



THE KING'S SCHOOL  
C H E S T E R

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## Safeguarding Policy and Staff Code of Conduct

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| <b>Policy Owner</b>                | <b>Pastoral Deputy Head</b>  |
| <b>Date Policy Published</b>       | September 2019   |
| <b>Date of Next Policy Review</b>  | September 2020   |
| <b>Circulation</b>                 | School Website   |
| <b>Linked Policies</b>             | Whistleblowing Policy<br>Anti-Bullying Policy<br>Behaviour Policy<br>PSHE Policy<br>Health Policy<br>ICT and School Computer Use Policy<br>Safer Recruitment Policy                                    |
| <b>ISI Regulatory Requirements</b> | Part 3<br>Paragraph 7 (a), (b)<br>Education Act 1996 Section 548 as amended by section 131, School Standards and Framework Act 1998#Preventin Radicalisation (Counter-Terrorism and Security Act 2015) |

- 3.1.1 The school and its Governing Body are committed to the welfare, protection and safekeeping of all its pupils including those within the EYFS. The school's policy complies with *Keeping Children Safe in Education September 2019*, *Working Together to Safeguard Children July 2018*, *Prevent Duty June/July 2015* and locally agreed inter agency recommendations of Cheshire West and Chester Safeguarding Children Partnership.
- 3.1.2 The Governing Body shall undertake an annual review of the school's child protection policies and procedures and of the efficiency with which the related duties have been discharged. The responsibility for the regulatory compliance and safeguarding lies with the whole Governing Body. The Governors monitor its implementation through the nominated Safeguarding Governor, Carol Edwards.
- 3.1.3 All children have a fundamental right to be protected from harm and from all forms of neglect, abuse and exploitation and should feel safe and secure at school. The school's curriculum and pastoral systems are designed to foster the spiritual, moral, social and cultural development of all our pupils. All teaching staff play a vital role in this process, helping to ensure that all pupils relate well to one another and feel safe and comfortable within the school. We expect all the teaching staff to lead by example and to play a full part in promoting an awareness that is appropriate to their age amongst all our pupils on issues relating to health, safety and well-being. All staff, including all non-teaching staff, have an important role in insisting that pupils always adhere to the standards of behaviour set out in our behaviour policy and in enforcing our anti-bullying policy. Our pupils' awareness of online safety is raised in PSHE lessons, and in tutor time and they are referred to the guidelines *Advice to Pupils Regarding Online Bullying* or the Junior School's Cyberbullying Policy.
- 3.1.4 Parents should be reassured that it is the aim of the school always to act in the best interests of their child and to encourage the fullest possible involvement of and consultation with parents.
- 3.1.5 Pupils should know that they have a means of raising issues of personal concern. They should feel that they are encouraged to talk to staff, that the school is always prepared to listen to their concerns and will take them seriously.
- 3.1.6 Teaching, non-teaching and voluntary staff should be aware of their responsibilities in identifying and reporting possible cases of abuse. The Headmaster and all teaching staff, support staff, both full-time and part-time, and volunteers are required to undertake training in child protection updated every three years. Staff members are alerted to the particular potential vulnerabilities of SEND and looked after children.
- 3.1.7 The school provides a structured internal procedure that shall be followed by all members of the school community in cases of suspected abuse. Staff are reminded of these procedures on an annual basis.
- 3.1.8 The school will support pupils' development in ways which will foster security, confidence and independence. Should there be children in need of additional support from one or more agencies, the school will ensure that they participate fully in any discussions to ensure that all available support is secured. A nominated teacher (usually the Designated Safeguarding Lead, DSL) will oversee this process and co-ordinate the school's support. This includes Early Help.

Where this concern does not identify a safeguarding concern, but could lead to more serious concerns if left, the school will follow the procedures set out in the Team Around the Family (TAF) (or equivalent for pupils resident in Wales).

Where referral to Children's Social Care is not immediately needed, interagency assessment may be required. Ideally this will be completed following consultation with parents and the child. If there is a failure to co-operate with this process then referral will be made via the Integrated Access and Referral Team (CWAC) or equivalent for other local authorities.

It is recognised that concerns need to be continually re-evaluated to avoid inaction, if in doubt i-ART will always be contacted for advice. All staff are required to work with other agencies and professionals in any early help assessment and may be required to act as the lead professional under the guidance of the DSL. It is also recognised that if early help is appropriate the child will be kept under constant review and referral to children's social care would be considered if the situation does not appear to be improving. It is imperative that the child's voice is heard and that the effect of the child on any actions taken is carefully monitored.

