertake appropriate training and receive refresher training at two yearly intervals and regularly (at least annually) update their knowledge and skills to keep up with any developments relevant to their role
- ii. act as a source of support and expertise to the centre's community
- iii. have a working knowledge of local safeguarding partnership (currently Warwickshire Safeguarding Children Board [WSCB]) procedures
- iv. know which outside child protection agency to contact in the event of a child protection concern coming to their notice
- ix. ensures that all staff sign to indicate that they have read and understand the child protection and

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safeguarding policy; the staff behaviour policy (code of conduct); the behaviour policy; the centre's safeguarding response to children who go missing from education; the role of the DSL (including the identity of the DSL and any deputies); and Part 1 of *Keeping Children Safe in Education 2020* (and also Part 5 and Annex A of *Keeping Children Safe in Education 2020* in relation to staff who work directly with children

- x. ensures that all staff understand that if they have **any concerns** about a child's welfare, they should act on them immediately, either by speaking to the DSL (or a deputy) or, in exceptional circumstances, taking responsibility to make a referral to Children's Social Care
- xi. understands the unique risks associated with online safety and ensures that staff are trained to have the requisite knowledge and up to date capability to keep children safe whilst they are online
- xii. ensures that all staff know how to make a referral as outlined in this policy.
- v. ensure that the Child Protection Policy and procedures are shared with, understood, and implemented by staff
- xiii. organise staff training
- xiv. ensure all staff have induction training covering child protection and are able to recognise and report any concerns immediately they arise and to give Part 1, Part 5 and Annex A of "Keeping children safe in education" (Sept 2020) to all staff
- xv. ensure that detailed written records are kept of any referrals and actions taken and that this is kept safely in accordance with data protection regulations
- xvi. advise the centre of child protection needs, review provision, ensure that procedures are working and comply with current practice

19.8 Raise awareness

- i. ensure the child protection policies are known, understood and used appropriately
- ii. encourages a culture of listening to children and taking account of their wishes and feelings
- iii. ensure the centre's child protection policy is reviewed annually (as a minimum)
- iv. ensure the child protection policy is available publicly
- v. ensure that parents are aware what referrals about suspected abuse or neglect may be made
- vi. ensure staff are aware of training opportunities and latest local policies on local safeguarding arrangements
- vii. support staff to recognise challenges children in vulnerable groups might face and provide appropriate support and adjustments to help these pupils attain the very best outcomes.

19.9 **The Deputy Designated Safeguarding Lead** is appropriately trained to the same standard as the DSL and supports the DSL with safeguarding matters as appropriate. In the absence of the DSL, the DDSL carries out those functions necessary to ensure the ongoing safety and protection of pupils. The role and responsibility are explicit in the role holder's job description. In the event of the long-term absence of the DSL, the deputy will assume all the functions of the DSL as above.

19.15 **The principal:**

- i. ensures that the child protection policy and procedures are understood and implemented by all staff.
- ii. allocates sufficient time, training, support and resources, including cover arrangements when necessary, to enable the DSL and deputy/s to carry out their roles effectively, including the assessment of pupils and attendance at strategy discussions and other necessary meetings.
- iii. supports the designated teacher for looked after children to promote the educational achievement of any pupils who are looked after by the Local Authority and who have left care through adoption, special guardianship or child arrangement orders or who were adopted from state care outside England and Wales.

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- iv. ensures that all staff have the skills, knowledge and understanding necessary to keep looked after and previously looked after children safe.
- v. ensures that all staff feel able to raise concerns about poor or unsafe practice and that such concerns are handled sensitively and in accordance with the whistleblowing procedure.
- vi. ensures that the culture of the centre supports the provision of effective pastoral care and early help.
- vii. ensures that staff do everything they can to support social workers when Children's Social Care become involved.
- viii. ensures that pupils are provided with opportunities throughout the curriculum to learn about safeguarding and how to keep themselves safe at all times, including when online, as part of a broad and balanced curriculum.
- ix. refers all allegations that a child has been harmed by or that children may be at risk of harm from a member of staff or volunteer to the Designated Officer in the Local Authority within one working day prior to any internal investigation.
- x. ensures that anyone who has harmed or may pose a risk of harm to a child is referred to the Disclosure and Barring Service, as advised by the Designated Officer.
- xi. appoints a case officer who will be a member of the senior leadership team to investigate allegations concerning members of staff and volunteers and/or act as a point of contact for the member of staff/volunteer against whom the allegation is made.

20 Reporting concerns

- 20.1 As part of the centre's acceptance of its responsibility of a duty of care towards children, anybody who encounters child protection concerns in the context of their work on behalf of the centre will be supported when they report their concerns in good faith. Staff could have their suspicion or concern raised in a number of ways, the most likely of which are:
- i. the conduct of a member of the centre's staff or other adult in contact with children
 - ii. a child disclosing abuse
 - iii. bruising or evidence of physical hurt, which may or may not be accompanied by unusual behaviour by a child, or other sign of possible abuse.
- 20.2 Key points for staff to remember when taking action are:
- i. in an emergency take the action necessary to help the child, for example, call 999
 - ii. report your concern immediately to the DSL or if unavailable the DDSL
 - iii. do not start your own investigation
 - iv. share information on a need-to-know basis only – do not discuss the issue with colleagues, friends or family
 - v. complete a record of concern, using *The Green Form: Logging a concern about a child's safety and welfare (Appendix 2)*
 - vi. seek support for yourself if you are distressed or need to debrief
- 20.3 Concerns should be reported immediately to the DSL, or if unavailable, the DDSL. Concerns should be confirmed in writing within 24 hours. *If there is concern for a child's immediate safety, the member of staff, or concerned adult, must speak directly to the DSL/DDSL in person or by telephone and should not use e-mail or leave a voice-mail message.*
- 20.4 The DSL and DDSL will assess the reported concerns. Concerns which do not meet the threshold for child

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protection intervention will be managed through the Early Help process. Concerns considered as serious enough, will be referred to the local authority children's social care services using ***Warwickshire's Multi-Agency Contact telephone number (01926 886922), the out of hours Emergency Team (01926 886922) or directly to the police by telephoning 999.***

- 20.5 If the child appears to be at real and immediate risk of physical or sexual abuse at home, the centre has a statutory duty to refer the issue **at once to MASH**; anyone can make a referral. This must be done *without reference to the parents* if attempting to gain their consent could cause harm to the child or another person, or undermine the investigation, or if there is a suspicion of sexual abuse.
- 20.6 In exceptional circumstances, where it is not possible to communicate with a DSL/DDSL, any adult may also report the concern directly to children's social care using Warwickshire's Multi-Agency Safeguarding Hub.
- 20.7 Employees who do not feel able to report issues internally and are worried about the way their, or another, organisation is dealing with child protection issues, can contact anonymously the NSPCC **Whistleblowing Advice Line (0800 028 0285); email:help@nspcc.org.uk (NSPCC, 2018.)**

21 Responding to a child making an allegation

- 21.1 When responding to an allegation made by a child, staff should follow the following guidance:
 - i. allow the child to speak freely
 - ii. remain calm and not overreact; the pupil may stop talking if they feel they are upsetting the listener
 - iii. acknowledge their courage in telling you
 - iv. tell the child that the matter will only be disclosed to those who need to know
 - v. do not promise to keep anything secret
 - vi. allow the child to continue at their own pace
 - vii. ask questions for clarification only and at all times avoid asking questions that suggest a particular answer. The role of centre staff is not to interview but to determine whether or not there is justifiable concern in order to refer the matter to the designated persons for child protection
 - viii. reassure the child that they have done the right thing in telling you
 - ix. tell them what you will do next and with whom the information will be shared
 - x. as soon as possible complete *The Green Form: Logging a Concern about a child's safety and welfare document* (Appendix 1), recording in writing what is said using the child's own words; note the date, time, any names mentioned, to whom the information was given, and ensure that the record is signed and dated by the adult composing the record. Never ask a child to sign a statement as this might jeopardise their ability to provide effective evidence in law
 - xi. pass all information to the designated safeguarding lead person

22 Responding to allegations about a member of staff or other adult⁴ (Whistleblowing)

- 22.1 Guidance has been taken from the DfE **Keeping children safe in education (2020)** and WSCB's inter-agency safeguarding procedures, section 6 - **Managing Allegations Against People Who Work With Children.**

⁴ Other adults includes supply teachers and volunteers

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- 22.2 Staff who are concerned about the conduct of a colleague - including visiting practitioners and volunteers - towards a pupil are undoubtedly placed in a very difficult situation.
- 22.3 All staff are aware that:
- i. inappropriate behaviour towards students is unacceptable
 - ii. their conduct towards students must be beyond reproach
 - iii. the welfare of the child young person is paramount
- 22.4 Any concerns that involve the conduct of a colleague - including visiting partitioners and volunteers – towards a pupil must be reported immediately to the Principal, Claire Fyfe (DSL) or Judith Little (DDSL), if the headteacher/principal is not available. A written report: *The Yellow Form: Logging a concern about the behaviour of a member of staff or volunteer* (Appendix 3) should be completed and submitted to the principal, Claire Fyfe (DSL) or Judith Little (DDSL), *within 2 hours*, or by the end of the working day, whichever is sooner. The written report should be dated and timed and stipulate what has been disclosed, noticed, said or done. Nothing should be said to the colleague(s) involved.
- 22.5 Where it is alleged that a member of staff has:
- i. behaved in a way that has harmed a child, or may have harmed a child
 - ii. possibly committed a criminal offence against or related to a child
 - iii. behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children (regardless of whether or not the alleged abuse took place within the setting)
 - iv. behaved or may have behaved in a way that indicates they may not be suitable to work with children.
- 22.6 The DSL or DDSL will contact the Local Authority Designated Officer (LADO) to discuss and consider the nature, content, and context of the allegation and agree a course of action. This MUST be done on the same day. The LADO will advise on liaison with the police, children's social care services, the accused teacher, the child and the child's family. The accused teacher should be told about the allegation as soon as possible after this discussion.
- 22.7 If the concern relates to the headteacher/principal, the concern should be reported to the headteacher/principal at the commissioning school or the key link at the local authority.
- 22.8 In proprietor-led independent schools, concerns about the proprietor(s) should be referred directly to the Local Authority Designated Officer.

LADO contact details: 01926 745376; referrals to the Designated Officer should be submitted on a PoT MARF form and sent to lado@warwickshire.gov.uk.

- 22.9 Staff and parents are reminded that publication of material that may lead to the identification of a teacher who is the subject of an allegation is prohibited by law. Publication includes verbal conversations or writing, including content placed on social media sites.
- 22.10 Allegations concerning staff who no longer work at the centre or historical allegations will be reported to the Police.

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- 22.11 Should a member of staff be dismissed or removed due to safeguarding concerns, or would have been had they not resigned, a referral to the Disclosure and Barring Service (DBS) will be made.
- 22.12 In accordance with Keeping Children Safe in Education (2020), the centre will make every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered.
- 22.13 **Staff can also contact the Designated Officer in the Local Authority**, who is responsible for the co-ordination of responses to allegations against people who work with children.
- 22.14 The Designated Officer's contact number is **01926 745376**. Referrals to the Designated Officer should be submitted on a PoT MARF form and sent to lado@warwickshire.gov.uk
- 22.15 The NSPCC whistleblowing helpline is also available for staff who do not feel able to raise concerns regarding child protection failures internally. Staff can call 0800 028 0285 between 8.00a.m. and 8.00p.m., Monday to Friday or e mail help@nspcc.org.uk. Information is also available on the NSPCC website at <https://www.nspcc.org.uk/what-you-can-do/report-abuse/dedicated-helplines/whistleblowing-advice-line/>.
- 22.16 The NSPCC whistleblowing helpline and contact numbers for Children's Social Care, the Police and the Designated Officer are all displayed in the staff room.
- 22.17 Parents or carers of the child, or children, involved should be informed of the allegation as soon as possible. However, should the police or children's social care services need to be involved, Claire Fyfe (DSL), will not contact parents or carers until those agencies have been consulted and have agreed what information can be disclosed. Parents or carers should also be kept informed about the progress and outcome of the case.
- 22.18 Should an allegation be made against an employee; the centre will provide the individual with effective support. Should the employee be suspended, a named contact will be provided.
- 22.19 Should an allegation be made against a volunteer or supply teacher, the centre will liaise fully with all relevant parties. In the case of a supply teacher, the proprietor / governing body will discuss with the agency whether it is appropriate to suspend the supply teacher, or redeploy them to another part of the centre, whilst an investigation is carried out. The centre will also liaise with the LADO to determine a suitable outcome.
- 22.20 The centre will ensure that any allegation made against a teacher, member of staff or volunteer is dealt with quickly, fairly and consistently in order to provide effective protection for the child, whilst also supporting the person who is subject to the allegation.

