

Safeguarding & Child Protection Policy 2018-19

All staff should have access to this policy and sign to the effect that they have read and understood its contents

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POSITIONING WITHIN ARK OPERATIONAL MODEL

Component	Element
<input type="checkbox"/> Strategic Leadership & Planning <input type="checkbox"/> Monitoring, Reporting & Data <input type="checkbox"/> Governance & Accountabilities <input type="checkbox"/> Teaching & Learning <input type="checkbox"/> Curriculum & Assessment <input checked="" type="checkbox"/> Culture, Ethos & Wellbeing <input type="checkbox"/> Pathways & Enrichment <input type="checkbox"/> Parents & Community <input type="checkbox"/> Finance, IT & Estates <input type="checkbox"/> Our People	Safeguarding

Appendix A

Ark John Keats Academy

Child Protection and Wider Safeguarding

What is Child Abuse? Definitions, signs and symptoms

The following definitions are taken from 'Working together to safeguard children HM Government (2015)'. In addition to these definitions, it should be understood that children can also be abused by honour based violence, forced marriage or female genital mutilation.

What is abuse and neglect?

Abuse and neglect are forms of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting, by those known to them or, more rarely, by a stranger. They may be abused by an adult or adults, or another child or children.

Physical abuse

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

Indicators of physical abuse / factors that should increase concern

- Multiple bruising or bruises and scratches (especially on the head and face)
- Clusters of bruises – e.g., fingertip bruising (caused by being grasped)
- Bruises around the neck and behind the ears – the most common abusive injuries are to the head
- Bruises on the back, chest, buttocks, or on the inside of the thighs
- Marks indicating injury by an instrument – e.g., linear bruising (stick), parallel bruising (belt), marks of a buckle
- Bite marks
- Deliberate burning may also be indicated by the pattern of an instrument or object – e.g., electric fire, cooker, cigarette
- Scalds with upward splash marks or *tide marks*
- Untreated injuries
- Recurrent injuries or burns
- Bald patches

In the social context of the school, it is normal to ask about a noticeable injury. The response to such an enquiry is generally light-hearted and detailed. So, most of all, concern should be increased when:

- the explanation given does not match the injury
- the explanation uses words or phrases that do not match the vocabulary of the child (adult's words)
- no explanation is forthcoming
- the child (or the parent/carer) is secretive or evasive
- the injury is accompanied by allegations of abuse or assault

You should be concerned if the child or young person

- is reluctant to have parents/carers contacted
- runs away or shows fear of going home
- is aggressive towards themselves or others
- flinches when approached or touched
- is reluctant to undress to change clothing for sport
- wears long sleeves during hot weather
- is unnaturally compliant in the presence of parents/carers.
- has a fear of medical help or attention
- admits to a punishment that appears excessive.

Emotional abuse

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.

Indicators of emotional abuse

Developmental issues

- Delays in physical, mental and emotional development
- Poor school performance
- Speech disorders, particularly sudden disorders or changes.

Behaviour

- Acceptance of punishment which appears excessive
- Over-reaction to mistakes
- Continual self-deprecation
- Neurotic behaviour (such as rocking, hair-twisting, thumb-sucking)
- Self-mutilation
- Suicide attempts
- Drug/solvent abuse
- Running away
- Compulsive stealing, scavenging
- Acting out
- Poor trust in significant adults
- Regressive behaviour – e.g., wetting
- Eating disorders
- Destructive tendencies
- Over attachment or over-protective behaviour
- Arriving early at school, leaving late
- Self Harm

Social issues

- Withdrawal from physical contact
- Withdrawal from social interaction
- Over-compliant behaviour
- Insecure, clinging behaviour
- Poor social relationships

Emotional responses

- Extreme fear of new situations
- Inappropriate emotional responses to painful situations
- Fear of parents being contacted
- Self-disgust
- Low self-esteem
- Unusually fearful with adults

- Lack of concentration, restlessness, aimlessness
- Extremes of passivity or aggression

Sexual abuse

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

Characteristics of child sexual abuse:

- it is often planned and systematic – people do not sexually abuse children by accident, though sexual abuse can be opportunistic
- grooming the child – people who abuse children take care to choose a vulnerable child and often spend time making them dependent
- grooming the child's environment – abusers try to ensure that potential adult protectors (parents and other carers especially) are not suspicious of their motives.

Indicators of sexual abuse

Physical observations

- Damage to genitalia, anus or mouth
- Sexually transmitted diseases
- Unexpected pregnancy, especially in very young girls
- Soreness in genital area, anus or mouth and other medical problems such as chronic itching
- Unexplained recurrent urinary tract infections and discharges or abdominal pain

Behavioural observations

- Sexual knowledge inappropriate for age
- Sexualised behaviour or affection inappropriate for age
- Sexually provocative behaviour/promiscuity
- Hinting at sexual activity Inexplicable decline in school performance
- Depression or other sudden apparent changes in personality as becoming insecure or clinging
- Lack of concentration, restlessness, aimlessness
- Socially isolated or withdrawn
- Overly-compliant behaviour

- Acting out, aggressive behaviour
- Poor trust or fear concerning significant adults
- Regressive behaviour, Onset of wetting, by day or night; nightmares
- Onset of insecure, clinging behaviour
- Arriving early at school, leaving late, running away from home
- Suicide attempts, self-mutilation, self-disgust
- Suddenly drawing sexually explicit pictures
- Eating disorders or sudden loss of appetite or compulsive eating
- Regressing to younger behaviour patterns such as thumb sucking or bringing out discarded cuddly toys
- Become worried about clothing being removed
- Trying to be 'ultra-good' or perfect; overreacting to criticism.