- 3.1.9 The school will take immediate action to safeguard the welfare of any pupil who it suspects is being harmed or is in danger of being harmed; a follow up. The school will report any suspicion or disclosure of abuse to the appropriate welfare agency within 24 hours. Any member of staff who has reported an issue should escalate the matter directly to iART if they feel that the school has failed to act.
- 3.1.10 This policy requires that, when identified, any deficiencies or weaknesses in child protection arrangements are remedied without delay.
- 3.1.11 All staff appointed to the school will be subject to the procedures detailed in our Safe Recruitment Policy which follow the DfE guidance Keeping Children Safe in Education (KCSIE) 2019. Child protection training is part of the induction programme for all newly appointed staff including volunteers. All staff are provided with KCSIE Part 1 (2019) and the school's Staff Code of Conduct.
- 3.1.12 The school will seek assurance that the appropriate checks have been carried out on staff of a different employer looking after the school's pupils on a site other than the school.
- 3.1.13 The DSL for the Senior School is the Deputy Head (Pastoral), Mr Michael Harle, and the Deputy DSL is the Assistant Head Pastoral, Mrs Claire Sumner. In the Junior School and Willow Lodge the DSL is the Head of Junior School and Willow Lodge, Mrs Margaret Ainsworth, with responsibility for EYFS, and Deputy DSL is the Deputy Head (Pastoral) of the Junior School, Mr Alan Griffiths. They can be contacted through reception on 01244 689500. The School Nurse, Laura Jones, also works in conjunction with the DSL/DDSL on child protection issues. The DSL/DDSLs are required to undertake regular training, updated every two years, in Child Protection and Interagency Working for designated persons (Level 3 for designated persons). More frequent updates from the Local Safeguarding Children Board (LSCB) are discussed at regular team meetings. They hold contact details for welfare agencies and will provide them to parents on request. The team work in conjunction with the Headmaster when appropriate, and keep him informed of all safeguarding matters.
- 3.1.14 Every new member of staff, including part-timers, temporary, visiting and contract staff working in the school, receives appropriate induction training on their responsibilities in being

alert to the signs of abuse and bullying and on the procedures for recording and referring any concerns to the DSLs or the Headmaster and, if required, to the main points of local procedures of Cheshire West and Chester Safeguarding Children Partnership. Child protection training is also given to new governors and volunteers. All staff, including the Headmaster, attends regular refresher training in line with advice from the school's Safeguarding Children Partnership. Training in child protection is an important part of the induction process. Training includes a review of the Child Protection, Anti-bullying, Behaviour and ICT and Computer Use Policies, the identity of the DSLs and the required reading and understanding of KCSIE Part 1 (2019), including Annex A. It is recognised that Early Help (provision of support as soon as the problem emerges at any stage in the child's life) is vital, and all staff are encouraged to report any concerns via the pastoral system or directly to the safeguarding team, so that the pupils' needs can be quickly identified and a suitable response can be made. Training also promotes staff awareness of child sexual exploitation, forced marriage and female genital mutilation and their reporting, as well as radicalisation and the Prevent process (see KCSIE Annex A). Staff are made aware of the signs, symptoms and indicators of such practices and are required to take action without delay if such a practice is suspected. Staff are also trained in other specific safeguarding issues which are relevant to the school setting, including all aspects of online safety.

### 3.1.15 **Recognising types of abuse**

Abuse and neglect are forms of maltreatment of a child. Someone may abuse or neglect a child by inflicting harm or by failing to prevent harm. Children may be abused in a family or in an institutional or community setting, by those known to them or by a stranger, for example, via the internet. They may be abused by an adult or adults, or another child or children. Child abuse can have major long-term effects on all aspects of a child's health, development and well-being. The main forms of maltreatment are:

#### **Physical Abuse**

Physical abuse is deliberately causing physical harm to a child. This might involve punching, kicking, biting, burning, scalding, shaking, throwing or beating with objects such as belts, whips, or sticks. It also includes poisoning, giving a child alcohol or illegal drugs, drowning or suffocation. Physical harm may also be caused when a parent or carer fabricates the symptoms of illness in a child.

#### **Emotional Abuse**

Emotional abuse is where repeated verbal threats, criticism, ridicule, shouting, lack of love and affection causes a severe adverse effect on a child's emotional development. It includes conveying to children that they are worthless, unloved, inadequate or valued only insofar as they meet the needs of another person. Emotional abuse may include not giving a child opportunity to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature inappropriate expectations being imposed on a child, over protection and limitation of exploration and learning, or preventing the child from taking part in normal social interaction. It may involve seeing or hearing the ill-treatment of another person. It may involve serious bullying (including cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of ill treatment of children, or it may occur alone.

## Sexual Abuse

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware of what is happening. This may involve physical contact including penetrative sex, oral sex, masturbation, kissing, rubbing, or touching outside of clothing, or it may involve non-contact activities such as involving children in watching sexual activities, producing or looking at sexual images, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Abusers can be men, women or other children.

## Neglect

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in serious impairment of the child's health or development. Neglect is when a parent or carer fails to provide adequate food, clothing, shelter (including exclusion from home or abandonment), medical care, or protection from physical and emotional harm or danger. It also includes failure to ensure access to education or to look after a child because the carer is under the influence of alcohol or drugs. In pregnancy neglect may occur as a result of misusing alcohol or drugs.

If a member of staff has reasons to suspect physical, sexual or emotional abuse or neglect, those concerns should be raised with the relevant designated person or the Headmaster and the concerns should be put in writing [see p.12 *Procedure for Dealing with Allegations or Concerns about a Child* and the DfE documents KCSIE Part 1 (2019) and What to do if you're worried a child is being abused (2015)].

3.1.16 As much as possible should be recorded in written form. All relevant details will be held in a confidential file. The Headmaster and DSLs will have access. No explicit notes are to be put on the pupil's general file (see DfE document Information Sharing: Advice for Practitioners Providing Safeguarding Services (2018)).

3.1.17 Physical abuse, sexual abuse and sexting (see *Sexting: Policy and Procedures*) may be perpetrated by pupils aimed at other pupils. Sexting among children and young people can be a common occurrence; where they often describe these incidents as 'mundane'. If you have a report of (or you suspect) a sexting incident (intimate sexting images are typically considered to be illegal images) the incident needs very careful management for all those involved.