23 Responding to allegations against a child

- 23.1 Allegations of abuse perpetrated by a child will always be taken seriously and will be dealt with using sensitivity and care. Peer on peer abuse can take many forms. It can include:
- bullying (including cyberbullying)
 - sexual violence and sexual harassment
 - physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm
 - sexual harassment, such as sexual comments, remarks, jokes and online sexual harassment which may stand

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- alone or form part of a broader pattern of abuse
 - v. sexting including pressuring another person to send a sexual image or video content (also known as youth produced sexual imagery)
 - vi. upskirting (anyone of any gender can be a victim)
 - vii. teenage relationship abuse
 - viii. initiating/hazing type violence and rituals
 - ix. prejudiced behaviour
- 23.2 Peer on peer abuse is not acceptable and will not be tolerated. Any concerns or allegations against another child must be referred immediately to Claire Fyfe (DSL) and the Local Safeguarding Children Board's procedures followed for both the victim(s) and the alleged perpetrator(s). It is especially important that such abuse is not passed off as 'banter', 'part of growing up' or 'having a laugh'.
- 23.3 Members of staff to whom such allegations are made and/or who become concerned about a pupil's sexualised behaviour, including any known online sexualised behaviour, should record their concerns in the usual way *on a Green form: Logging a concern about a child's safety and welfare* and report them to the DSL as soon as possible, as with any other safeguarding concern.
- 23.4 It is likely that for an allegation or concern to be addressed under child protection procedures, some of the following features will be found. The allegation or concern:
- i. is made against an older pupil and refers to their behaviour towards a younger pupil or a more vulnerable pupil
 - ii. is of a serious nature, possibly including a criminal offence
 - iii. raises risk factors for other pupils in the centre
 - iv. indicates that other pupils may have been affected by this student
 - v. indicates that young people outside the centre may be affected by this student.
- 23.5 Safeguarding incidents and/or behaviours can occur between children outside the centre or home. All staff, but especially the Designated Safeguarding Lead (DSL), must consider the context – contextual safeguarding - within which such incidents and/or behaviours occur. The 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.
- 23.6 Children's social care assessments should consider such factors, so it is important that settings 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.
- 23.7 Further information on children with harmful or inappropriate behaviour, please refer to Appendix 7.

24 Position of trust offences

- 24.1 A position of trust is a position or occupation that has power or authority over a child's life and, in some cases, an influence on the future of that child; and includes individuals working in centre and children's homes.
- 24.2 All centre staff are aware that inappropriate behaviour towards pupils is unacceptable and that their conduct towards pupils must be beyond reproach.

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24.3 All staff must understand that the abuse of trust offences under the Sexual Offences Act 2003 occurs when a person over the age of 18 has a sexual relationship with a person under the age of 18, even if the relationship is consensual. This means that any sexual activity between a member of the centre staff and a pupil under 18 may be a criminal offence, even if that pupil is over the age of consent.

24.4 The following offences are included under the Act:

- i. sexual activity with a child including any kind of sexual touching
- ii. causing or inciting a child to engage in sexual activity
- iii. engaging in sexual activity in the presence of a child
- iv. causing a child to watch a sexual act

25 Support for students, families and staff involved in a child protection issue

25.1 Good child protection practice and outcomes necessitates a positive, transparent and honest working partnership with parents.

25.2 Whilst the centre may, on occasion, need to make referrals without consultation with parents, every effort will be made to maintain a positive working relationship with parents whilst fulfilling the centre's duties to protect the student.

25.3 The centre recognises that staff dealing with disclosures may require support and will therefore provide in-house support and/or access to external services.

25.4 Bright Sparks Learning Centre will support students, their families, and staff by:

- i. taking all suspicions and disclosures seriously
- ii. nominating a link person (*usually the DSL*) who will keep all parties informed and be the central point of contact
- iii. where a member of staff is the subject of an allegation made by a student, separate link people will be nominated to avoid any conflict of interest
- iv. responding sympathetically to any request from students or staff for time out to deal with distress or anxiety
- v. maintaining confidentiality and sharing information on a need-to-know basis only with relevant individuals and agencies
- vi. storing records securely
- vii. offering details of helplines, counselling or other avenues of external support
- viii. following the procedures laid down in our child protection, whistleblowing, complaints and disciplinary procedures
- ix. co-operating fully with relevant statutory agencies

26 Teaching pupils to keep themselves safe

26.1 Teaching pupils how to protect themselves and how to keep themselves safe remains one of our central objectives within our educational provision. Bright Sparks Learning Centre employs a wide variety of methods to raise pupils' awareness and understanding of the wide-range of issues associated with safeguarding and supports all members of staff in delivering appropriate teaching and learning opportunities across the curriculum for developing pupils' ability to keep themselves safe.

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26.2 Students are taught to understand and manage risk, particularly online, through our personal, social, health and economic (PSHE) education programme; sex and relationships lessons; and through all aspects of ‘school life’. Our approach is designed to help young people consider the risks they may encounter, recognise when they are at risk and with the support of staff work out how to get help when they need it and how risks might be reduced or managed. Visiting speakers, assemblies, classroom-based learning, specific personal development sessions and discussions provide pupils with a range of learning opportunities.

26.3 Students are informed as to who they might talk to, both in and out of the centre, their right to be listened to and what steps can be taken to protect them from harm.

26.4 Further information regarding our PSHE and RSE programme can be found in our PSHE Policy.

27 Safer recruitment

27.1 Recruitment of all staff and volunteers is undertaken in line with [Keeping children safe in education \(2020\)](#). For further information, please refer to our ‘Recruitment and Selection Policy.’

27.2 Where agency staff are employed, written confirmation from the relevant agency that all appropriate checks have been carried out, and are satisfactory, will be obtained.

27.3 Bright Sparks Learning Centre will always request if the DBS contains information. Should information be disclosed, Bright Sparks Learning Centre will obtain a copy of the DBS Disclosure from the agency.

27.4 All agency staff are subject to appropriate identity checks on their arrival.

28 Staff Training

28.1 Staff will receive appropriate and regularly updated safeguarding and child protection training and thematic updates as required (at least annually) during inset days and regular discussions at staff meetings, to provide them with the skills and knowledge to recognise the possible signs of abuse, neglect, exploitation and radicalisation and to know what to do if they have a concern.

28.2 New staff, governors and volunteers who will have direct contact with students will receive an explanation, and copies of the relevant policies, during their induction which will include:

- i. the centre’s child protection and safeguarding policy including:
 - signs and symptoms of abuse and neglect
 - responding to disclosure of abuse or neglect by a child
 - reporting and recording arrangements
- ii. the staff behaviour policy (code of conduct)
- iii. the identity and role of the DSL and all Deputy DSLs
- iv. the centre’s behaviour for learning policy
- v. the centre’s safeguarding response to children who go missing from education
- vi. part 1 KCSIE, part 5 KCSIE and annex A of KCSIE (2020)
- vii. complaints policy and procedure
- viii. e safety policy

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- ix. data Protection /GDPR policy
 - x. health and Safety policy
- 28.3 The centre's child protection policy and staff behaviour policy (code of conduct) will be sent with the letter confirming an appointment with a written requirement that the individual reads the two policies in advance of starting work at the centre. The individual will be given an opportunity to clarify any issues on their first day at work and then asked to sign that they have read and understood both policies and undertake to comply with them.
- 28.4 The DSL and DDSL will attend training for newly appointed DSLs and refresher training every two years delivered by Warwickshire County Council's Children & Families and Education Services. Additionally, the headteacher/ principal(DSL) will attend safer recruitment training and a refresher training every three years.
- 28.5 Supply staff and other visiting staff will be given the centre's **Visitor Information Leaflet** and **Safeguarding & Child protection Overview for Visitors Leaflet** (displayed at reception).

29 Multi-agency partnerships

- 29.1 Bright Sparks Learning Centre is committed to working in partnership with Children's Social Care in our locality, social care, the police, health services and other agencies to:
- i. identify situations in which children and/or their families would benefit from early help
 - ii. undertake an assessment of the need for early help when that is appropriate, using the Early Help Assessment process and
 - iii. provide targeted early help services to address the assessed needs of a child and their family, developing an action plan that will focus on activity to improve the child's outcomes

- 29.2 Bright Sparks Learning Centre will cooperate with any local authority making child protection enquiries in relation to any child at the centre.

30 Single Central Record

- 30.1 Bright Sparks Learning Centre keeps a single central record covering the following people:
- i. all staff (including supply staff) who work at the centre
 - ii. all other who work in regular contact with children in the centre, including volunteers
- 30.2 All records relating to the recruitment and appointment of staff will be kept and maintained in line with the General Data Protection Regulation (GDPR) and Data Protection Act (2018).

31 Record Keeping

- 31.1 The centre will maintain safeguarding (including early help) and child protection records in accordance with the principles set out in the General Data Protection Regulation (GDPR), Data Protection Act (2018), the Human Rights Act (1998), the Freedom of Information Act and guidance provided by WCC Education Safeguarding Service Child Protection Record Keeping Guidance.

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31.2 Storage of child protection records

The centre will:

- i. keep clear and detailed written records of concerns about children *Logging a concern record* (Appendix 1), noting the date, summary of the allegation/concern, actions taken and outcomes; this record will be kept independently from the pupil's central file. The central file will be 'tagged' to indicate that separate information is held. Such records will only be accessible to the Designated Safeguarding Lead and school / centre leaders. Details of any referral to the Disclosure and Barring Service(DBS) and/or Teacher Regulation Agency (TRA) will also be placed on the file, if appropriate
- ii. keep records in a meticulous chronological order, either on paper or electronically
- iii. provide a copy of the record to the person concerned
- iv. ensure all records are kept securely and in locked locations
- v. remove any allegations that have found to be malicious from personnel records

31.3 Transfer of child protection records

The centre will:

- i. ensure all safeguarding records are transferred - separately from the child's main pupil file - to the receiving school, college or other education establishment should a pupil move. The DSL will do this as soon as possible, and certainly *within five working days*, ensuring secure transit (hand or recorded delivery)
- ii. request a written (signed and dated) evidence of the transfer. This receipt will be kept for 6 years
- iii. ensure that records are photocopied and retained until a written receipt of the transfer has been received; records will then be shredded
- iv. consider whether it is appropriate to share any information with a child's receiving school/setting in advance of the child leaving to enable the school/ setting to plan for her/his arrival
- v. ensure that incoming safeguarding records are brought to the attention of the DSL, Deputy DSLs and other key staff such as the SENCO when a child transfers in from another school/setting

31.4 Retention of child protection records

The centre will:

- i. retain child protection records of any child whilst they remain on roll
- ii. transfer child protection records safely and appropriately
- iii. notify the local authority of the existence of child protection records and store them until the pupil is 25 years old should they not move on to another educational setting
- iv. destroy records (shred or deploy an entrusted firm) once the individual reaches 25 years old.

31.5 The Data Protection Act does not prevent staff from sharing information with relevant agencies should the information help protect a child.