Neglect

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

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

It may also include neglect of, or unresponsiveness to, a child's basic emotional needs. Neglect is a lack of parental care but poverty and lack of information or adequate services can be contributory factors.

Indicators of neglect

Physical indicators of neglect

- Constant hunger and stealing food
- Poor personal hygiene - unkempt, dirty or smelly
- Underweight
- Dress unsuitable for weather
- Poor state of clothing
- Illness or injury untreated

Behavioural indicators of neglect

- Constant tiredness
- Frequent absence from school or lateness
- Missing medical appointments
- Isolated among peers
- Frequently unsupervised
- Stealing or scavenging, especially food
- Destructive tendencies

Specific Safeguarding Issues

Signs and symptoms of Child Sexual Exploitation

Child Sexual exploitation of children and young people under 18 involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive ‘something’ (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them performing, and/or another or others performing on them, sexual activities. Child sexual exploitation can occur through the use of technology without the child’s immediate recognition; for example being persuaded to post sexual images on the Internet/mobile phones without immediate payment or gain. In all cases, those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources. Violence, coercion and intimidation are common, involvement in exploitative relationships being characterised in the main by the child or young person’s limited availability of choice resulting from their social/economic and/or emotional vulnerability.

Both girls and boys are at risk of sexual exploitation, and it is seriously harmful to children both emotionally and physically. Children and young people often find it very hard to understand or accept that they are being abused through sexual exploitation, and this increases their risk of being exposed to violent assault and life threatening events by those who abuse them.

Signs to look out for include

- Going missing for periods of time or regularly returning home late.
- Going places that you know they cannot afford.
- Skipping school or being disruptive in class.
- Suddenly acquiring expensive gifts such as mobile phones, jewellery – even drugs – and not being able to explain how they came by them.
- Having mood swings and changes in temperament.
- Noticeable changes in behaviour – becoming secretive, defensive or aggressive when asked about their personal life.
- Wearing age inappropriate clothing
- Displaying inappropriate sexualised behaviours, such as over familiarity with strangers, dressing in a sexualised manner or sending sexualised images by mobile phone (‘sexting’).
- Getting into trouble with the police. Bruises, marks on the body, sexually-transmitted diseases, pregnancy, drug and alcohol abuse or self-harm.
- Repeated phone calls, letters, emails from adults outside family social circle.

Signs and symptoms of female genital mutilation/mandatory reporting

FGM is an illegal, extremely harmful practice and a form of child abuse and violence against women and girls.

Each NHS organisation will have local safeguarding protocols and procedures for helping children and young people who are at risk of or facing abuse. These should include multi-agency policies and procedures, consistent with those developed by their Local Safeguarding Children Board. If organisations have not already done so, these should be reviewed to include handling cases where FGM is alleged or known about or where there is a potential risk of FGM identified. These policies and procedures should consider the characteristics around FGM, ensuring that the response to FGM includes the sharing of information with multi-agency partners throughout the girl's childhood, and that if, or when, the risk facing the girl changes (which may mean it escalates or even becomes less immediate), this is identified and consideration is given as to whether or not a change in subsequent safeguarding actions are required. It must always be remembered that fears of being branded 'racist' or 'discriminatory' must never weaken the protection that professionals are obliged to provide to protect vulnerable girls and women.

As FGM is a form of child abuse, professionals have a statutory obligation under national safeguarding protocols (e.g. Working Together to Safeguard Children 2015) to protect girls and women at risk of FGM. Since October 2015 registered professionals in health, social care and teaching also have a statutory duty (known as the Mandatory Reporting duty) to report cases of FGM to the police non-emergency number 101 in cases where a girl under 18 either discloses that she has had FGM or the professional observes physical signs of FGM.

One specific consideration when putting in place safeguarding measures against FGM is that the potential risk to a girl born in the UK can usually be identified at birth, because through the antenatal care and delivery of the child, NHS professionals can and should have identified that the mother has had FGM. However, FGM can be carried out at any age throughout childhood, meaning that identifying FGM at birth can have the consequence that any safeguarding measures adopted may have to be in place for more than 15 years over the course of the girl's childhood. This is a significantly different timescale and profile compared with many of the other forms of harm against which the safeguarding framework provides protection. This difference in approach should be recognised when putting in place policies and procedures to protect against FGM.

This guidance has been developed to provide information about the specific issues frequently encountered when dealing with FGM. In addition, it provides a framework which organisations may wish to adopt to support professionals in the ongoing consideration of risks pertaining to FGM.

Once concerns have been raised about FGM, there should also be a consideration of potential risk to other girls in the family and practicing community. Professionals should be alert to the fact that any one of the girl children amongst these groups could be identified as being at risk of FGM and may need to be safeguarded from harm.

Information sharing in relation to FGM

Given the need to potentially safeguard over a number of years, it is appropriate to recognise here that there are a number of different responses to safeguard against FGM, and appropriate courses of action should be decided on a case by case basis, with expert input from all agencies involved. Sharing information in line with agreed policies and procedures is critical to safeguarding effectively. This is often sharing information to support safeguarding across organisational boundaries.

Staff should follow the FGM Mandatory reporting duty to report when a girl under 18 discloses she has FGM. Ark John Keats procedure is that staff will inform the DSL and the DSL will make a report via 101 police non-emergency number immediately.

Duties under the Counter Terrorism and Security Act 2015 (The ‘Prevent Duty’)

Ark John Keats Academy understands that it has a duty and a responsibility to protect pupils from gang involvement and youth violence. It also recognises that it is well established that success in learning is one of the most powerful indicators in the prevention of youth crime.