Staff are reminded to be aware of this fact and to immediately report any concerns of such abuse to the appropriate DSL or the Headmaster. If this is not possible Staff should be prepared to report concerns directly (full local procedures are available from the Safeguarding Children Partnership website [www.cheshirewestlscb.org.uk](http://www.cheshirewestlscb.org.uk) and contact details for all relevant agencies can be found below). Peer bullying, which includes unacceptable levels of 'banter', can be an example of an abusive relationship and will be treated as a Child Protection concern if it is believed that the child may suffer significant harm. In such instance it is vital to listen to the child and to respond to their feelings [see Peer on Peer Abuse and Sexual violence and sexual harassment between children in schools and colleges (May 2018)].

3.1.18 The School closely monitors daily registration as it recognises that regular attendance is vital for effective education. Absences are always checked as it is also recognised that a child missing from education is a potential indicator of abuse, sexual exploitation or neglect.

Repeated absences without the school's permission would trigger referral to the appropriate agency.

Full attendance at school is vital for the delivery of a comprehensive education and it is also recognised that a child missing from education is vulnerable and can be an indicator of a number of risk taking behaviours. It is also a potential indicator of radicalisation.

In the senior school, the procedure to monitor attendance starts with the Tutor or subject teacher. In the case of absence during the working day:

- first check with the pupil's friends
- check the medical room
- check with reception who will check the signing out/in book and if necessary inform a senior member of staff who will then follow up this information, contact parents and locate the pupil.

The procedures followed in the Junior School and Willow Lodge are outlined in section 3.1.23 (Missing Children)

All absences should be accompanied by a signed letter from the pupil's parents to explain the circumstances of the absence. A record is kept by the school of any instances in which a pupil is missing from school without satisfactory permission and documentation, including the action taken and the pupil's explanation. This includes repeated lateness. Repeated absences will result in action by the senior management and may result in referral to the DSL.

The CME officer at CWAC is informed regarding all pupils who leave or join the school at non-standard transition ages.

3.1.19 Allegations made against members of staff, including volunteers, should be referred without delay to, and only to, the Headmaster. The school will contact the local authority designated officer (LADO) prior to any investigation. In the most serious cases the school will contact the police directly and immediately. Should the allegation be about the Headmaster, the Chairman of Governors should be contacted directly within 24 hours without informing the Headmaster.

3.1.20 In line with statutory guidance from the DfE (2012), the school will report to the Teaching Agency via the Disclosure and Barring Service, within one month of leaving any person (whether employed, contracted, a volunteer or student) whose services are no longer used because he or she is considered unsuitable to work with children. If an investigation leads to the dismissal or resignation prior to dismissal of a member of teaching staff, the school will consider making a referral to the Teaching Regulations Agency (Teacher misconduct) and a prohibition order may be appropriate.

3.1.21 The School includes in its risk assessment an evaluation of the attendant risk that pupils may be drawn into terrorism or extremist activities. Awareness of radicalisation is included in safeguarding procedures (see *Safeguarding Pupils Who Are Vulnerable to Extremism*). The DSL is responsible for referral of concerns to Children's Services or the Channel programme following discussion with local agencies. All staff are trained in Prevent awareness.

3.1.22 **Non Collection of pupils in Willow Lodge and Junior School (including EYFS):**

In the event that a child is not collected by an authorised adult in EYFS, Larks and Owls, Willow Lodge or The Junior School, we will ensure that the child receives the expected high standard of care in order to cause as little distress as possible.

Procedure:

We adhere to the Every Child Matters agenda with regard in this instance to staying safe. Parents are made aware when joining the school that, if they cannot collect their child on time, they must contact the school immediately. Uncollected pupils will, after ten minutes, automatically go to Owls Club (our after school provision) and the following procedures will be followed:

- All reasonable attempts will be made to contact the parents or nominated collector.
- If this is unsuccessful, the emergency contact, as informed by parents, will be informed.
- If no-one arrives to pick up the child after Owls Club, and no phone contact has been made, the Head of Willow Lodge and The Junior School must be informed.
- When all emergency contacts have been exhausted, and the Head of Willow Lodge and The Junior School deems appropriate, she will then contact local authority social services department.
- The child will be kept at Owls Club in the care of a DBS vetted worker, until the child is safely collected by either his/her parents or the social worker.

### 3.1.23 **Missing Children**

The school attaches utmost importance to keeping all children secure inside the school premises at all times. To ensure that all pupils, including those in EYFS, are accounted for, in the event of a pupil not being present at morning registration and where no information has been given to explain why, parents will be contacted by the school to determine the child's whereabouts.

However, in the unlikely event that a child cannot be accounted for at any time during the school day, the following procedure will be implemented:

- The Head Teacher or senior member of staff will be notified without delay.
- A simultaneous search of the building and immediate locality will take place by members of the school staff.
- The missing pupil's peers will be asked for any information they might have.
- If the pupil is not found, and the absence cannot be explained, the parents will be contacted, and if circumstances escalate, the headmaster of the whole school and the police will be informed.