32 Confidentiality and information sharing

32.1 The centre will manage and share confidential information about children in line with *Information sharing - Advice for practitioners providing safeguarding services to children, young people, parents and carers (HMG*

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2018) -

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/721581/Information_sharing_advice_practitioners_safeguarding_services.pdf

- 32.2 All safeguarding and child protection information will be handled in line with the principles of the Data Protection Act 2018, which require that sensitive information is:
- i. processed for limited purposes
 - ii. adequate, relevant and not excessive
 - iii. accurate
 - iv. kept no longer than necessary
 - v. processed in accordance with the data subject's rights
 - vi. secure
- 32.3 All staff will ensure that child protection issues retain a high level of confidentiality, adhering to confidentiality protocols. If in doubt about confidentiality, advice should be sought from the DSL, DDSL or an outside agency, as required. Guidance can be found in Warwickshire's Information Sharing in Child Protection document, appendix 9 of the inter-agency child protection procedures and can be accessed at www.warwickshire.gov.uk/wscresources.
- 32.4 The GDPR and the Data Protection Act 2018 do not prevent centre staff from sharing information with relevant agencies, where that information may help to protect a child. All staff must be aware that they have a professional responsibility to share information with other agencies in order to safeguard children.
- 32.5 The DSL will normally obtain consent from the pupil and/or parents to share sensitive information within the centre or with outside agencies. Where there is good reason to do so, the DSL may share information *without* consent, and will record the reason for not obtaining consent.
- 32.6 Staff may discuss day-to-day concerns about students with colleagues with a view of ensuring children's general needs are met in the centre. However, child protection concerns should be referred to the headteacher/principal DSL or DDSL. These designated leads will then decide how information is shared.
- 32.7 Information sharing will take place in a timely and secure manner and where:
- i. it is necessary and proportionate to do so; and
 - ii. the information to be shared is relevant, adequate and accurate.
- 32.8 Information sharing decisions will be recorded, whether or not the decision is taken to share.
- 32.9 All staff must be aware that they cannot promise a child/parent to keep secrets.
- 32.10 Any member of staff can make a referral to Children's Social Care if they are concerned about the safety of a child.
- 32.11 Staff, parents and governors should note that publication of material (verbal or written) that may lead to the identification of a teacher who is subject of an allegation of abuse is prohibited by law.

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33 Student / parental access to child protection information

- 33.1 Child protection records are normally exempt from the disclosure provisions of the Data Protection Act (2018); therefore, students and parents do not have an automatic right to see them.
- 33.2 Students or parents wishing to access child protection records should make a request to the headteacher/principal (DSL) who will then advise them to submit a Subject Access to Information request for consideration.
- 33.3 If any member of staff receives a request from a pupil or parent to see child protection records, they will refer the request to the DSL and data protection officer.
- 33.4 Record of concern forms (green and yellow forms) and other written information will be stored in a locked facility and any electronic information will be password protected and only made available to relevant individuals.
- 33.5 Every effort will be made to prevent unauthorised access to sensitive information. Any sensitive information that needs to be stored on portable devices such as laptop computers or tablets or on portable media such as a CD or flash drive will be password protected or encrypted and kept in locked storage.
- 33.6 The centre's policy on confidentiality and information-sharing is available to parents and pupils on request.

34 Complaints procedure

- 34.1 Our complaints procedure will be followed where a pupil or parent raises a concern about poor practice towards a pupil that initially does not reach the threshold for child protection action. Poor practice examples include unfairly singling out a pupil or attempting to humiliate them, bullying or belittling a pupil or discriminating against them in some way. Complaints are managed by the headteacher/principal, other members of the senior leadership team and governors. An explanation of the complaints procedure is included in the safeguarding information for parents and pupils.
- 34.2 Complaints from staff are dealt with under the centre's complaints and disciplinary and grievance procedures.
- 34.3 Complaints which escalate into a child protection concern will automatically be managed under the centre's child protection procedures.

35 Implementation, monitoring and review

- 35.1 The headteacher/principal has overall responsibility for the implementation, monitoring and review of the 'Child Protection Policy.'
- 35.2 The headteacher/principal is also responsible for ensuring that all children, staff, parents and carers and placing local authorities are aware of our policy and understand what to do if they have child protection concerns.

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- 35.3 A paper copy of this policy document is available in the main office for inspection.
- 35.4 Policies relating to safeguarding will be reviewed annually.
- 35.5 The headteacher/principal shall ensure that all duties have been carried out in accordance with current legislation, regulations and statutory guidance, along with local authority procedures and practices.

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Appendices:

1 Statutory Guidance and Legislation

Academies, free schools, independent schools, alternative providers of education - Section 157 of the Education Act 2002 and the Education (Independent School Standards) Regulations 2014 require proprietors of independent schools (including academies and city technology colleges) to have arrangements to safeguard and promote the welfare of children who are pupils at the school.

The **Teachers' Standards** state that teachers, including headteachers, must have regard for the need to safeguard pupils' well-being, in accordance with statutory provisions; and uphold public trust in the teaching profession as part of their professional duties.

- The statutory guidance **Working Together to Safeguard Children (DfE 2018)** covers the legislative requirements and expectations of individual services (including schools and colleges) to safeguard and promote the welfare of children. It also provides the framework for the three local safeguarding partners (the local authority; a clinical commissioning group for an area, any part of which falls within the local authority; and the chief officer of Police for a Police area, any part of which falls within the local authority area) to make arrangements to work together to safeguard and promote the welfare of local children including identifying and responding to their needs. The guidance confirms that it applies, in its entirety, to all schools.
- The statutory guidance **Keeping Children Safe in Education (DfE 2020)** is issued under Section 175 of the Education Act 2002, the Education (Independent School Standards) Regulations 2014 and the Non-Maintained Special Schools (England) Regulations 2015. Schools and colleges must have regard to this guidance when carrying out their duties to safeguard and promote the welfare of children. Unless otherwise stated, 'school' in this guidance means all schools, whether maintained, non-maintained or independent, including academies and free schools, alternative provision academies, maintained nursery schools and pupil referral units. 'College' means further education colleges and sixth form colleges as established under the Further and Higher Education Act 1992 and relates to their responsibilities to children under the age of 18 (but excludes 16-19 academies and free schools, which are required to comply with relevant safeguarding legislation by virtue of their funding agreement).
- All staff must read Part One of **Keeping Children Safe in Education 2020**. Staff can find a copy in the staff reference area in the staffroom and also in BSLC's Dropbox STAFF folder. In addition, all staff who work directly with children must read Part Five and Annex A.
- **What to do if you're worried a child is being abused 2015 - Advice for practitioners** is non-statutory advice which helps practitioners (everyone who works with children) to identify abuse and neglect and take appropriate action. Staff can find a copy in the staff reference area in the staffroom and also in BSLC's Dropbox STAFF folder.

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Appendix 2 – “Green Form” Record of Concern⁵

Logging a concern about a child’s safety and welfare

- Designated Safeguarding Lead **must be informed immediately** about all disclosures by a child of abuse and any situation where a child may be at immediate risk of harm at the end their school day.
- Section A of this form should then be filled in and passed to the DSL as soon as possible after the DSL has been informed (by the end of the working day at the latest if the child is not at immediate risk of harm).

⁵Abridged version of the Green Form Logging a concern about a child’s safety and welfare by Warwickshire Safeguarding Children Board

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Logging a Concern – Section A

Pupil's Name:	Date of Birth:	Year Group:	Form:
Date:	Time (of writing this record):		
Name of person completing this form (please print):			
Job Title:			
Signature:			
Reason(s) for recording the incident/concern (headline):			
<p>Record the following factually: <u>When</u> (date & time of incident or concern arising)? <u>Where</u> did your concerns arise? <u>Who else</u> - were any other children or staff present? <u>What</u> exactly did you see/hear/smell that raised your concern? N.B. Please record any direct disclosures/statements/comments using the child or adult's exact words in quotation marks.</p>			
<p>NB if additional pages are used, these must be attached securely to this form</p>			

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Professional opinion:

Your professional opinions, impressions and worries are important. Please record your opinions, impressions and worries here and state what has led you to form them (e.g. something you have noticed, feel or suspect).

Action taken, including names of everyone spoken to about the incident/concern:

Name of Designated Safeguarding Lead this form was passed to:

Date and time incident/concern was shared with Designated Safeguarding Lead:

Section B – Logging a Concern

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The following sections to be completed by Designated Safeguarding Lead

Information received:	
<ul style="list-style-type: none"> • Time • Date • From whom 	
Advice sought by DSL	
<ul style="list-style-type: none"> • Time • Date • Name • Role • Organisation • Advice issued 	
DSL analysis of:	
<ul style="list-style-type: none"> • Present issues / concerns • Advice received 	
Action taken:	
<ul style="list-style-type: none"> • Referral/consultation with MASH or local Children's Services team • Monitoring advice given to appropriate staff • Early Help • Concerns not referred (state reason why) 	
<i>Record time, date and names of who information was shared with.</i>	
Outcome	

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(include names of individuals/agencies who have given you information regarding outcome of any referral (if made)	
Parents informed Yes/no – reasons if no	
Where can additional information regarding child/ incident be found? (e.g. pupil file, serious incident book)	
Signed	
Printed Name	
Date	

Feedback given to staff making the referral <ul style="list-style-type: none"> • Date • Time • Method of reporting (circle) 	Date:	Time:
Face to face	Phone call	email (copy retained)
Signature of reporting M of S	Signature of reporting M of S	

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Appendix 2 – “Yellow Form” Logging a concern about the behaviour of a member of staff or volunteer⁶

- This form should be used for recording and reporting all allegations of abuse by and all concerns about the behaviour of staff and volunteers that are in breach of the Staff Behaviour policy (code of conduct).
- All allegations and all such concerns must be reported to the headteacher/principal (DSL) without delay
- Complete this form and pass to the headteacher/principal (DSL)
- Should the allegation/concern relate to the headteacher/principal, this form must be passed to the chair of governors, who should complete the second part of the form.

Details of the member of staff or volunteer whose behaviour is causing concern or is subject of the allegation	
Name (print):	
Job Title (print):	
Date (of writing this record):	Time (of writing this record):
Details of the person reporting the concern/allegation and completing this form:	
Name (print):	
Job Title (print):	
Signature:	
Details of the nature of the specific allegation or concern (brief headline)	
<p>Record the following factually: <u>When</u>? (date & time of incident); <u>What</u> exactly has raised your concern (what happened, what did you see/hear/find out or what were you told)? <u>Where</u> did your concerns arise? <u>Who else</u> - were any pupils or other staff present or involved? N.B. Please record any direct disclosures/statements/allegations/comments using the child or adult’s exact words in quotation marks</p>	

⁶ Abridged version of Yellow Form: Logging a concern about the behaviour of a member of staff or volunteer provided by Warwickshire Safeguarding Children Board

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NB if additional pages are used, these must be attached securely to this form

Did you do anything or speak to anyone else before reporting the incident/concern to the headteacher/principal (if yes, please provide names and details)?

Any other relevant information:

Date and time incident/concern was first shared with headteacher/principal (DSL) *N.B. It is not necessary to complete this form before speaking to the headteacher/principal; the circumstances may mean you need to speak to the headteacher/principal first as a matter of priority.*

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Appendix 3 Yellow Form: Logging a concern about the behaviour of a member of staff or volunteer

Section B – This section should be completed by headteacher/principal

Information received by headteacher(DSL)	
Time:	
Date:	
From whom:	
Action taken:	<ul style="list-style-type: none"> • Discussion with LADO • PoT MARF submitted to LADO • Advice taken from HR/ Legal/ Chair of Governors
Advice provided by	<ul style="list-style-type: none"> • Time • Date • Name • Role • Organisation
If decision is taken not to refer to LADO, state reason	
Parents informed?	
Yes/ no	

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If no, state reason(s)	
Outcome:	<ul style="list-style-type: none"> • Referral to LADO • PoT meeting convened • HR advice taken • Police investigation • Internal investigation • Informal management advice given and recorded • No further action)
Signed	
Printed Name	
Date	

Confirmation of receipt of report/allegation given to staff submitting form from headteacher/principal(DSL)

Date:

Time:

Signature:

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Appendix 4 – NSPCC Signs and symptoms of abuse

- 1.1 The NSPCC defines that, “Child abuse is any action by another person – adult or child – that causes significant harm to a child.” (2018) Child abuse, according to the NSPCC, “*can be physical, sexual or emotional, but can just as often be about a lack of love, care and attention. We know that neglect, whatever form it takes, can be just as damaging to a child as physical abuse.*” (2018).
- 1.2 The centre also recognises that bullying and domestic violence are also forms of child abuse as well as the potential for children to be abused by other children.