All Academy Staff must be able to recognise the signs and symptoms of gang involvement and therefore, must have an understanding of the groups which could be identified as ‘gangs’. There are three such groups:

- Organised Criminal Gangs – usually made up of adults and are involved in targeted organised crime (robbery, extortion, burglary, kidnapping etc).
- Street Gangs – made up of adolescents and young adults, usually centered around a common identity, or territory, or ethnic group/religion, and whose activity is centered on criminal activity and violence.
- Peer Groups – young people who associate with each other in groups, only some of whom may be involved in the fringes of delinquency, or actual acts of delinquency.

Ark John Keats Academy understands that pupils who are exposed to any such group listed above, either through peers or through family members, are at risk of abuse (emotional, physical and/or sexual abuse or sexual exploitation) and that any pupils involved in a Peer Group (as defined above) are at risk of their involvement with gangs escalating to Street Gangs or Organised Criminal Gangs.

For Primary School aged children, Home Office guidance published in March 2015 ‘[Preventing youth violence and gang involvement](#)’ highlights some specific risk factors relating to likely involvement with gangs and youth violence:

Factor	Strong risk factors for youth violence (age group)	Strong risk factors for gang involvement (age group)
Child	<ul style="list-style-type: none"> * Troublesome (7-9; 10-12) * High daring (10-12) * Positive attitude towards delinquency (10-12) * Previously committed offences (7-9) * Involved in anti-social behaviour (10-12) * Substance use (7-9) * Aggression (7-9) * Running away and truancy (7-9; 10-12) 	<ul style="list-style-type: none"> * Marijuana use (10- 12)
Child’s Family	<ul style="list-style-type: none"> * Disrupted family (7- 9; 10-12) * Poor supervision (10-12) 	
School		<ul style="list-style-type: none"> * Low academic achievement (10- 12) * Learning disability (10-12)
Child’s peer Group	<ul style="list-style-type: none"> * Peers involved in crime and/or anti-social behaviour (7-9; 10-12) 	
Community		<ul style="list-style-type: none"> * Marijuana availability (10-12) * Young people in the community involved in ASB (10-12)

More broadly, Ark John Keats Academy staff must be able to recognise the following as indicators of possible gang involvement:

- Sudden loss of interest in school, loss of attendance or achievement
- Starting to use new or unknown slang words
- Coming into unexplained money or possessions
- Staying out late without reason
- Changes in appearance, wearing a style or “uniform” that is the same as other young people
- New nickname
- Unexplained injuries
- Graffiti style “tags” on possessions, school books, walls
- Constantly talking about another young person who has a lot of influence over them
- Broken off from old friends and now spends most of time with one group.
- Increased use of social work network sites
- Adopting certain codes of group behaviour, ways of talking, gestures or hand movements
- Scared when entering certain areas, and anxious about the presence of unknown youths
- Expressing aggressive or intimidating views towards other groups of young people, some of whom may have been friends before

When a pupil is identified as being at risk of being involved with gangs or youth violence, these concerns must be shared with the designated senior person for child protection using the safeguarding procedures detailed within this policy and where a judgement is made that input from external agencies is needed, the designated person will seek advice from the local authority.

Ark John Keats Academy is committed to develop pupil’s Character and issues relating to peer pressure and crime are taught explicitly through our Character programme.

Ark John Keats recognises that children who become involved in gangs or youth violence pose a risk to themselves and others and may at times be in possession of prohibited items. As a result, we will search pupils and confiscate prohibited items if school leaders believe a pupil may be in possession of a weapon (including knives), alcohol, illegal drugs, tobacco (and related paraphernalia), pornographic material, fireworks or stolen items. Referrals to the local authority will be made by the DSL as necessary.

School leaders will use the powers provided in the Department of Education guidance ‘*Use of Reasonable Force – guidance for headteachers, staff and governing bodies (July 2013)*’ to search pupils without consent if a concern is raised that the pupil(s) in question may be in possession of a weapon or illegal drugs

At Ark John Keats Academy, all searches of pupils will be conducted in the presence of at least two members of staff and in the presence of a senior leader; in all instances of physical intervention, the staff involved are required to record the use of physical intervention with a written report completed on the academy proforma for recording the use of physical intervention. This report must be given directly to the relevant senior designated person for child protection immediately.

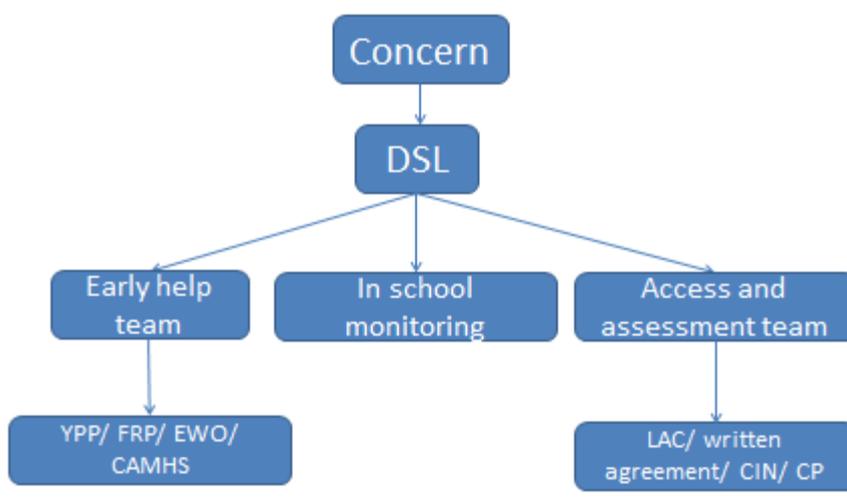
Dealing with Disclosures

All members of staff at Ark John Keats Academy receive Level 1 Safeguarding Training annually and are trained in how to receive, record and report child protection disclosures.