### 3.1.24 **Use of Mobile Phones and Cameras in Willow Lodge, including EYFS, and The Junior School.**

This policy provides clear guidance to all individuals who have access to personal or work related devices on the school's site and premises. It applies to all staff, volunteers, pupils and young people, parents, carers, visitors, agency workers and contractors' staff. It is available for parents on the school's website and can be obtained from the school office on request.

The school recognises that whilst mobile devices are effective communication and organisational tools, they also have the potential for misuse. Therefore, the school aims to promote safe and appropriate practice through establishing clear, robust and acceptable guidelines for the use of mobile devices.

Any person who witnesses a breach of this policy should report this directly to the Head Teacher in line with the school's safeguarding procedures.

## **Personal Devices**

Effective guidance in this policy is in place to avoid the use of mobile devices causing unnecessary disruption and distraction within the school and to ensure that effective practice is promoted to protect against potential misuse, for example bullying, harassment and abuse.

Mobile phones are used by the majority of people and can be misused through the cameras therein. Images can then be sent instantly to other mobile phones or email addresses. They can also be posted on the internet or in chat rooms. There is considerable potential for mobile phones and cameras to be misused in schools. They can become an instrument of bullying or harassment directed against pupils and teachers and provide a potential means of child abuse. Our policy is to make every attempt to avoid misuse of mobile devices in the school.

**NB - no personal, mobile devices should be taken into Early Years Foundation Stage (EYFS), Year 1 and Year 2 classrooms/play areas under any circumstances.**

### **Members of Staff are only permitted to take photographs of pupils using school cameras.**

Photographs of pupils taken with the school camera may be used for: internal displays, curriculum evidence, communications within the school community (parents, pupils, staff, governors and alumni); marketing the school digitally on the website, advertising features in the press – all these photographs will be anonymous, unless special permission has been given by parents. The school will comply with Data Protection Law. Our images are kept securely and deleted when no longer required.

### **Staff Policy on use of mobile devices**

Staff may use their own mobile devices on school premises, with the following restrictions:-

- Staff should not use personal mobile devices whilst moving around the school and must restrict their use to the staff only areas.
- Staff must ensure that their personal mobile devices are stored away in drawers/cupboards or handbags during lesson time.
- If a member of staff has a need to be contacted or contact others whilst they are teaching for urgent, personal reasons, they should make appropriate arrangements with the Head Teacher or Deputy Head Teacher.
- Staff should use the main school telephone number as their main emergency contact number.
- The school office will always take a message for a member of staff and urgent messages will be relayed immediately.
- It is not acceptable for staff to use personal mobile devices to take photographs or films of pupils or other staff within the school environment or on outings. School iPads only must be used.
- Personal mobile devices must not be used in a space where children are present, e.g. classroom, playground.
- Staff are strongly advised not to give their home or mobile telephone numbers to pupils.
- Staff are strongly advised not to make use of pupils' mobile phone numbers either to make or receive calls or to send or receive text messages from pupils, other than for approved school business.
- **Parents, visitors, contractors** are requested not to use their mobile devices in any area where children are present. Should calls or text messages need to be taken or made, they must be

restricted to special child-free areas, e. g. school office, staffroom, suitable outside areas, unless special arrangements have been arranged with the Head Teacher or Deputy Head Teacher.

- Parents are welcome to take photographs of their own child and/or groups at outdoor sporting events, but we ask that photographs should not be taken of other individual children at these events without the permission of their parents and that no images are placed on social media. We aim to treat all our pupils with respect, guard their right to feel secure at all times and value the support of parents in these matters. The school requires all parents to sign the 'permission form' at the beginning of each school year and will abide by their wishes.
- As a general rule, staff should not contact pupils or parents from their personal mobile phone, or give their mobile phone number to pupils or parents. If a staff member needs to make telephone contact with a pupil or parent, a school telephone should be used wherever possible. However, if a member of staff is also a parent in the school, they may have exchanged phone numbers with other parents. This is clearly unavoidable at times, but these colleagues are asked to exercise professional conduct at all times, in this instance.

### **Pupil Policy**

Children in Willow Lodge, including EYFS are not allowed to bring mobile phones into school. Pupils in The Junior School may only bring mobile phones into school by prior arrangement with the Head of The Junior School, for example, if they travel on a school bus when their mobile phones will be collected and kept safely during the day.

On special occasions, such as residential visits, pupils are allowed to take photographs of teachers and peers using a simple, disposable camera, but not a mobile phone. Pupils are not allowed to take personal mobile devices on such visits.

### **Cyberbullying Policy**

The Junior School and Willow Lodge are aware of the risks as well as the benefits of the internet and modern technologies and have a Policy related to Cyberbullying.

Bullying in any form is not tolerated by the school.

**Any person who identifies a breach of the Cyberbullying Policy should report this directly to the Designated Safeguarding Lead (DSL), Mrs Ainsworth and in her absence to the Deputy Head of Junior School, Mr Griffiths, or Deputy Head of Willow Lodge, Mrs Callaghan. Staff should understand that failure to comply with the policy is likely to result in disciplinary procedures.**

- 3.1.25 The designated teacher for Looked after children and previously looked after children is the Deputy Head Pastoral, Michael Harle. The designated teacher works with the local authority, in particular the Virtual school head and allocated social worker, to support the progress of the students through the production and adherence to their personal education plans as outlined in *Promoting the education of looked after children*. Staff receive training in the needs of Looked after children and previously looked after children.
- 3.1.26 Where the school judges that a child's behaviour presents a serious risk to themselves or others, or if a child with SEND exhibits unpredictable and disruptive behaviour, the school will put in place a risk assessment which is reviewed regularly and, where relevant, a physical intervention plan.
- In all cases where physical intervention has taken place, the incident and subsequent actions will be recorded and reported to the DSL who will inform the Headmaster and the child's parents.