According to the NSPCC a child may be experiencing abuse if he or she is:

- frequently dirty, hungry or inadequately dressed
- left in unsafe situations, or without medical attention
- constantly ‘put down’, insulted, sworn at or humiliated
- seems afraid of parents or carers
- severely bruised or injured
- displays sexual behaviour which does not seem appropriate for their age
- growing up in a home where there is domestic violence
- living with parents or carers involved in serious drug or alcohol abuse

The NSPCC lists some of the signs and behaviours which may indicate that a child is being abused such as:

- repeated minor injuries
- children who are dirty, smelly, poorly clothed or who appear underfed
- children who have lingering illnesses which are not attended to, deterioration in school work, or significant changes in behaviour, aggressive behaviour, severe tantrums
- an air of ‘detachment’ or ‘don’t care’ attitude
- overly compliant behaviour
- a ‘watchful attitude’
- sexually explicit behaviour (e.g. playing games and showing awareness which is inappropriate for the child’s age), continual open masturbation, aggressive and inappropriate sex play
- a child who is reluctant to go home, or is kept away from the centre for no apparent reason
- does not trust adults, particularly those who are close
- ‘tummy pains’ with no medical reason
- eating problems, including over-eating, loss of appetite
- disturbed sleep, nightmares, bed wetting
- running away from home, suicide attempts
- self-inflicted wounds
- reverting to younger behaviour
- depression, withdrawal
- relationships between child and adults which are secretive and exclude others
- pregnancy

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- becomes secretive and reluctant to share information
 - reluctant to go home at the end of the school day
 - unable to bring friends home or reluctant for professionals to visit the family home
 - poor attendance and punctuality, or late being picked up
 - parents show little interest in child's performance and behaviour
 - parents are dismissive and non-responsive to professional concerns
 - is reluctant to get changed for sports, etc., wets or soils the bed
 - drinks alcohol regularly from an early age
 - is concerned for younger siblings without explaining why
 - talks of running away
 - shows challenging/disruptive behaviour.
- 1.3 These signs, according to the NSPCC are not evidence themselves, but may constitute a warning; particularly if a child exhibits several of them or a pattern emerges. It is important to remember that the signs of abuse are not obvious or there may be other explanations for a child showing such signs.

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Appendix 5 Further categories of abuse and BSLC's response

1 Child Sexual Exploitation

- 1.1 **Child Sexual Exploitation (CSE)** is a form of child sexual abuse where children are sexually exploited for money, power or status. It can involve violent, humiliating and degrading sexual assaults. This occurs when an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual and/or criminal activity.
- 1.2 In some cases, young people are persuaded or forced, though violence or the threat of violence, into exchanging sexual activity for money, drugs, gifts, affection or status. Consent cannot be given, even where a child may believe they are voluntarily engaging in sexual activity with the person who is exploiting them.
- 1.3 Child sexual exploitation does not always involve physical contact; it can happen through the use of technology. Sexual exploitation can include both contact (penetrative and non-penetrative acts) and non-contact sexual activity and may occur without the child or young person's immediate knowledge (e.g. through others copying videos or images they may have created and posted on social media).
- 1.4 CSE can affect any child or young person, female and or male, under the age of 18 years, including 16- and 17-year olds who can legally give consent to sex. CSE is a serious crime and can have a long-lasting adverse impact on a child's physical and emotional health.
- 1.5 It may also be linked to other criminal activity including trafficking and illegal drugs. Drug networks or gangs groom and exploit children and young people to carry drugs and money from urban areas to suburban and rural areas, market and seaside towns.
- 1.6 A significant number of children who are victims of sexual exploitation go missing from home, care and education at some point. Some of the following signs may be indicators of sexual exploitation:
- i. underage sexual activity
 - ii. inappropriate sexual or sexualised behaviour
 - iii. repeated sexually transmitted infections or pregnancy
 - iv. receiving unexplained gifts or new possessions
 - v. having multiple mobile phones and worrying about losing contact via mobile phone
 - vi. associating with other young people involved in exploitation
 - vii. having older boyfriends or girlfriends
 - viii. changes in emotional well-being, personality and behaviour
 - ix. drugs and alcohol misuse
 - x. getting in/out of cars driven by unknown adults
 - xi. going to hotels or meeting friends in unusual location
 - xii. truancy, exclusion, disengagement with schools; opting out of education altogether
 - xiii. self-harming, suicidal thoughts, suicide attempts, overdosing, eating disorders
 - xiv. becoming involved in criminal activity

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- xv. becoming involved in gangs, gang fights, gang membership
 - xvi. injuries from physical assault, physical restraint, sexual assault
 - xvii. going missing for periods of time or regularly coming home late
- 1.7 For further information on child sexual exploitation refer to DfE [Child sexual exploitation: Definition and a guide for practitioners, local leaders and decision makers working to protect children from child sexual exploitation \(2017\)](#).

2 Criminal exploitation

- 2.1 **Child exploitation** of children can involve force and/or enticement-based methods of compliance and is often accompanied by violence or threats of violence. It can be perpetrated by individuals or groups; males or females; and young people or adults. It is typified by some form of power imbalance in favour of those perpetrating the exploitation. As well as age, the power imbalance can also be due to other factors including gender, cognitive ability, physical strength, status and access to economic or other resources.
- 2.2 Children and young people are often unwittingly drawn into sexual and/or criminal exploitation through the offer of friendship and care, gifts, drugs, alcohol and sometimes accommodation.
- 2.3 Child criminal exploitation may include activities such as:
- i. a child travelling outside the area in which she/he lives in order to transport, distribute or sell drugs or money for others by whom they are being exploited. This form of criminal activity and exploitation is referred to as **county lines**
 - ii. a child committing crimes on behalf of or at the behest of others because they, their friends or relatives have been threatened, deceived or manipulated
 - iii. a child being forced to shoplift or pickpocket
 - iv. a child being forced to threaten other young people
 - v. a child being forced to work in a cannabis factory
 - vi. a child being forced to commit crime in order to settle actual or fabricated debts
 - vii. gang membership, which may lead to the child being exploited to do something illegal or dangerous in return for kudos/status in the gang
 - viii. a child being encouraged or manipulated to commit crime via social media
 - ix. a child receiving food, money, kudos or status in return for storing a weapon or drugs for others
- 2.4 All staff are trained to be vigilant about and report indicators of CSE and CCE including:
- i. children appearing with money, clothes, mobile phones, etc. without plausible explanation
 - ii. children who associate with other young people involved in exploitation
 - iii. children in relationships with controlling or significantly older individuals or groups
 - iv. children frequenting areas known for sex work and/or criminal activity
 - v. children who associate with gangs and/or become isolated from their peers/social networks
 - vi. children receiving excessive texts/phone calls
 - vii. multiple callers (unknown adults or peers) to children
 - viii. concerning use of internet or other social media by children
 - ix. increasing secretiveness around children's behaviours
 - x. children presenting inappropriate sexualised behaviour for their age and/or with sexually transmitted infections and/or becoming pregnant

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- xi. children self-harming or presenting with significant changes in their emotional well-being
 - xii. children who misuse drugs and alcohol
 - xiii. children who go missing for periods of time or regularly come home late
 - xiv. children who regularly miss school or education, have unexplained absences or do not take part in education
 - xv. children being exposed to or perpetrating serious levels of violence; and/or being manipulated or forced into excessive violence towards others by somebody who is exploiting them (for further information see https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/418131/Preventing_youth_violence_and_gang_involvement_v3_March2015.pdf);
 - xvi. evidence of/suspicions of children suffering physical or sexual assault
- 2.5 Although the following vulnerabilities increase the risk of child sexual and/or criminal exploitation, not all children with these indicators will be exploited and child sexual and criminal exploitation can occur without any of these issues:
- i. having a prior experience of neglect, physical and/or sexual abuse
 - ii. lack of a safe/stable home environment, now or in the past (domestic violence or parental substance misuse, mental health issues or criminality, for example)
 - iii. recent bereavement or loss
 - iv. social isolation or social difficulties
 - v. absence of a safe environment to explore sexuality
 - vi. economic vulnerability
 - vii. homelessness or insecure accommodation status
 - viii. connections with other children and young people who are being sexually and/or criminally exploited
 - ix. family members or other connections involved in adult sex work and/or other criminal activity
 - x. having a physical or learning disability
 - xi. being looked after (particularly those in residential care and those with interrupted care histories)
 - xii. issues/anxieties about sexual identity
- 2.6 The centre teaches children about consent and the risks of sexual and criminal exploitation in the PSHE and SRE curriculum. A common feature of sexual and criminal exploitation is that the child often does not recognise the coercive nature of the relationship and does not see her/himself as a victim. The child may initially resent what she/he perceives as interference by staff but staff must act on their concerns, as they would for any other type of abuse.
- 2.7 Staff are trained to report all concerns about CSE and CCE to the DSL immediately. The DSL will consider the need to make a referral to Children's Social Care via the MASH as with any other child protection concern and with particular reference to WS procedures. Parents will be consulted and notified as above.
- 2.8 Following a referral to Children's Social Care, a Multi-Agency Child Exploitation (MASHE) meeting may be convened under WS inter-agency safeguarding procedures. The centre will attend and share information at MASHE meetings as required. Parents and young people will be invited to attend MASHE meetings by Children's Social Care as appropriate.
- 3. Honour – Based Violence**
- 3.1 'Honour - Based' Violence encompasses 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. All forms of so-called HBV are abuse (regardless of the motivation) and

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should be handled and escalated as such. If in any doubt, members of the staff should speak to the designated safeguarding lead. Professionals in all agencies, and individuals and groups in relevant communities, need to be alert to the possibility of a child being at risk of HBV, or already having suffered HBV.

- 3.2 So-called ‘honour-based’ abuse (HBA) encompasses crimes which have been committed to protect or defend the honour of a family and/or community. Such crimes include 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.
 - 3.3 Staff will be alert to the possibility of a child being at risk of HBA or already having suffered HBA.
 - 3.4 All forms of so-called HBA are abuse (regardless of the motivation) and staff will record and report any concerns about a child who might be at risk of HBA to the Designated Safeguarding Lead as with any other safeguarding concern. The DSL will consider the need to make a referral to the Police and/or Children’s Social Care as with any other child protection concern; and may also contact the Forced Marriage Unit on 020 7008 0151 or via email at fmu@fco.gov.uk for advice as necessary.
- 4.1 **Female genital mutilation (FGM)** is a form of child abuse. It is the collective name given to a range of procedures involving the partial or total removal of the external female genitalia for non-medical reasons or other injury to the female genital organs. It has no health benefits and harms girls and women in many ways. The practice, which is most commonly carried out without anaesthetic, can cause intense pain and distress with long-lasting harmful consequences, including difficulties in childbirth.
 - 4.2 FGM is carried out on girls of any age, from young babies to older teenagers and adult women, so centre staff are trained to be aware of risk indicators. Many such procedures are carried out abroad and staff will be particularly alert to suspicions or concerns expressed by female pupils about going on a long holiday during the summer vacation period.
 - 4.3 In England, Wales and Northern Ireland, the practice is illegal under the Female Genital Mutilation Act 2003. Any person found guilty of an offence under the Female Genital Mutilation Act 2003 is liable to a maximum penalty of 14 years imprisonment or a fine, or both.
(See <https://www.gov.uk/government/publications/female-genital-mutilation-guidelines> for further information).
 - 4.4 Staff should direct any concerns about FGM to the Designated Safeguarding Lead (DSL) who will activate the WSCB or other relevant local safeguarding procedures, using existing national and local protocols for multi-agency liaison with police and children’s social care.
 - 4.5 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 personally 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. This is known as mandatory reporting. Information on when and how to make a report can be found at:

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<https://www.gov.uk/government/publications/mandatory-reporting-of-female-genital-mutilation-procedural-information>. Those failing to report such cases will face disciplinary procedures.