A member of staff who is approached by a child should listen positively and try to reassure them. They cannot promise complete confidentiality and should explain that they may need to pass information to other professionals to help keep the child or other children safe. The degree of confidentiality should always be governed by the need to protect the child.

Additional consideration needs to be given to children with communication difficulties and for those whose preferred language is not English. It is important to communicate with them in a way that is appropriate to their age, understanding and preference.

All staff should know who the Designated Safeguarding Lead (DSL) is and who to approach if the DSL is unavailable. The DSL or DDSL should be approached first to raise any concerns or safeguarding issues. Ultimately, all staff have the right to contact Ark Head of Safeguarding directly or make a referral to the police or social care directly and should do this if, for whatever reason, there are difficulties following the agreed protocol, e.g. they are the only adult on the school premises at the time and have concerns about sending a child home or an aggressive/violent parent on the premises.



What happens next?

Above is the outline for the procedure following a concern being raised. Academy staff are aware that they may be required to assist at any level of the process if they raised the concern or if they are best placed to follow up as advised by the DSL.

After raising a concern, the member of staff should be informed by the DSL what has happened following the report being made. If they do not receive this information they should be proactive in seeking it out. The DSL may only be able to share information on a need to know basis to staff which will not cover everything but will be enough to provide support to the child.

If staff have concerns that the disclosure has not been acted upon appropriately they might inform the safeguarding governor of the school and/or may ultimately contact the children's services department.

Receiving a disclosure can be upsetting for the member of staff and schools should have a procedure for supporting them after the disclosure. This might include reassurance that they have followed procedure correctly and that their swift actions will enable the allegations to be handled appropriately. All staff are trained annually on how to receive, respond to and report child protection disclosures and all referrals to the DSL are responded to initially and then follow-up contact is made to ensure that the member of staff understands what has happened to the information that they have shared. The DSL is available to support staff following disclosures being made.

Whistleblowing

The Ark Schools Whistleblowing Policy ensures that procedures are in place to enable staff to raise concerns regarding serious wrongdoing without fear of reprisal and to do so with confidence that there will be a fair and impartial investigative procedure through which they will receive appropriate feedback.

The Ark Schools Whistleblowing Policy is applicable to concerns regarding wrongdoing within Ark Schools in relation to matters such as fraud, malpractice, mismanagement, breach of health and safety law or any other illegal or unethical act either on the part of management, the Governing Body or by fellow employees.

All employees and volunteers at Ark John Keats will be directed as to where to find the Ark Schools Whistleblowing Policy as part of the induction process and/or staff meetings.

Similarly, all Ark John Keats employees and volunteers are issued with the most recent edition of Keeping Children Safe in Education which informs readers that where they are concerned that the designated senior person is not taking appropriate steps to keep a child or children safe, they should contact social care directly.

Definition of Private Fostering

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 disabled) with someone other than a parent or close relative, in their own home, with the intention that it should last for 28 days or more. It is not private fostering if the arrangement was made by social services. Examples of private fostering situations include:

children and teenagers living apart from their families for a variety of reasons e.g. if a parent is ill, has had to temporarily move for work or there has been an argument within the family
children with parents working or studying elsewhere in the UK
children with parents overseas
children on holiday exchanges.

Local Authority Requirements

Current arrangements for the regulation of private fostering originate from concern following the death of Victoria Climbié in 2000. Victoria was privately fostered by her great aunt. Arrangements were codified in the Children Act 2004. Following this, the Children (Private Arrangement for Fostering) Regulations 2005 set out the duties of local authorities in their arrangements for private fostering, and national minimum standards for local authorities were published in 2005.

Children/Young People with Medical Needs

There will be occasions when children are temporarily unable to attend school on a full time basis because of their medical needs. These children and young people are likely to be:

- children and young people suffering from long-term illnesses
- children and young people with long-term post-operative or post-injury recovery periods
- children and young people with long-term mental health problems (emotionally vulnerable)

The phrase “long-term” defines any period exceeding 15 continuous school days of absence from school because of medical needs.

Where it is clear that an absence will be for more than 15 continuous school days then the school should discuss further with Ark Central and their Local Authority and should not automatically be delayed until the 16th day of absence.

It is important that the referring school must notify the School Nurse service at the point it is identified that the child or young person medical need is preventing their attendance at school.

At all times during the period of absence the young person will remain on the roll of their home school and the home school will retain ultimate educational responsibility for the young person.

Referral to the Local Authority Education Inclusion Service:

Referral to the Education Inclusion Service (EIS) must be made by the young person's home school and must be made via the Education and Inclusion Service referral form. Referrals should normally be supported by either:

- a Hospital Consultant
- a Senior Clinical Medical Officer
- a Consultant Child Psychiatrist
- a General Practitioner (GP)
- an Education Psychologist

Managing allegations against other pupils procedure

DfE guidance 'Keeping children safe in education (2016)' says that '*there are procedures in place to handle allegations against other children*'. The guidance also states the importance of minimising the risks of peer-on-peer abuse. In most instances, the conduct of students towards each other will be covered by the school's behaviour policy. Some allegations may be of such a serious nature that they may raise safeguarding concerns. These allegations are most likely to include physical abuse, emotional abuse, sexual abuse and sexual exploitation. It is also likely that incidents dealt with under this policy will involve older students and their behaviour towards younger students or those who are vulnerable.