## MONITORING AND EVALUATION OF THIS POLICY

The school monitors and evaluates its child protection policy and procedures through the following activities:

- Governing body visits to the school
- Senior leadership team discussions with children and staff
- Pupil questionnaires
- Frequent scrutiny of attendance data
- Regular analysis of a range of risk assessments
- Regular analysis of appropriate provision for the fulfilment of other safeguarding responsibilities relevant to the school
- Logs of bullying and/or significant behaviour incidents are reviewed regularly by the senior leadership team and reported to the governing body
- Regular review of parental concerns and parental questionnaires
- Regular review of the use of pupil activities at lunchtime and after school
- Active monitoring of the site by duty staff

Internal contact details

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| DSL (Senior school)  | Michael Harle (Deputy Head Pastoral)<br><a href="mailto:mjh@kingschseter.co.uk">mjh@kingschseter.co.uk</a><br>Mobile tel: 07795528817 |
| DSL (Junior School and Willow Lodge)<br>With responsibility for EYFS | Margaret Ainsworth (Head teacher)<br><a href="mailto:maa@kingschester.co.uk">maa@kingschester.co.uk</a><br>Mobile tel: 07737466792    |
| Deputy DSLs  | Laura Jones (School Nurse)<br>Claire Sumner (Assistant Head Pastoral)<br>Alan Griffiths (Deputy Head JS)                              |

External Agency Contact Information

The school's local authority is **Cheshire West and Chester**.

[Website www.cheshirewestlscb.org.uk](http://www.cheshirewestlscb.org.uk)

Tel: 0151 356 6494

**Integrated Access and Referral**

Email (ordinary): [i-ART@cheshirewestandchester.gov.uk](mailto:i-ART@cheshirewestandchester.gov.uk) Tel: 0300 123 7047

Out of Hours Emergency Duty Team Tel: 01244 977 277

The Local Authority Designated Officer is Paul Jenkins

The Children's Safeguarding Unit

4, Civic Way [Floor 4]

Ellesmere Port

Cheshire

Tel: 0151 337 4570

Fax : 0151 355 4692

Police Emergency - 999

Police None-Emergency - 101

Local Police Non-Emergency – 0845 458 0000

**NSPCC** *What you can do to report abuse helpline* – **0800 028 0285**

[help@nspcc.org.uk](mailto:help@nspcc.org.uk)

**Disclosure and Barring Service** PO Box 181, Darlington, DL1 9FA Tel: 01325 953795

**Teaching Regulations Agency (Teacher misconduct)** Tel: 0207 593 5393

**DfE advice helpline for staff and governors** Tel: 020 7340 7264

Department for Education Publications

Keeping Children Safe in Education Part 1 (September 2019)

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/836144/Keeping\\_children\\_safe\\_in\\_education\\_part\\_1\\_2019.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/836144/Keeping_children_safe_in_education_part_1_2019.pdf)

What to do if you're worried a child is being abused (March 2015)

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/419604/What\\_to\\_do\\_if\\_you\\_re\\_worried\\_a\\_child\\_is\\_being\\_abused.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/419604/What_to_do_if_you_re_worried_a_child_is_being_abused.pdf)

Information Sharing (July 2018)

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/721581/Information\\_sharing\\_advice\\_practitioners\\_safeguarding\\_services.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/721581/Information_sharing_advice_practitioners_safeguarding_services.pdf)

## PROCEDURE FOR DEALING WITH ALLEGATIONS OR CONCERNS ABOUT A CHILD

The school treats the safeguarding of the pupils in its care as the highest priority and recognises the important role it has to play in the recognition and referral of children who may be at risk. All our school staff are made aware of their duty to safeguard and promote the welfare of children in the school's care. **If, at any point, there is a risk of immediate serious harm to a child a referral should be made to children's social care immediately. Anybody can make this referral.**

Every member of staff, including part-timers, temporary, visiting, contract and volunteer staff working in school is required to report instances of actual or suspected child abuse or neglect to the DSL. This includes alleged abuse by one or more pupils against another pupil. Where the allegation(s) concern the DSL the staff member should report the matter to the Headmaster, or where they concern the Headmaster to the Chairman of Governors.

The DSL will report safeguarding concerns to the Headmaster. Where there is reasonable cause to suspect that a child is suffering, or likely to suffer significant harm, a referral to local agencies will be made within 24 hours of the safeguarding issue being raised. Should there be children in need of additional support from one or more agencies, the school will ensure that they participate fully in any discussions to ensure that all available support is secured.

If a member of staff is made aware of any allegation of abuse, or if knowledge of possible abuse comes to his/her attention it is his/her duty to listen to the child, to provide re-assurance and to record the child's statements, but not to probe or put words into the child's mouth.

On hearing an allegation of abuse or complaint about abuse directly from a child, a member of staff should limit questioning to the minimum necessary for clarification. Listen and observe carefully and record in detail what you have seen and been told. Respond without showing signs of disbelief, anxiety or shock. Offer reassurance that the pupil is not to blame for any abuse experienced. Affirm the pupil's feelings as expressed; do not tell the pupil how to feel.