- 4.6 Staff will not see visual evidence of FGM; the same definition of what it is meant by 'to discover that an act of FGM appears to have been carried out' is used for all professionals to whom this statutory reporting duty applies. Information on when and how to make a report can be found within the document [Mandatory reporting of female genital mutilation procedural information](#).
- 4.7 Should an act of FGM be discovered, staff should:
 - make an immediate report to the police
 - make an immediate referral to the DSL
 - make an immediate referral to children's social care
- 4.8 Should an act of FGM be suspected, staff should follow local safeguarding procedures.
- 4.9 If staff have a concern that a girl may be at risk of FGM, they will record their concern and inform the DSL as they would any other safeguarding concern. The DSL will discuss the concern with Children's Social Care with a view to making a referral and will inform the Police as appropriate.
- 4.10 Indications that FGM may already have taken place may include a child:
 - i. having difficulty or looking uncomfortable when walking, sitting or standing
 - ii. spending longer than normal in the bathroom or toilet due to difficulties urinating
 - iii. spending long periods of time away from a classroom during the day with bladder or menstrual problems
 - iv. having frequent urinary, menstrual or stomach problems
 - v. having prolonged or repeated absences from schools or college, especially with noticeable behaviour changes (e.g. withdrawal or depression) on the girl's return
 - vi. being reluctant to undergo normal medical examinations
 - vii. confiding in a member of staff without being explicit about the problem due to embarrassment or fear
 - viii. talking about pain or discomfort between her legs
- 4.11 Warning signs that FGM may be about to take place, or may have already taken place, can be found in HM Government guidance: [Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children \(July 2018\)](#)
- 4.12 Female Genital Mutilation (FGM) forms an important aspect of the child protection training received by all members of the staff. Professionals in all agencies, and individuals and groups in relevant communities, need to be alert to the possibility of a girl being at risk of FGM, or already having suffered FGM.
- 4.13 Victims of FGM are likely to come from a community that is known to practise FGM. Professionals should note that girls at risk of FGM may not yet be aware of the practice or that it may be conducted on them, so sensitivity should always be shown when approaching the subject.

5 Forced Marriage

- 5.1 **Forced Marriage:** Bright Sparks Learning Centre recognises the vulnerability, especially of those with specific learning difficulties, of children to be subjects of forced marriage. A forced marriage is where one or both people do not (or in cases of people with learning disabilities, cannot) consent to the marriage and pressure

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or abuse is used. It is an appalling and indefensible practice and is recognised in the UK as a form of violence against women and men, domestic/child abuse and a serious abuse of human rights.

- 5.2 The pressure put on people to marry against their will can be physical (including threats, actual physical violence and sexual violence) or emotional and psychological (for example, when someone is made to feel like they are bringing shame on their family). Financial abuse (taking a partner's or spouse's wages or not giving a partner or spouse any money) can also be a factor.
- 5.3 Pupils at Bright Sparks Learning Centre are made aware of this issue and associated problems as part of the delivery of a comprehensive PSHEE (Physical, Social, Health and Economic Education) curriculum designed to teach all pupils the tenants of British Values and to teach pupils how to keep themselves safe.
- 5.4 The centre provides the following links, published by Her Majesty's government and the Forced Marriage Unit (FMU), to help staff who may require further information or help:
- Telephone: +44 (0) 20 7008 0151
 - Email: fmu@fco.gov.uk
 - Email for outreach work: fmuoutreach@fco.gov.uk
 - Facebook: Forced Marriage page
 - Twitter: @FMUnit
6. **Cyber Bullying** often means there can be no safe haven for the victim, who can be targeted at any time or place. Cyber bullying is any form of bullying that involves the use of mobile telephones, the internet or other forms of digital media. Examples include sending offensive text messages and emails, circulating offensive images on the internet, or impersonating someone on social networking sites such as Facebook.
- 7.1 **Fabricated or Induced Illness** is a rare, potentially lethal form of abuse. It has previously been referred to as Fabricated illness by proxy; Factitious illness by proxy; Munchausen Syndrome by proxy; and Illness Induction Syndrome. It is a condition whereby a child suffers harm through the deliberate action of her/his main carer and which is attributed by the adult to another cause. There are three main ways of the carer fabricating or inducing illness in a child:
- fabrication of signs and symptoms, including fabrication of past medical history
 - fabrication of signs and symptoms and falsification of hospital charts, records, letters and documents, and specimens of bodily fluids
 - induction of illness by a variety of means
- 7.2 Harm to the child may be caused through unnecessary or invasive medical treatment, which may be harmful and possibly dangerous, based on symptoms that are falsely described or deliberately manufactured by the carer, and lack independent corroboration.
- 7.4 Reported symptoms and signs found on examination may not explained by any medical condition from which the child may be suffering, or physical examination, and results of investigations may not explain reported symptoms and signs. Reported symptoms and found signs may not be observed in the absence of the carer, or the child's normal, daily life activities may be being curtailed beyond that which might be expected from any known medical disorder from which the child is known to suffer. Once the perpetrator's access to the child is restricted, signs and symptoms may fade and eventually disappear.

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- 7.5 Exaggerated catastrophes or fabricated bereavements and other extended family problems may be reported. There may be significant incongruity between the seriousness of the story and the actions of the parents. Erroneous or misleading information may be provided by a parent. There may well be unexplained or frequent absence from School.
- 8 **Hate crime** refers to a range of criminal behaviours where the perpetrator is motivated by hostility towards the victim's disability, race, religion, sexual orientation or transgender identity. A hate crime can include verbal abuse, threats, harassment and bullying, as well as damage to property. The perpetrator can be a friend, carer or acquaintance who exploits their relationship with the victim for financial or some other criminal purpose.

9 **Peer on peer sexual violence and sexual harassment**

- 9.1 Sexual violence and sexual harassment can occur between two children of any age and gender and between children of the opposite or the same gender. They can also occur through a group of children sexually assaulting or sexually harassing a single child or group of children.
- 9.2 Sexual violence and sexual harassment exist on a continuum and may overlap, they can occur online and offline (both physically and verbally) and are never acceptable. While it is important that **all** victims are taken seriously and offered appropriate support, staff are trained to be aware that it is more likely that girls will be the victims of sexual violence and sexual harassment and more likely it will be perpetrated by boys.
- 9.3 This policy largely refers to sexual violence and sexual harassment between pupils/students at the centre. However, there may be occasions when pupils/students report sexual violence and/or harassment perpetrated by other young people who attend a different educational provision. In that situation, the DSL will liaise with the DSL at the alleged perpetrator's school/setting as well as the victim's parents, the Police and Children's Social Care. Support for the victim will be provided as described below, irrespective of which educational provision the alleged perpetrator attends.

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

When referring to sexual violence, this policy uses the definitions of sexual offences in the Sexual Offences Act 2003 as follows:

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.

- 9.5 **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

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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.

- i. a child under the age of 13 can never consent to any sexual activity
 - ii. the age of consent is 16
 - iii. sexual intercourse without consent is rape.
- 9.6 **Sexual harassment** in the context of peer on peer behaviour is unwanted conduct of a sexual nature that can occur online and offline. 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.
- 9.7 Online sexual harassment may happen on its own or as part of a wider pattern of sexual harassment and/or sexual violence.
- 9.8 Sexual harassment creates an atmosphere that, if not challenged, can normalise inappropriate behaviours and provide an environment that may lead to sexual violence. The centre therefore recognises the importance of recognising the nature of, identifying and challenging sexual violence and sexual harassment in its wider approach to safeguarding and promoting the welfare of children; through policies and through the curriculum.
- 9.9 Bright Sparks Learning Centre strives to minimise the risk of sexual violence and sexual harassment at the centre through a planned curriculum. This includes a robust behaviour for learning policy, relationships and sex education, a well-planned PSHE programme; pastoral support system; and staff behaviour (code of conduct) policy.
- 9.10 The centre's ethos and its inherent values and standards are demonstrated, promoted and upheld throughout all aspects of 'school life':
- i. healthy and respectful relationships
 - ii. what respectful behaviour looks like
 - iii. consent
 - iv. gender roles, stereotyping, equality
 - v. body confidence and self-esteem
 - vi. prejudiced behaviour
 - vii. making clear that sexual violence and sexual harassment is not acceptable, will never be tolerated and is not an inevitable part of growing up
 - viii. not tolerating or dismissing sexual violence or sexual harassment as "banter", "part of growing up", "just having a laugh" or "boys being boys"
 - ix. challenging cultures of sexual harassment including behaviour (potentially criminal in nature), such as grabbing bottoms, breasts and genitalia and flicking bras and lifting up skirts - dismissing or tolerating such behaviours risks normalising them
 - x. how additional barriers to minimising the risk of sexual violence and harassment are addressed, including assumptions that indicators of possible abuse such as behaviour, mood and injury relate to a child's disability or special needs without further exploration
 - xi. recognition that, 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.

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- xii. How pupils/students are made aware of the process for them to raise their concerns or make a report and how any report will be handled. This should include processes when they have a concern about a friend or peer.

9.11 How the centre will respond to reports of sexual violence and sexual harassment

The centre will respond to reports in accordance with Part 5 of *Keeping Children Safe in Education 2020*. The centre will also refer to the peer on peer abuse toolkit available at

<https://www.farrer.co.uk/globalassets/clients-and-sectors/safeguarding/farrer--co-safeguarding-peer-on-peer-abuse-toolkit-2019.pdf>.

- 9.12 It is not possible to anticipate every particular set of circumstances and therefore what the centre's response will be to every case. The centre will abide by the following principles responding on a case by case basis.
- 9.13 All responses to reports of sexual violence will be subject to an immediate risk and needs assessment undertaken by the DSL (or a deputy), using her/his professional judgement and supported by other agencies, such as Children's Social Care and the Police. The need for a risk and needs assessment in relation to reports of sexual harassment will be considered on a case-by-case basis.
- 9.14 Advice may also be sought from the MASH.

10 Risk assessment

10.1 The risk and needs assessment will consider:

- i. the victim, especially their protection and support;
- ii. the alleged perpetrator/s (if she/he/they attend the same school/setting); and
- iii. all the other children (and, if appropriate, adult students and staff) at the school, setting or college, especially any actions that are appropriate to protect them.

10.2 The DSL (or a deputy) will ensure they are engaging with Children's Social Care and specialist services as required. Where there has been a report of sexual violence, it is likely that professional risk assessments by social workers and or sexual violence specialists will be required. The centre's risk assessment should not replace the detailed assessments of expert professionals. Any such professional assessments should be used to inform the centre's approach to supporting and protecting pupils and students and updating our own risk assessment.

10.3 Action following a report of sexual violence and/or sexual harassment - what to consider

The DSL (or deputy) is likely to have a complete safeguarding picture and will therefore be the most appropriate person to lead the centre's initial response. Important considerations will include:

- i. the wishes of the victim in terms of how they want to proceed. This is especially important in the context of sexual violence and sexual harassment. Victims will be given as much control as is reasonably possible over decisions regarding how any investigation will be progressed and any support that they will be offered. However, if the victim asks the centre not to tell anyone about the sexual violence or sexual harassment, the DSL (or a deputy) will balance the victim's wishes against their duty to protect the victim and other children. It is likely to be justified and lawful to share the information if doing so is in the public interest, e.g. to

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- protect the victim and other young people from harm and to promote the welfare of children;
- ii. the nature of the alleged incident(s), including: whether a crime may have been committed and consideration of harmful sexual behaviour;
- iii. the ages of the children involved;
- iv. the developmental stages of the children involved;
- v. any power imbalance between the children. For example, is the alleged perpetrator significantly older, more mature or more confident? Does the victim have a disability or learning difficulty?
- vi. if the alleged incident is a one-off or a sustained pattern of abuse;
- vii. whether there are ongoing risks to the victim, other children, adults, students or staff;
- viii. informing parents/carers (unless this would put the victim at greater risk);
- ix. only sharing information with those staff who need to know in order to support the children involved and/or be involved in any investigation. For instance, teachers may be asked to monitor the victim's welfare without needing to know that they are a victim of sexual violence or harassment.