The safeguarding implications of sexual activity between young people

The intervention of child protection agencies in situations involving sexual activity between children can require difficult professional judgments. Some situations are statutorily clear – for example, a child under the age of 13 cannot consent to sexual activity. But it will not necessarily be appropriate to initiate safeguarding procedures where sexual activity involving children and young people below the age of legal consent (16 years) comes to notice. In our society generally the age at which children become sexually active has steadily dropped. It is important to distinguish between consensual sexual activity between children of a similar age (where at least one is below the age of consent), and sexual activity involving a power imbalance, or some form of coercion or exploitation. It may also be difficult to be sure that what has or has been alleged to have taken place definitely does have a sexual component.

As usual, important decisions should be made on a case by case basis, on the basis of an assessment of the children's best interests. Referral under safeguarding arrangements may be necessary, guided by an assessment of the extent to which a child is suffering, or is likely to suffer, significant harm. Key specific considerations will include:

- The age, maturity and understanding of the children;
- Any disability or special needs of the children;
- Their social and family circumstance;
- Any evidence in the behaviour or presentation of the children that might suggest they have been harmed;
- Any evidence of pressure to engage in sexual activity;

- Any indication of sexual exploitation;
- There are also contextual factors. Gender, sexuality, race and levels of sexual knowledge can all be used to exert power. A sexual predator may sometimes be a woman or girl and the victim a boy

Procedure

At Ark John Keats we believe that all children have a right to attend school and learn in a safe environment. Children should be free from harm by adults in the school and other students.

We recognise that some students will sometimes negatively affect the learning and wellbeing of others and their behaviour will be dealt with under the school's behaviour policy.

Prevention

As a school we will minimise the risk of allegations against other pupils by:-

- Providing a developmentally appropriate Character programme which develops students understanding of acceptable behaviour and keeping themselves safe
- Having systems in place for any student to raise concerns with staff, knowing that they will be listened to, believed and valued
- Delivering targeted work on assertiveness and keeping safe to those pupils identified as being at risk
- Developing robust risk assessments & providing targeted work for pupils identified as being a potential risk to other pupils.

Allegations against other pupils which are safeguarding issues

Occasionally, allegations may be made against students by others in the school, which are of a safeguarding nature. Safeguarding issues raised in this way may include physical abuse, emotional abuse, sexual abuse and sexual exploitation. It is likely that, to be considered a safeguarding allegation against a pupil, some of the following features will be found.

If the allegation:-

- Is made against an older pupil and refers to their behaviour towards a younger pupil or a more vulnerable pupil
- Is of a serious nature, possibly including a criminal offence
- Raises risk factors for other pupils in the school
- Indicates that other pupils may have been affected by this student
- Indicates that young people outside the school may be affected by this student

Examples of safeguarding issues against a student could include:

Physical Abuse

- Violence, particularly pre-planned
- Forcing others to use drugs or alcohol

Emotional Abuse

- Blackmail or extortion
- Threats and intimidation

Sexual Abuse

- Indecent exposure, indecent touching or serious sexual assaults
- Forcing others to watch pornography or take part in sexting

Sexual Exploitation

- Encouraging other children to engage in inappropriate sexual behaviour (For example - having an older boyfriend/girlfriend, associating with unknown adults or other sexually exploited children, staying out overnight)
- Photographing or videoing other children performing indecent acts

Practice

- When an allegation is made by a pupil against another student, members of staff should consider whether the complaint raises a safeguarding concern. If there is a safeguarding concern the designated safeguarding lead (DSL) should be informed
- A factual record should be made of the allegation, but no attempt at this stage should be made to investigate the circumstances
- The DSL should contact their local children's social care team or Ark Head of Safeguarding to discuss the case
- The DSL will follow through the outcomes of the discussion and make a referral where appropriate
- If the allegation indicates that a potential criminal offence has taken place, a referral to the multi-agency safeguarding hub (MASH) and the Police should be made
- Parents, of both the student being complained about and the alleged victim, should be informed and kept updated on the progress of the referral
- The DSL will make a record of the concern, the discussion and any outcome and keep a copy in the files of both pupils' files
- It may be appropriate to exclude the pupil being complained about for a period of time according to the school's behaviour policy and procedures
- Where neither social services nor the police accept the complaint, a thorough school investigation should still take place into the matter using the school's usual disciplinary procedures
- In situations where the school considers a safeguarding risk is present, a risk assessment should be prepared along with a preventative, supervision plan
- The plan should be monitored and a date set for a follow-up evaluation with everyone concerned

Allegations made against staff

This procedure is to be used in cases in which it is alleged that a person who works with children (either paid /unpaid/self-employed/contracted) has

- Behaved in a way that has harmed a child, or may have harmed a child;
- Possibly committed a criminal offence against or related to a child; or
- Behaved towards a child or children in a way that indicates they may pose a risk of harm to children or to a particular child.

Please note that a member of staff could be subject to an allegation even if they have not harmed a child or intended to. It is enough that the member of staff conduct could pose a risk to the child.

An allegation against a member of staff may arise from a number of sources e.g.:

- A report from a child victim
- A concern raised by another child/adult in the school/organisation
- A concern raised by a parent or carer.

It is essential that any allegation of abuse made against a teacher or other member of staff or volunteer in a school is dealt with very quickly, in a fair and consistent way that provides effective protection for the child and at the same time supports the person who is the subject of the allegation.

The framework for managing cases of allegations of abuse against teachers and other staff is set out in the statutory guidance 'Keeping Children Safe in Education (Sept 2016)
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/550511/Keeping_children_safe_in_education.pdf

An overview of how allegations should be handled is relevant for the purposes of s.157 of the Education Act 2002.