Leading questions should be avoided. Do not confuse taking seriously what the pupil says with believing what is said. No inappropriate guarantees of confidentiality should be given; rather the child should be told that the matter will be referred in confidence to the appropriate people in positions of responsibility; explain that you will have to speak to the DSL.

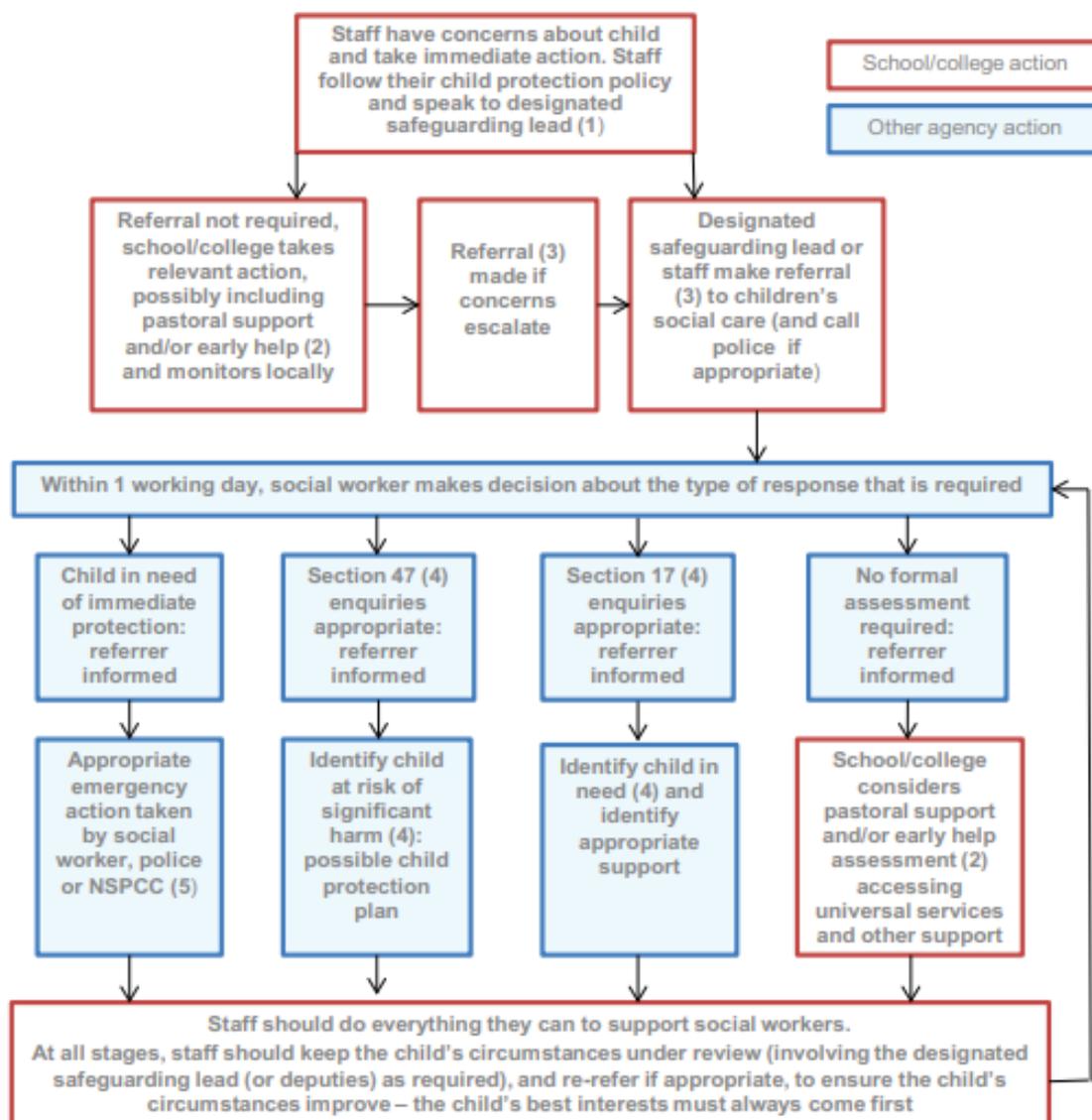
The member of staff should make and submit an accurate written record and inform the Headmaster and the DSL immediately so that appropriate agencies can be informed within 24 hours and the matter resolved without delay. The DSL will contact the Local Authority Designated Officer (LADO) for advice or direction. The responsibility of the adult to whom a disclosure about alleged abuse is made is to observe, record and report to the DSL. It is also their responsibility to follow up if they feel that no action has been taken.

It is the responsibility of those carrying out an investigation (police, social services) to question and to test the evidence. So the evidence will be tested later by trained professionals.

The subsequent treatment of pupils will include:

- Helping the pupil to have as much privacy as may be wished and to be as normal as possible.
- Being as observant as possible to stop the pupil being harassed by other children who know about the abuse.
- Doing everything possible to ensure that the pupil is supported rather than censured.

## Actions where there are concerns about a child



(1) In cases which also involve a concern or an allegation of abuse against a staff member, see Part four of this guidance.

(2) Early help means providing support as soon as a problem emerges at any point in a child's life. Where a child would benefit from co-ordinated early help, an early help inter-agency assessment should be arranged. Chapter one of [Working Together to Safeguard Children](#) provides detailed guidance on the early help process.