10.4 Children sharing a classroom - initial considerations following a report of sexual violence

Any report of sexual violence is likely to be traumatic for the victim. However, reports of rape and assault by penetration are likely to be especially difficult for the victim and close proximity with the alleged perpetrator is likely to be especially distressing. Whilst the centre establishes the facts of the case and starts the process of liaising with Children's Social Care and the Police, the alleged perpetrator will usually be removed from any classes they share with the victim. Consideration will also be given to how best to keep the victim and alleged perpetrator a reasonable distance apart on the centre's premises and on transport to and from the centre, where appropriate. These actions are in the best interests of both children and should not be perceived to be a judgment on the guilt of the alleged perpetrator.

10.5 For other reports of sexual violence and sexual harassment, the proximity of the victim and alleged perpetrator and considerations regarding shared classes, sharing the premises and transport, will be considered immediately.

10.6 In all cases, the wishes of the victim, the nature of the allegations and the protection of all children in the centre will be especially important when considering any immediate actions.

11 Responding to the report

11.1 If an offence has been committed, the Police will be informed. It is the prerogative of parents and victims to make complaints to the Police directly but the centre will also speak to the Police in order to ensure effective action is taken to safeguard other young people as well as the victim.

11.2 If a child has suffered significant harm, a referral will be made to Children's Social Care via the MASH in order to ensure that the needs of both the victim and perpetrator are the subject of professional risk assessments by social workers. Similarly, any instance of sexual activity between pupils on site will always be referred to Children's Social Care.

11.3 Responses to all incidents of both sexual violence and sexual harassment will be underpinned by the principles of:

- i. zero tolerance of sexual violence and sexual harassment;
- ii. support for both the victim and alleged perpetrator/s, particularly pending the outcome of investigations

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- iii. all parties have an ongoing right to an education and are safest if they remain in the centre, subject to appropriate risk assessments and risk management.
 - iv. exclusion will be avoided unless that is the only realistic option to keep one or more parties safe.
- 11.4 In principle, there are four possible responses to an allegation or concern about sexual violence or harassment on the part of a pupil/student:

1. Manage internally

In some cases of sexual harassment, e.g. one-off incidents, the centre may take the view that the children concerned are not in need of early help or statutory intervention and that it would be appropriate to handle the incident internally, perhaps through utilising the behaviour policy and anti-bullying procedures, speaking to the child and her/his parents, making expectations of future behaviour clear (in writing where appropriate) and by providing pastoral support. Careful consideration will be given to the need to separate the victim and alleged perpetrator/s in lessons (as with sexual assaults) pending investigation.

2. Early help

The centre may decide that the child/ren involved do not require statutory interventions but may benefit from early help, which can be particularly useful to address non-violent harmful sexual behaviour and may prevent escalation of sexual violence.

A safeguarding record will be maintained of all concerns, discussions, decisions and reasons for decisions for all responses as in 1. and 2.

3. Referrals to Children's Social Care

Where a child has been harmed, is at risk of harm, or is in immediate danger, the centre will make a referral to Children's Social Care. All instances of sexual activity between pupils/students on the centre's premises will be referred to Children's Social Care. All instances of sexual violence perpetrated by a child under ten years of age will be referred to Children's Social Care. This will facilitate a consultation about the role of the Police. Whilst the age of criminal responsibility is 10 years, the starting principle of reporting to the Police via the MASH remains. The Police will take a welfare, rather than a criminal justice, approach.

The centre will generally inform parents or carers, unless there are compelling reasons not to (i.e. if informing a parent or carer is going to put the child at additional risk or create undue delay). Any such decision should be made with the support of Children's Social Care.

Collaborative working will help ensure that the best possible package of co-ordinated support is implemented for the victim and, where appropriate, the alleged perpetrator and any other children that require support.

However, the centre will not wait for the outcome (or even the start) of a Children's Social Care investigation before protecting the victim and other children in the centre. The DSL (or a deputy) will work closely with Children's Social Care (and other agencies as required) to ensure any actions the centre takes do not jeopardise a statutory investigation. The risk assessment as above will help inform any decision. Consideration of safeguarding the victim, alleged perpetrator, any other children directly involved in the safeguarding report and all children at the centre or college should be **immediate**.

In some cases, Children's Social Care will review the evidence and decide a statutory intervention is not appropriate. The centre (generally led by the DSL or a deputy) will refer again if we believe the child remains

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in immediate danger or at risk of harm. If a statutory assessment is not appropriate, the DSL (or a deputy) will consider other support mechanisms such as early help, specialist support and pastoral support.

4. Reporting to the Police

Any report to the Police will generally be in parallel with a referral to Children's Social Care (as above).

Where the centre receives a report of rape, assault by penetration or sexual assault, the starting point is this should be passed on to the Police. It is the prerogative of victims and their parents/carers to make direct complaints to the Police. However, the centre should also be very clear with victims and parents/carers that the centre has a duty to ensure the Police are informed when an alleged crime has been committed in order to safeguard other young people.

Where a serious crime is reported, the centre can report directly to the local Police station. However, in most circumstances, the centre will consult with the MASH in the first instance in order to ensure that both the Police and Children's Social Care are informed.

Where a report has been made to the Police, the centre should consult the Police and agree what information can be disclosed to staff and others, in particular, the alleged perpetrator and their parents or carers. They should also discuss the best way to protect the victim and their anonymity.

In some cases, it may become clear very quickly, that the Police (for whatever reason) will not take further action. In such circumstances, it is important that the centre continues to engage with specialist support for the victim as required.

The centre will also be informed by the Police or Children's Social Care about referrals made directly to those agencies from other sources (e.g. family members, family friends, parents of other children) in relation to alleged sexual offences or harmful sexual behaviours displayed by pupils/students inside and/or outside of the centre.

In all such circumstances, the centre may be required to attend a strategy meeting under WS inter-agency child protection procedures in order to facilitate risk management and planning with other agencies.

The centre is committed to participating in plans both to provide pupils who are at risk from other children and those pupils who may present a risk to other children with appropriate services to address any concerns and, wherever possible, to facilitate ongoing access to education in school for all children concerned, subject to appropriate risk assessments and risk management plans.

11.5 Subsequent considerations

The needs and wishes of the victim should continue to be paramount (along with protecting the child) as the case progresses. Wherever possible, the victim if they wish, should be able to continue in their normal routine. Overall, the priority should be to make the victim's daily experience as normal as possible, so that the school, college or setting is a safe space for them.

Similarly, the alleged perpetrator/s has an ongoing right to an education and should be able to continue in their normal routine subject to the ongoing risk assessment and the needs of the victim.

Where a student is subject of bail conditions, the centre will work with Children's Social Care and the Police

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to manage any implications and safeguard all pupils/students concerned without jeopardising the Police investigation.

If a student is convicted or receives a caution for a sexual offence, the centre will update its risk assessment, ensure relevant protections are in place for all students and consider any suitable action in light of the behaviour policy. If the perpetrator remains at the centre along with the victim, the centre will meet with the student and her/his parents/carers to revisit and reiterate in writing expectations of the perpetrator in terms of future behaviour and complying with any restrictions and arrangements put in place to safeguard the victim and other students.

In the light of possible publicity, speculation and interest within the student and parent body, the centre will consider any other measures necessary to safeguard both the victim and perpetrator, especially from any bullying or harassment (including online).

In respect of a not guilty verdict or a decision not to progress with a criminal prosecution, the centre recognises that this will likely be traumatic for the victim and will continue to offer support. The alleged perpetrator is also likely to require ongoing support for what will have likely been a difficult experience.

Support will be tailored on a case-by-case basis. Support can include emotional and practical support for victims from Children and Young People's Independent Sexual Violence Advisors in the specialist sexual violence sector; and/or provision of a designated trusted adult in the centre of the student's choice to talk to about their needs. Every effort will be made to avoid isolating the victim, in particular from supportive peer groups, but it is recognised that there may be times when a victim finds it difficult to maintain a full-time timetable and may express a wish to withdraw from lessons and activities. The centre will provide a physical space for the victim to withdraw.

Where a criminal investigation into a rape or assault by penetration leads to a conviction or caution, the centre will consider any suitable sanctions in light of the behaviour policy, including consideration of permanent exclusion. In all but the most exceptional of circumstances, the rape or assault will constitute a serious breach of discipline and lead to the view that allowing the perpetrator to remain in the centre would seriously harm the education or welfare of the victim (and potentially other pupils or students).

Where the perpetrator is going to remain at the centre, the principle would be to continue keeping the victim and perpetrator in separate classes and continue to consider the most appropriate way to manage potential contact on the premises and transport. The nature of the conviction or caution and wishes of the victim will be especially important in determining how to proceed in such cases.

The centre will have a difficult balancing act to consider. On one hand it needs to safeguard the victim (and the wider pupil/student body) and on the other hand provide the alleged perpetrator with an education, safeguarding support as appropriate and implement any disciplinary sanctions. Support (and sanctions) will be considered on a case-by-case basis. An alleged perpetrator may potentially have unmet needs (in some cases these may be considerable) as well as potentially posing a risk of harm to other children. Harmful sexual behaviours in young children may be (and often are) a symptom of either their own abuse or exposure to abusive practices and or materials. Advice will be taken, as appropriate, from Children's Social Care, specialist sexual violence services and the Police.

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If a perpetrator (alleged or convicted) does move to another educational institution (for any reason), the centre will make the new educational institution aware of any ongoing support needs and, where appropriate, potential risks to other children and staff. The DSL will take responsibility to ensure this happens as well as transferring the child protection file.

11.6 Youth produced sexual imagery ('sexting')

The centre will act in accordance with advice endorsed by DfE '*Sexting in schools and colleges: responding to incidents and safeguarding young people*' (UK Council for Child Internet Safety 2017) - https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/609874/6_2939_SP_NCA_Sexting_In_Schools_FINAL_Update_Jan17.pdf

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

Young people who share sexual imagery of themselves or their peers are breaking the law. However, as highlighted in national guidance, it is important to avoid criminalising young people unnecessarily. The centre will therefore work in partnership with external agencies with a view to responding proportionately to the circumstances of any incident.

All incidents of YPSI should be reported to the DSL as with all other safeguarding issues and concerns. Staff will not make their own judgements about whether an issue relating to YPSI is serious enough to warrant a report to the DSL. What may seem like less serious concerns to individual members of staff may be more significant when considered in the light of other information known to the DSL, which the member of staff may not be aware of.

If staff become concerned about a YPSI issue in relation to a device in the possession of a student (e.g. mobile phone, tablet, digital camera), the member of staff will secure the device (i.e. it should be confiscated). This is consistent with DfE advice *Searching, Screening and Confiscation - Advice for headteachers, school staff and governing bodies* (DfE 2018), page 11 'After the search'.

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

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

If, at any point in the process, there is concern that a young person has been harmed or is at risk of harm a referral will be made to Children's Social Care and/or the Police via the MASH immediately.

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

The DSL will make a judgement about whether a reported YPSI incident is 'experimental' as in section 12 above or 'aggravated'.

Aggravated incidents involve criminal or abusive elements beyond the creation, sending or possession of

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sexual images created by young people. These include possible adult involvement; criminal or abusive behaviour by young people such as sexual abuse, extortion or threats; malicious conduct arising from personal conflicts; coercion; an imbalance of power, e.g. an older student pressurising a younger or vulnerable student to create and share an indecent image; or creation or sending or showing of images without the knowledge or against the will of a young person who is pictured.