1. Defining an Allegation

- 1.1 In the first instance whenever an allegation is made against a professional that meets any of the above criteria, the Principal within their school must immediately consult Ark Central team -Head of Safeguarding.
- 1.2 If the allegation involves the Principal, then the Head of Safeguarding must be informed who would notify Ark Central team Schools Head of Human Resources and Ark Central team Head of Governance.
- 1.3 The Head of Safeguarding would further liaise with the Ark Central HR and notify the Local Authority Designated Officer (LADO) where necessary to identify whether the allegation falls within the scope of the above statutory criteria. The school can directly liaise with the LADO but inform the Head of Safeguarding of this contact.
- 1.4 In some circumstances it may be appropriate for the Head of Safeguarding and or the Head of Human Resources to inform Ark Central team Head of Communications.

2. Initial Considerations

- 2.1 The school must ensure that the person to whom an allegation or concern is first reported should treat the matter seriously and keep an open mind. The initial action followed by the person receiving or identifying an allegation or concern should:

- Make a written record of the information (where possible using the child/adult's actual words), including time, date and place of incident(s), person present and what was said.
- Sign and date the written record
- Immediately report the matter to the Principal and or Designated Safeguarding Lead (DSL), or deputy in his/her absence or where the DSL is the subject of the allegation and pass across all documentation.

S/he should not:

- Investigate or ask leading questions, if seeking clarification
- Make assumptions or offer alternative explanations
- Promise complete confidentiality

2.2 The Principal and or Designated Safeguarding Lead should **not conduct an investigative process as specified in s.3** on the matter. S/he should undertake a fact finding exercise and:

- Obtain written details of the concern/allegation, signed and dated by the person receiving (not the child/adult making the allegation)
- Countersign and date the written details
- Record any information about times, dates and location of alleged incident(s) and names of any potential witnesses
- Record discussion about the child and/or member of staff, any decisions made, and the reasons for those decisions.
- If more information is required than the initial disclosure, the Head of Safeguarding may ask the Principal/ Designated Safeguarding Lead to provide or obtain any additional information which may be relevant such as previous history, risk assessments, whether the child or their family have made similar allegations and the individual's current contact with children.

2.3 In cases of an allegation against the Principal, s/he should not be asked to gather the above information themselves. **(Refer to point 1.2)**

2.4 The Principal and or Designated Safeguarding Lead should inform the member of staff against whom the allegation has been made about the allegation as soon as possible after consulting the Head of Safeguarding and the LADO. If sharing the information with the member of staff will not impede or undermine any subsequent investigation, there should be no delay in doing so. At this early stage, it is advisable only to explain that an allegation of a child protection nature has been made. The detail of the allegation will be explained in the course of the investigation process, in accordance with Ark Disciplinary Policy.

2.5 As soon as possible after an allegation is made, the parents or carers should be informed. Where possible, advice should be sought from the Head of Safeguarding and or LADO in advance on how this should be managed. They should also be kept informed about the progress of the case, and told the outcome where there is not a criminal prosecution, including the outcome of any disciplinary process. The deliberations of a disciplinary hearing, and the information taken into account in reaching a decision, cannot normally be disclosed, but the parents or carers of the child should be told the outcome.

2.6 The initial sharing of information and evaluation may lead to a decision that no further action is to be taken in regard to the individual facing the allegation or concern; in which case this decision and a justification for it should be recorded by the Head of Safeguarding and/or Head of HR and the designated officer(s), and agreement reached on what information should be put in writing to the individual concerned and by whom. The Head of Safeguarding and/or Head of HR should then consider with the designated

officer (s) what action should follow both in respect of the individual and those who made the initial allegation.

- 2.7 If the actions of the member of staff, and the consequences of the actions, do not raise credible allegation concerns, but do raise other issues in relation to the conduct of the member of staff or the pupil(s), this will be addressed in accordance with internal procedures.

3. Investigating Process

- 3.1 The Head of Safeguarding, Head of Human Resources and the LADO, when determining the actions to be taken following initial considerations, the following definitions will be used:

Substantiated: there is sufficient evidence to prove the allegation and referred for an investigation;

Malicious: there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive;

False: there is sufficient evidence to disprove the allegation;

Unfounded: there is no evidence or proper basis which supports the allegation being made. It might also indicate that the person making the allegation misinterpreted the incident or was mistaken about what they saw. Alternatively they may not have been aware of all the circumstances;

Unsubstantiated: there is insufficient evidence to either prove or disprove the allegation. The term, therefore, does not imply guilt or innocence

- 3.2 In the course of an investigation there may be several elements followed:

- a) a Police investigation of a possible criminal offence
- b) enquires and assessment by Social Care about whether a child is in need of protection or in need of services
- c) consideration by Ark Schools of disciplinary action in respect of the alleged individual.
- d) the LADO has to agree the appropriate action to be taken and arrange a strategy meeting
- e) if an allegation is deemed as requiring a formal investigation the Head of Employment Relations will inform the Schools HR Business Partner/Advisor to arrange for an investigation to be conducted.

- 3.3 However, where a strategy discussion is needed, or police or Local Authority's social care need to be involved, the Principal and or the Designated Safeguarding Lead should not inform the accused member of staff until those agencies have been consulted, and have agreed what information can be disclosed to the person. Ark Central HR and the Principal must consider carefully whether the circumstances of a case warrant a person being suspended from contact with children at the school until the allegation or concern is resolved.

- 3.4 In the case of the Principal being suspended from contact with children at the school until the allegation or concern is resolved, Ark Central HR would discuss with the Director of Education Primary and Director of Education Support who would notify Head of Governance, Head of Safeguarding and Chair of Governors.