(3) Referrals should follow the process set out in the local threshold document and local protocol for assessment. Chapter one of [Working Together to Safeguard Children](#).

(4) Under the Children Act 1989, local authorities are required to provide services for children in need for the purposes of safeguarding and promoting their welfare. Children in need may be assessed under section 17 of the Children Act 1989. Under section 47 of the Children Act 1989, where a local authority has reasonable cause to suspect that a child is suffering or likely to suffer significant harm, it has a duty to make enquiries to decide whether to take action to safeguard or promote the child's welfare. Full details are in Chapter one of [Working Together to Safeguard Children](#).

(5) This could include applying for an Emergency Protection Order (EPO).

## PROCEDURE FOR MANAGING CASES OF ALLEGATIONS AGAINST ADULTS WHO WORK WITH CHILDREN

The Headmaster/DSL will refer all allegations or suspicions of abuse or cases where there is reasonable cause to suspect a child is suffering, or is likely to suffer significant harm, to the local authority designated officer (LADO) within 24 hours.

Borderline cases will be discussed with the LADO without identifying individuals in the first instance and following discussions the LADO will judge whether or not an allegation or concern meet the relevant threshold. The LADO and the Headmaster/DSL will decide in the circumstances what further steps should be taken. This could involve informing parents and calling the police.

If the allegation concerns a member of staff, a volunteer or another pupil he/she would normally be informed as soon as possible after the result of any initial investigation authorised or conducted by the LADO is known. Advice will always be sought from the LADO first, however. The school will normally appoint a member of staff to keep the person informed of the likely course of action and the progress of the case.

The outcome of investigation of an allegation will record whether it is substantiated (sufficient evidence either to prove or disprove it), unsubstantiated (insufficient evidence either to prove or disprove it), false (sufficient evidence to disprove it) or malicious (sufficient evidence to disprove it and that there has been a deliberate act to deceive). If it is established that the allegation is malicious, no details of the allegation will be retained on the individual's personnel records. In all other circumstances a written record will be made of the decision and retained on the individual's personnel file in accordance with DfE advice.

If the LADO or any of the statutory child protection authorities decide to take the case further, any staff member concerned may be suspended if this is felt appropriate. The reasons and justification for suspension will be recorded and the staff member informed of them. In the case of staff the matter will be dealt with in accordance with the Disciplinary Procedure. In the case of a pupil the matter will be dealt with under the School's behaviour Policy.

During the course of the investigation the school in consultation with the LADO will decide what information should be given to parents, staff and other pupils and how press enquiries are to be dealt with. In reaching their decision due consideration will be given to the provisions in the Education Act 2011 relating to reporting restrictions identifying teachers who are the subject of allegations from pupils.

Any pupils who are involved will receive appropriate care. If an investigation leads to the dismissal or resignation prior to dismissal of a member of teaching staff, the school will consider making a referral to the National College for Teaching and Leadership (NCTL) and a prohibition order may be appropriate (because that teacher has displayed unacceptable professional conduct, conduct that may bring the profession into disrepute or a conviction at any time for a relevant offence). The school will make a serious incident report to the Charity Commission whenever the Commission's guidelines deem it appropriate to do so.

We follow Disclosure and Barring Services (DBS) guidance and procedures regarding referrals and barring decisions and the Safeguarding Vulnerable Groups Act 2006 and the Safeguarding Vulnerable Groups Act (Prescribed Criteria and Miscellaneous Provisions) Regulations 2009. The school will

report to the DBS, within one month of leaving the school any person (whether employed, contracted, a volunteer or a student) whose services are no longer used because he or she is considered unsuitable to work with children. This includes dismissal, non-renewal of a fixed term contract, no longer using a supply teacher engaged directly or supplied by an agency, terminating the placement of a trainee or volunteer, no longer using staff employed by a contractor and resignation and voluntary withdrawal from any of the above.



CHESHIRE WEST AND CHESTER LOCAL SAFEGUARDING CHILDREN BOARD MARCH 2019

## PROCEDURE FOR MANAGING CASES OF ALLEGATIONS AGAINST ADULTS WHO WORK WITH CHILDREN (INCLUDING FOSTER CARERS)

1.1 These procedures (*Full details in link below*) are based on the Working Together to Safeguard Children framework for dealing with allegations made against a person who works with or on behalf of children and should be applied when there is an allegation that a person who works or volunteers with a child 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

<https://www.cheshirewestlscb.org.uk/policy-and-procedures/allegations-management-lado/>

The Local Authority Designated Officer is Paul Jenkins and he is based at

The Children's Safeguarding Unit

4, Civic Way [Floor 4]

Ellesmere Port

Cheshire

Tel: 0151 337 4570

Fax : 0151 355 4692

## SAFEGUARDING PUPILS WHO ARE VULNERABLE TO EXTREMISM

Since 2010, when the Government published the Prevent Strategy, there has been an awareness of the specific need to safeguard children, young people and families from violent extremism. There have been several occasions both locally and nationally in which extremist groups have attempted to radicalise vulnerable children and young people to hold extreme views including views justifying political, religious, sexist or racist violence, or to steer them into a rigid and narrow ideology that is intolerant of diversity and leaves them vulnerable to future radicalisation.