Aggravated incidents of sexting will usually be referred to Warwickshire's Multi-Agency Safeguarding Hub (MASH) for advice about whether or not a response by the Police and/or Children's Social Care is required. This will facilitate consideration of whether:

- i. there are any offences that warrant a Police investigation
- ii. child protection procedures need to be invoked
- iii. parents/carers require support in order to safeguard their children
- iv. a Multi-Agency Child Exploitation (MASHE) meeting is required
- v. any of the perpetrators and/or victims require additional support. This may require the initiation of a CAF and the offer of early help services

Examples of aggravated incidents include:

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

The DSL will make a judgement about whether or not a situation in which indecent images have been shared with a small number of others in a known friendship group with no previous concerns constitutes an aggravated incident; or whether the centre is able to contain the situation in partnership with all parents of the students involved, arrange for the parents to ensure that all indecent images are deleted and that the young people involved learn from the incident in order to keep themselves safe in future.

In the latter instance, the DSL will usually consult with the Police and/or Children's Social Care through the MASH to check that no other relevant information is held by those agencies and to ensure an agreed response is documented before proceeding.

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

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about the content of the imagery.

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

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

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

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

- iv. discuss and agree the decision to do so beforehand with the headteacher/principal, Children's Social Care or the MASH Education Lead
- v. ensure viewing is undertaken by the DSL or Deputy DSL with delegated authority from the headteacher/principal
- vi. ensure viewing takes place with another member of staff present in the room, ideally the headteacher/principal, another DSL or a member of the senior leadership team. The other staff member does not need to view the images
- vii. wherever possible ensure viewing takes place on the centre's premises, ideally in the principal's or DSL's office
- viii. ensure wherever possible that images are viewed by a staff member of the same sex as the young person in the imagery
- ix. record the viewing of the imagery in the pupil's safeguarding record, including who was present, why the image was viewed and any subsequent actions; and ensure this is signed and dated and meets the wider standards set out by Ofsted for recording safeguarding incidents

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

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Appendix 5

Additional information regarding Radicalisation, Extremism and the Prevent Strategy

- 1.1 Radicalisation refers to the process by which a person comes to support terrorism and forms of extremism leading to terrorism.
- 1.2 Extremism is defined by the Government in the Prevent Strategy as: Vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. We also include in our definition of extremism calls for the death of members of our armed forces, whether in this country or overseas.
- 1.3. Extremism is defined by the Crown Prosecution Service as: The demonstration of unacceptable behaviour by using any means or medium to express views which:
 - encourage, justify or glorify terrorist violence in furtherance of particular beliefs
 - seek to provoke others to terrorist acts
 - encourage other serious criminal activity or seek to provoke others to serious criminal acts
 - foster hatred which might lead to inter-community violence in the UK.
- 1.4 There is no such thing as a “typical extremist”: those who become involved in extremist actions come from a range of backgrounds and experiences, and most individuals, even those who hold radical views, do not become involved in violent extremist activity.
- 1.5 Pupils may become susceptible to radicalisation through a range of social, personal and environmental factors; it is known that violent extremists exploit vulnerabilities in individuals to drive a wedge between them and their families and communities. It is vital that centre staff are able to recognise those vulnerabilities.
- 1.6 Indicators of vulnerability include:
 - identity crisis: the student is distanced from their cultural / religious heritage and experiences discomfort about their place in society
 - personal crisis: the student may be experiencing family tensions; a sense of isolation; and low self-esteem; they may have dissociated from their existing friendship group and become involved with a new and different group of friends; they may be searching for answers to questions about identity, faith and belonging
 - personal circumstances: migration; local community tensions; and events affecting the student / pupil’s country or region of origin may contribute to a sense of grievance that is triggered by personal experience of racism or discrimination or aspects of Government policy
 - unmet aspirations: the student may have perceptions of injustice; a feeling of failure; rejection of civic life
 - experiences of criminality: this may include involvement with criminal groups, imprisonment, and poor resettlement / re-integration
 - special educational need: students may experience difficulties with social interaction, empathy with others, understanding the consequences of their actions and awareness of the motivations of others

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1.7 This list is not exhaustive; nor does it mean that all young people experiencing the above are at risk of radicalisation for the purposes of violent extremism.

1.8 More critical risk factors could include:

- being in contact with extremist recruiters
- accessing violent extremist websites, especially those with a social networking element
- possessing or accessing violent extremist literature
- using extremist narratives and a global ideology to explain personal disadvantage
- justifying the use of violence to solve societal issues
- joining or seeking to join extremist organisations
- significant changes to appearance and / or behaviour; and
- experiencing a high level of social isolation resulting in issues of identity crisis and / or personal crisis.

For further information refer to DfE guidance [The Prevent Duty](#).

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Appendix 6

Children with harmful or inappropriate behaviour (allegations against a child)

- 1.1 Bright Sparks Learning Centre recognises that children who are subjected to abuse may communicate their distress through their words, actions, behaviour, demeanour, schoolwork or other children. At Bright Sparks Learning Centre, we consider all coercive acts and inappropriate or harmful peer-on-peer behaviour, including sexting and sexual activity, as a child protection issue.
- 1.2 Professionals working with children who abuse others, including those who sexually abuse/offend, should recognise that such children may pose a significant risk of harm to other children and are also likely to have considerable needs themselves.
- 1.3 Evidence suggests that children who abuse others are likely to be children in need who may be suffering, or be at risk of suffering, significant harm and may require protection themselves. These children may have suffered considerable disruption in their lives, been exposed to violence within the family, may have witnessed or been subject to physical or sexual abuse, have problems in their educational development and may have committed other offences.
- 1.4 Children who abuse others should be held responsible for the abusive behaviour, whilst being identified and responded to in a way which meets their needs, as well as protecting others.
- 1.5 In deciding the most appropriate response, the following issues will be considered:
 - the nature and extent of the inappropriate/abusive behaviours. In respect of sexual abuse, it is necessary to distinguish between normal childhood sexual development and experimentation, and sexually inappropriate or aggressive behaviour
 - the context of the abusive behaviours
 - the child's development, family and social circumstances
 - the need for services, specifically focusing on the child's harmful behaviour as well as other significant needs
 - the risks to self and others, including other children in the centre, household, extended family, peer group and wider social network.
- 1.6 Bright Sparks Learning Centre will employ the appropriate services to address peer-on-peer abuse and ensure help is provided for all parties involved.

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Appendix 7

References Documents:

Reference list of relevant government legislation and guidance informing the development of this policy:

- Education Act 2002 (especially sections 157 and 175)
- Children Act 2004 (especially sections 11 and 53)
- Child Protection Record Keeping Guidance (WCC Education Safeguarding Service))
- Children missing education - Statutory guidance for local authorities (DfE 2016)
- Dealing with allegations of abuse against teachers and other staff (DfE guidance)
- Information sharing (DfE guidance)
- Keeping children safe in education (DfE guidance – 2020)
- NSPCC <https://www.nspcc.org.uk/>
- Safeguarding children and young people from sexual exploitation (DfE guidance)
- Safeguarding children from abuse linked to faith or belief (DfE guidance)
- Safeguarding children in whom illness is fabricated or induced (DfE guidance)
- Safeguarding children who may have been trafficked (DfE guidance)
- Safeguarding Disabled Children: Practice guidance (DfE guidance)
- The Prevent Duty; Departmental advice for schools and childcare providers(2015)
- Home Office ‘Criminal Exploitation of children and vulnerable adults: County Lines guidance.’(2018)
- Warwickshire Safeguarding (WS) inter-agency safeguarding procedures -

<https://www.safeguardingwarwickshire.co.uk/safeguarding-children/i-work-with-children-and-young-people/interagency-safeguarding-procedures>
- What to do if you’re worried a child is being abused 2015 (HM Government guidance -2015)
- Working Together to Safeguard Children; A guide to inter-agency working to safeguard and promote the welfare of children (HM Government guidance - 2018)
- Sexting in schools and colleges: responding to incidents and safeguarding young people (UK Council for Child Internet Safety 2017)
- Safeguarding children and young people who may have been affected by gang activity (DfE guidance)
- General Data protection Regulation (GDPR)
- Data Protection Act (2018)
- The Counter-Terrorism and Security Act (2015)

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Appendix 8 Further Information, Advice and Support

For advice and support about any safeguarding matter in school, please contact:

MASH Education Lead on 01926 418608 or email MASHeducationlead@warwickshire.gov.uk.

Integrated Safeguarding Training

For information about a range of integrated safeguarding training courses, please contact:

Marina Kitchen

marinakitchen@warwickshire.gov.uk

Sophie Morley (Training Administrator)

01926 742601

or via Email - sophiemorley@warwickshire.gov.uk

Linda Fenn (Team Administrator)

01926 742525

or via Email - lindafenn@warwickshire.gov.uk

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Appendix 9

Safeguarding children during Coronavirus (COVID-19)

Context

This appendix is based on DfE advice published in July 2020 '*Guidance for full opening: schools*':

<https://www.gov.uk/government/publications/actions-for-schools-during-the-coronavirus-outbreak/guidance-for-full-opening-schools>.

For safeguarding purposes, the above guidance refers back to earlier guidance '*Coronavirus (COVID-19): safeguarding in schools, colleges and other providers*', even though such guidance was withdrawn on 31/07/2020:
<https://www.gov.uk/government/publications/covid-19-safeguarding-in-schools-colleges-and-other-providers/coronavirus-covid-19-safeguarding-in-schools-colleges-and-other-providers>

It is expected that, with the exception of children with specific health vulnerabilities, all children will return to school from September 2020. This appendix addresses how the school will apply the safeguarding and child protection policy in order to safeguard all pupils/students including a minority of children who may remain at and access learning from home.

Supporting children, staff training and reporting concerns

All staff and volunteers continue to have a responsibility for safeguarding children and will report any safeguarding concerns about children to a DSL in the normal way as set out in the main policy.

Staff should have access to the normal safeguarding recording format (e.g. green forms, CPOMS) when working off site including when working from home.

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

In the unlikely event that a member of staff cannot access the normal safeguarding recording format (whether green forms, CPOMS or something else) remotely, they will contact the DSL via Email (cc to at least one other DSL and the headteacher/principal) to inform them that they need to share a concern. This will ensure that the concern is received.

The DSL will communicate any new or revised safeguarding advice, guidance, requirements, arrangements or information in writing to all staff and volunteers. The DSL and Deputy DSLs will provide training and support to staff to ensure vigilance about; sensitive and supportive responses to; and appropriate recording and reporting of any safeguarding and welfare concerns arising from children's experiences in connection with COVID-19 lockdown restrictions and extended absence from school. The DSL will evaluate all concerns and reports in the normal way, ensuring that children are offered requisite support, early help is provided and/or referrals made to Children's Social Care and other agencies as appropriate. The DSL will also liaise with School Health services in relation to supporting children's emotional wellbeing.

The school recognises that school is ordinarily a protective factor for children and young people and that the extraordinary circumstances created by the COVID-19 virus may well affect the mental health of some pupils/students and/or their parents/carers. All staff will maintain an awareness of those issues in communications

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with children, particularly when supporting them to settle back into the routine of school attendance, and their parents/carers including when setting expectations of pupils' work when they are at home.

In addition to all of the other safeguarding issues and risks as set out in this policy, staff will also be mindful of the increased likelihood that some pupils/students will have experienced one or more of the following as a result of the COVID-19 situation and the restrictions imposed on children and their families by the lockdown arrangements:

- neglect as a result of lost/reduced income and diminished circumstances;
- domestic abuse/parental mental ill health/parental drug and/or alcohol abuse as a result of parental anxiety, loss of employment/income, frustration, not coping with increased contact with children, boredom, etc.
- higher likelihood of online bullying, abuse and/or grooming for sexual abuse, sexual and criminal exploitation or radicalization as a result of spending more time online;
- physical and emotional abuse as a result of parents not coping, becoming very low or bad-tempered;
- greater risk of all forms of 'hidden' abuse including sexual abuse, emotional abuse, witnessing or being caught up in domestic abuse as a result of families spending more time together without children being able to access other protective adults, recreational activities or go outside.