- 3.5 If the allegation is about physical contact, the strategy discussion or initial evaluation with the police should take account of the fact that teachers and other school staff are entitled to use reasonable force to control or restrain pupils in certain circumstances, including dealing with disruptive behaviour or non-compliance.
- 3.6 If an allegation requires immediate attention, but is received outside of normal office hours, the Principal and or the Designated Safeguarding Lead should consult the Social Care Emergency Duty Team or the Child Abuse Investigation Team (CAIT) via local Police. The Principal and or the Designated Safeguarding Lead should also inform the Head of Safeguarding or Head of Governance or Head of Employment Relations and the LADO as soon as possible following this action.
- 3.7 Where it is clear that an investigation by the police or Local Authority children's social care is unnecessary, or the strategy discussion or initial evaluation decides that is the case, the Head of Safeguarding/Head of Employment Relations/LADO should discuss the next steps with the Principal and or the Designated Safeguarding Lead.
- 3.8 In those circumstances the options open to the school depend on the nature and circumstances of the allegation and the evidence and information available, and will range from taking no further action to summary dismissal or a decision not to use the person's services in future. Suspension should not be the default position – an individual should only be suspended if there is no reasonable alternative.
- 3.9 In some such cases further enquiries will be needed to enable a decision about how to proceed. If so, the Head of Safeguarding and/or Head of Employment Relations and/or LADO should discuss with the Principal and /or Designated Safeguarding Lead how and by whom the investigation will be undertaken. In straightforward cases that should normally be undertaken by a senior member of the school staff. However, in other circumstances lack of appropriate resource within the school, or the nature or complexity of the allegation will require an independent investigator.
- 3.10 In cases where a child may have suffered significant harm, or there may be a criminal prosecution, local authority social care, or the police as appropriate, should consider what support the child or children involved may need.

4 Supporting those involved

- 4.1 Ark has a duty of care to employees and should act to manage and minimise the stress inherent in the allegations process. Support for the individual is vital to fulfilling this duty. Individuals should be informed of concerns or allegations as soon as possible and given an explanation of the likely course of action, unless there is an objection by the children's social care services or the police. The individual should be advised to contact their trade union representative, if they have one, or a colleague for support. They should also be reminded about the confidential counselling support which is available through the employee assistance programme.
- 4.2 **Employee Assistance Programme.** The service is available 24 hours a day, 7 days a week, 365 days a year and is accessible by phone, email, instant messaging and website. The service offers assistance with any work, personal or family issue and includes professional consultation, access to face to face counselling (up to six sessions), information, resources and referrals to local services.
You can access the service in the following ways:

FREEPHONE: 0800 243 458

E-MAIL: assistance@workplaceoptions.com

WEBSITE: www.workplaceoptions.com

USERNAME: **Ark Schools**

PASSWORD: **employee**

Should medical advice and guidance be required this can be arranged through Ark Central HR who will arrange for a referral to our Occupational Health providers.

- 4.3 The DSL and/or Ark Central HR should appoint a named representative to keep the person who is the subject of the allegation informed of the progress of the case and consider what other support is appropriate for the individual. Particular care needs to be taken when employees are suspended to ensure that they are kept informed of both the progress of their case and current work-related issues. Social contact with colleagues and friends should not be prevented unless there is evidence to suggest that such contact is likely to be prejudicial to the gathering and presentation of evidence.

5 Confidentiality

It is extremely important that when an allegation is made, the school makes every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered. Schools should take advice from Ark Central on:

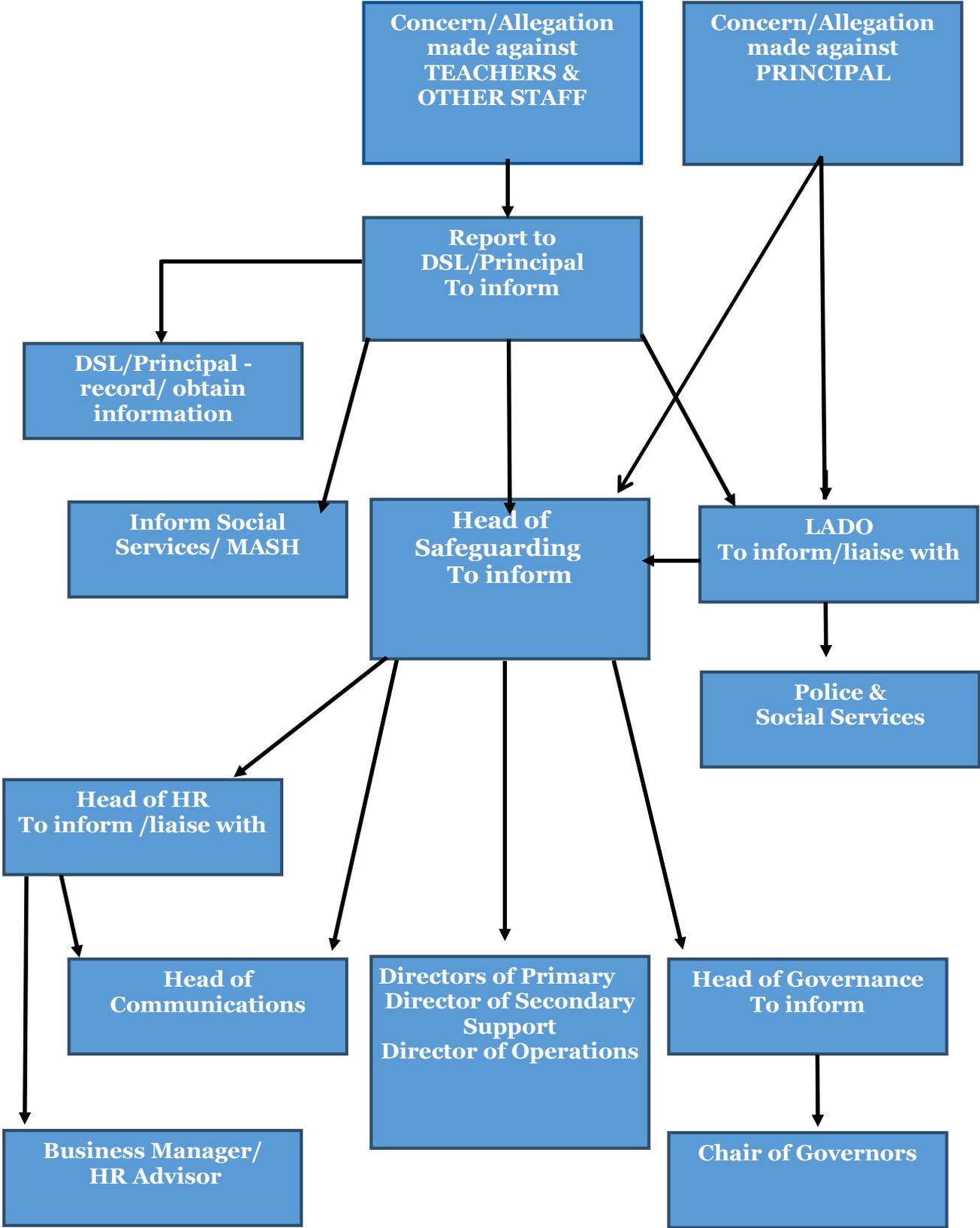
- Who needs to know and, importantly, exactly what information can be shared;
- How to manage speculation, leaks and gossip;
- What if any information can be reasonably given to the wider community to reduce speculation; and
- How to manage press interest if and when it should arise.