NB the above is not an exhaustive list. The school will write to all parents/carers with a request for them to inform the school about any change in the child's circumstances; incident; or development during the time the child has not been attending school due to COVID-19 that may affect the child's presentation in school and/or that the school needs to be aware of in order to safeguard and promote the child's welfare.

Where a member of staff or volunteer is concerned about the behaviour of an adult working with children in the school, they should inform the headteacher/principal as normal (*using a yellow form if the school uses yellow forms – AMEND/DELETE AS NECESSARY*). If the notification needs to be made when the reporting individual is offsite, this should be done verbally and followed up with an Email to the headteacher/principal on the same working day.

As normal, any concerns about the headteacher/principal should be reported to the chair of governors.

Vulnerable children

From 20th March 2020 the government asked schools to remain open only for children of workers critical to the COVID-19 response and children defined as vulnerable as follows:

- Children who have a social worker, including children who have a child protection plan; those who are looked after by the local authority; and those assessed as being in need or who otherwise meet the definition in section 17 of the Children Act 1989.
- Children and young people up to the age of 25 with education, health and care (EHC) plans.
- Other children who the Designated Safeguarding Lead considers to be vulnerable, including those children who may be in receipt of early help; were previously the subject of child protection or child in need plans; were previously looked after; or whose situation and wellbeing at home may become unsafe or insecure if they do not attend school.

The school will maintain an up-to-date register/database of all pupils/students who are considered vulnerable as above. The register/database will contain the names and contact details of the child's parents/carers; other significant family members; social workers; family support workers; and any other key professionals including health professionals and youth justice workers. The register/ database will be accessible to the designated safeguarding lead (DSL) and all deputy designated safeguarding leads.

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The school will assess and continually re-assess the level of vulnerability of each pupil/student on the register/database using the RAG rating format as below. This will support the DSL to identify the level of contact the school needs to maintain with any child not able to attend or not attending school.

The RAG rating criteria are:

Red - most at risk of harm or neglect (will include all children subject to a child protection plan; and all children who are looked after);

Amber - a moderate risk of harm, but with some protective factors (will include those with a Child in Need plan and/or those being supported by a social worker or family support worker who are not subject of a child protection plan or looked after);

Green - some concerns or unmet needs; or have been red or amber and need monitoring.

Every child on the vulnerable children register/database will be allocated to a named DSL who will be responsible for ensuring that the identified level of support and contact is provided.

DSLs will record all contacts and outcomes with vulnerable children and their families in the usual way so that those records are visible to colleague DSLs and can be reviewed in regular DSL meetings.

Returning to school and attendance

Attendance will be monitored in the usual way with reference to this and the school's attendance policy. The DSL will explore the reasons for any child not returning to school from September 2020 directly with their parents/carers. In the event that the child is in one of the defined vulnerable groups as above and has a social worker or family support worker, the DSL will also liaise with the social worker or family support worker and seek to involve them in the discussion with the child's parents/carers.

The school will undertake a written risk assessment in relation to the needs of any child with a disability, special needs or health issues in order to support the child's safe return to school if at all possible. If the child cannot return to school safely, the school will work closely with parents/carers and partner agencies to ensure the child's educational needs are met and to work towards their eventual safe return to school.

Supporting children not in school

Any child on the school's register/database of vulnerable children who cannot attend school due to a risk to their own health or the health of another member of their household; or whose parents/ carers are unwilling to send them to school will have an identified plan of support that will be overseen by a named DSL and recorded on the child's safeguarding file.

The plan will include regular communication with the child's named social worker or family support worker where there is one. A record of all communications* with the child, parents/carers and practitioners in partner agencies will be made on the child's safeguarding file (*including telephone calls, Emails, other online communication, video conversations and virtual meetings).

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The school will work closely with all stakeholders to maximise the effectiveness of any communication plan in order to safeguard the child.

This plan must be reviewed regularly (at least once per week) by the allocated DSL in discussion with at least one other member of the DSL team, using regular/planned DSL team meetings as appropriate.

The school will continue to share safeguarding messages on its website, social media pages and via newsletters.

Supporting children in school

The school will continue to be a safe space for all children who attend during the COVID-19 virus, subject to individual risk assessments as appropriate. During any periods of partial closure, the headteacher/principal will ensure that appropriate numbers of staff are on site and that staff to pupil ratio numbers are appropriate.

The school will ensure that government guidance for education and childcare settings in respect of social distancing and advice from Public Health England in respect of handwashing and other protective measures to limit the risk of spreading COVID19 is followed regularly and robustly.

All children attending school will be provided with appropriate emotional support, bespoke to their needs, assessed vulnerability and circumstances.

Where the school has concerns about the availability of critical staff to work in school – particularly members of the DSL team, SENCo, designated teacher for children who are looked after and first aiders – those concerns will be raised with the *governing body/local authority/chair of local schools consortium/multi-academy trust* (*DELETE/AMEND AS APPLICABLE*) without delay.

Home visits

Any home visit must be risk assessed. If it is agreed that a home visit is necessary, it should be undertaken by two members of staff.

It is unlikely that home visits will be frequent. If they are undertaken, they will be subject to a risk assessment based on the following guidelines:

- (1) The DSL will speak to the child's parents/carers to establish whether any member of the household has symptoms of COVID-19; has been diagnosed with COVID-19; or is self-isolating.
- (2) Home visits will be undertaken by two members of staff, one of whom will be a DSL. NB It would be expected that any member of staff who has an underlying health condition/ vulnerability would be at home self-isolating. For the absence of doubt, no such member of staff will therefore undertake home visits.
- (3) The DSL will inform the parents/carers of the plan to undertake a home visit and that visiting staff will need to see and speak to the child, even if only through a window.
- (4) Staff undertaking home visits must wear gloves and avoid contacting metal surfaces with their bare skin. They will knock on the door of the house with covered hands. After knocking on the door, they will step back from the door.
- (5) Visiting staff will ask to see and talk to the child through a window; and will aim to keep the conversation as upbeat and positive as possible.

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- (6) Staff are advised not to enter households but simply to check that the child is well by a conversation through a window, maintaining the appropriate social distance as recommended by Public Health.
- (7) However, if undertaking a home visit, staff must actually see the child.

If a family is self-isolating and/or it is difficult/not appropriate to carry out a home visit subject to the risk assessment, the DSL will consider whether technology can be used to see the child, e.g. via Skype or other means of video chat. If carrying out Skype/video chat, this should be agreed with parents/carers prior to any call being made.

All school policies including the child protection, staff behaviour and ICT acceptable use policies must be followed at all times both in face to face and electronic communication with pupils and parents/carers. No staff member should use their own ICT or telephone equipment; or private message children; or video conference with a child directly other than via school-owned equipment subject to parental agreement as above.

Where concerns for a child at home reach the threshold for significant harm, a referral will be made to Children's Social Care/Police as per normal safeguarding procedures. For that reason, all DSLs will ensure they have access to MASH and other key agency phone numbers and children's details even when working from home.

Designated Safeguarding Lead (DSL)

The DSL and Deputy DSLs are as named in the main policy (*AMEND AS NECESSARY if names of DSLs are any different from main policy, remembering the importance of maintaining adequate cover so that a DSL is always available both to staff working in school and from home during the school term and at all times the school is open*).

The DSL or a deputy DSL will be available on site at all times the school is open including during any partial closures within term time. In the event of full closures during term time and on occasions when it is not possible for the DSL or deputy DSL to be on site (every effort will be made to ensure that such occasions are rare), the DSL or a deputy DSL will be readily accessible via telephone or online video contact, e.g. when working from home. All staff will be provided with contact details in order to be able to contact a DSL without any difficulty and will be informed about which members of the DSL team are available for each day that the school is fully or partially closed.

Where it is not possible for the DSL (or deputy) to be on site, a senior leader will always be present and will assume responsibility for co-ordinating safeguarding on site, always with ready telephone/ online access to the DSL as above.

All DSLs will have remote access to the register/database of all vulnerable children and other safeguarding records when working off site.

The DSL team will meet weekly to discuss the welfare and status of each child on the register/ database of vulnerable children.

The DSL team will liaise with MASH, Social Care, family support workers and other key safeguarding partners as normal, whether working in school or working remotely. When working from home, DSLs will be accessible via access to their school Email account and should have use of a school-owned mobile telephone, the number of which should be shared with colleague DSLs, partners and the Education Safeguarding service.

The DSL team will continue to attend – either in person or virtually – child protection conferences; core group meetings; strategy meetings; child in need meetings; children who are looked after reviews; and early help meetings.

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If the school closes and pupils need to attend another school in accordance with local/hub arrangements, the school will maintain its overarching responsibility for safeguarding the child. The DSL will be responsible for liaising with the receiving school in order to share information from the register/database of vulnerable children and to advise the receiving school about how best to respond to new/emerging concerns. The DSL must be informed by the receiving school about any new incidents or concerns and agreement must be reached and recorded about whether the DSL or a DSL in the receiving school is best placed to discuss issues with parents/carers, contact social workers, make referrals etc.

Safeguarding governor

In the event of full or partial closures, the governing body will review its arrangements for overseeing and supporting the DSL in fulfilling the *governing/proprietor* body's responsibility for safeguarding. In the event of the safeguarding governor and/or chair of governors not being able to fulfil their usual safeguarding and support functions because of COVID-19, social distancing or lockdown arrangements, the *governing/proprietor* body will identify and appoint alternative governors to oversee and support the school's safeguarding arrangements.

Safer recruitment/volunteers and movement of staff

The school will maintain its commitment to ensuring that only suitable people are given opportunities to work with children at the school, face to face and online. All recruitment during times affected by COVID-19 will therefore be undertaken following the normal safer recruitment processes subject to the school's policy, local authority guidance and advice and Part 3 of *Keeping Children Safe in Education (DfE 2020)*.

It may be necessary to undertake some recruitment activities remotely, e.g. via virtual interviews, shortlisting. It may be necessary to adapt selection activities designed to assess candidates' suitability in which candidates have contact with children, e.g. delivering lessons or being shown around the school by children. Candidates could be given opportunities to deliver a virtual lesson or talk to groups of pupils about school life via video calls as long as those activities are fully supervised by an existing member of staff who has been appropriately briefed.

Safer recruitment principles also apply to the recruitment of volunteers, subject to *KCSiE*.

It is essential from a safeguarding perspective that the school is aware, on any given day irrespective of full or partial closures, which staff/volunteers are working with children on school business – whether physically in school, online or working from home - and that appropriate checks have been carried out, especially for anyone engaging in Regulated Activity. As such, the school will maintain the single central record as outlined in *KCSiE* at all times.

Induction

Where new staff or volunteers are recruited, they will be provided with a safeguarding induction in the usual way.

If adults from another school or setting are redeployed to work at the school as a result of full or partial closures in other schools, the school will take into account DfE supplementary guidance and will accept portability of pre-employment checks as long as the current employer confirms in writing that:

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

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Upon arrival, all such redeployed staff will be given a copy of the school's safeguarding and child protection policy, staff behaviour (code of conduct) policy, behaviour policy, the school's safeguarding recording and reporting procedures and confirmation of DSL details and arrangements.

Peer on peer abuse

The school recognises that a revised process for managing any report of peer on peer abuse and supporting victims may be required during the COVID-19 virus when children will be attending school and remaining in smaller groups.

Where the school receives a report of peer on peer abuse, it will follow the principles as set out in part 5 of KCSIE and as outlined in the main policy as closely as possible.

The school will listen and work with all children involved, their parents/carers and any multi-agency partner required to ensure the safety and security of alleged victims, alleged perpetrators and all other children attending the school.

Concerns and actions will be recorded on the child's safeguarding file and appropriate referrals made by the DSL.

Section	Safeguarding
Status	Released
Reference	S/01