6 Referral to Disclosure and Barring Service (DBS)

If the allegation is substantiated and the person is dismissed or the school ceases to use the person's services, or the person resigns or otherwise ceases to provide his/her services, comes to a settlement agreement with the school to end their employment or leaves the school by any other means, including long-term absence, while the subject of an investigation relating to a safeguarding allegation. Ark Schools should discuss with the LADO whether a referral should be made to the Disclosure and Barring Service (DBS) and Ark Schools must also recognise it has a legal obligation to make a referral to the DBS.

The School Governance (Constitution and Federations) (England) (Amendment) Regulations 2016 Explanatory Memorandum

**Flowchart for safeguarding concern/allegation made against teachers,
other staff or Principal**



Additional policies for Appendix A:

This list details other policies in place at Ark John Keats that are complementary to the Safeguarding Policy. These policies are available either on the school website or by contacting Deega Sufi or Marne Reynecke.

- Behaviour Policy
- Attendance Policy
- Site security policy
- ICT Policy
- SEND policy
- Medicine & First Aid
- Educational Visits Policy
- Children with Medical Needs and Intimate Care Policy
- School Emergency Policy
- Safer Recruitment
- Allegations Against Staff or Pupils and Whistleblowing
- Complaints Policy
- Staff code of conduct

Appendix B

Statutory legislation and guidance documents links

[https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/707761/Keeping Children Safe in Education - September 2018.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/707761/Keeping_Children_Safe_in_Education_-_September_2018.pdf)

[Working together to Safeguard Children \(DfE, 2018\)](#)

<https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>

[What to do if you are worried a child is being abused \(March 2015\)](#)

[Use of reasonable force: advice for head teachers, staff and governing bodies \(July 2013\)](#)

[Information Sharing: Advice for Practitioners \(DfE, 2018\)](#)

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

[Prevent Duty Guidance for England and Wales' \(2015\)](#)

[Early years \(under 5s\) foundation stage framework \(EYFS\) \(2017\)](#)

[The Children Act 1989 and 2004](#)

[DfE's Data Protection: A Toolkit for Schools \(2018\)](#)

[Education Act 2002](#)

[The Children and Families Act 2014](#)

[Inspecting Safeguarding in early years, education and skills setting \(Ofsted, 2016\)](#)

[SEND code of practice: 0 to 25 years \(DfE 2017\)](#)

[Mental Health & Behaviour in Schools 2016](#)

[Disqualification under the Childcare Act \(DfE, 2006\)](#)

[The Childcare \(Disqualification\) and Childcare \(Early Years Provision Free of Charge\) \(Extended Entitlement\) \(Amendment\) Regulations 2018](#)

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/718641/Childcare_disqualification_consultation_report.pdf

[School attendance 2016](#)

[Exclusion from maintained schools, academies and pupil referral units in England \(Sept 2017\)](#)

[Criminal Exploitation of children and vulnerable adults: County Lines guidance \(July 2017\)](#)

[School Inspection Update \(Ofsted, July 2018\)](#)

Appendix C

KCSIE 2018 Links to Specific Safeguarding Issues

[Abuse](#)

[Bullying including cyberbullying](#)

[Child Missing from Education](#)

[Child Missing from home or care](#)

[Child Sexual Exploitation \(CSE\)](#)

[Criminal exploitation of children and vulnerable adult's county lines](#)

[Domestic Violence & Abuse](#)

[Drug Advice for Schools](#)

[Fabricated or Induced Illness](#)

[Faith or Belief Based Abuse](#)

[Female Genital Mutilation \(FGM\)](#)

[Forced Marriage](#)

[Gangs and Youth Violence](#)

[Gender based violence/violence against women and girls \(VAWG\)](#)

[Hate](#)

[Mental health](#)

[Private fostering](#)

[Preventing radicalisation](#)

[Protecting children from radicalisation](#)

[Relationship Abuse](#)

[Sexting](#)

[Sexual violence and sexual harassment between children in schools and colleges](#)

[Trafficking and modern slavery](#)

Appendix D

RECRUITMENT & APPOINTMENT POLICY 2018-2019