**The Prevent Strategy has three main objectives:**

- Respond to the **ideological challenge** of terrorism & the threat we face from those who promote it;
- **Prevent people from being drawn into terrorism** and ensure that they are given appropriate advice and support;
- Work with **sectors and institutions** where there are risks of radicalisation which we need to address.

Cheshire Police Prevent Coordinator

Emma Hart

[Emma.hart@cheshire.pnn.police.uk](mailto:Emma.hart@cheshire.pnn.police.uk)

01606 362147

Alternatively, there are the following national contacts available:

Anti-Terrorist Hotline    0800 789 321

Text phone service        0800 032 4539

The King's School values freedom of speech and the expression of beliefs / ideology as fundamental rights underpinning our society's values. Both pupils and teachers have the right to speak freely and voice their opinions. However, freedom comes with responsibility and free speech that is designed to manipulate the vulnerable or that leads to violence and harm of others goes against the moral principles in which freedom of speech is valued. Free speech is not an unqualified privilege; it is subject to laws and policies governing equality, human rights, community safety and community cohesion.

The current threat from terrorism in the United Kingdom may include the exploitation of vulnerable people, to involve them in terrorism or in activity in support of terrorism. The normalisation of extreme views may also make children and young people vulnerable to future manipulation and exploitation. The King's School is clear that this exploitation and radicalisation should be viewed as a safeguarding concern.

The school governors, the Headmaster and the DSL will assess the level of risk within the school and put actions in place to reduce that risk. This risk assessment will be reviewed annually alongside all aspects of safeguarding.

Our school, like all others, is required to identify a Prevent **Single Point of Contact** (SPOC) who will be the lead within the organisation for safeguarding in relation to protecting individuals from radicalisation and involvement in terrorism: this will normally be the Designated Safeguarding Lead. The SPOC for The King's School is Mr Michael Harle. If a member of staff has concerns that a pupil may be at risk of radicalisation or involvement in terrorism, they should speak with the SPOC/DSL.

Numerous factors can contribute to and influence the range of behaviours that are defined as violent extremism, but most young people do not become involved in extremist action. For this reason the appropriate interventions in any particular case may not have any specific connection to the threat of radicalisation, for example they may address mental health, relationship or drug/alcohol issues.

### **Indicators of vulnerability to radicalisation**

1. Radicalisation refers to the process by which a person comes to support terrorism and forms of extremism leading to terrorism.

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.

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; or
- Foster hatred which might lead to inter-community violence in the UK.

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.

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 school staff are able to recognise those vulnerabilities.

6. Indicators of vulnerability include:

- Identity Crisis – the student / pupil is distanced from their cultural / religious heritage and experiences discomfort about their place in society;
- Personal Crisis – the student / pupil 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 / pupil may have perceptions of injustice; a feeling of failure; rejection of civic life;
  - Experiences of Criminality – which may include involvement with criminal groups, imprisonment, and poor resettlement / reintegration;
  - Special Educational Need – students / pupils may experience difficulties with social interaction, empathy with others, understanding the consequences of their actions and awareness of the motivations of others.
7. However, 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.
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; and
  - Significant changes to appearance and / or behaviour;
  - Experiencing a high level of social isolation resulting in issues of identity crisis and / or personal crisis.

### **Channel**

Channel is a key element of the Prevent strategy. It is a multi-agency approach to protect people at risk from radicalisation. Channel uses existing collaboration between local authorities, statutory partners (such as the education and health sectors, social services, children's and youth services and offender management services), the police and the local community to:

- Identify individuals at risk of being drawn into terrorism
- Assess the nature and extent of that risk
- Develop the most appropriate support plan for the individuals concerned.

Channel is about safeguarding children and adults from being drawn into committing terrorist-related activity. It is about early intervention to protect and divert people away from the risk they face before illegality occurs.

Channel is one tactical option employed by Prevent and has recently been placed on a statutory footing.

To understand more about the Channel Programme further information can be found at [www.gov.uk/government/publications/channel-guidance](http://www.gov.uk/government/publications/channel-guidance)

Non-emergency advice is available at [counter\\_extremism@educatiom.gsi.gov.uk](mailto:counter_extremism@educatiom.gsi.gov.uk)

Cheshire Police also have dedicated Counter-Terrorism Security Advisors (CTSAs) based at Cheshire Police Headquarters in Winsford.

## **SAFEGUARDING PUPILS WHO ARE VULNERABLE TO EXPLOITATION, FORCED MARRIAGE, HONOUR BASED VIOLENCE, FEMALE GENITAL MUTILATION, OR TRAFFICKING**

The King's School Pupil Care policy through the school's values, ethos and behaviour policies provides the basic platform to ensure children and young people are given the support to respect themselves and others, stand up for themselves and protect each other.

The school keeps itself up to date on the latest advice and guidance provided to assist in addressing specific vulnerabilities and forms of exploitation.

The staff are supported to recognise warning signs and symptoms in relation to specific issues, include such issues in an age appropriate way in their curriculum.

The school works with and engages our families and communities to talk about such issues,. The staff are supported to talk to families about sensitive concerns in relation to their children and to find ways to address them together wherever possible.

The Designated Safeguarding Leads know where to seek and get advice as necessary.

The school will bring in experts and uses specialist material to support the work we do.

**It is the mandatory duty of teachers to report to the Police cases where they discover that an act of female genital mutilation appears to have been carried out.** Unless the teacher has a good reason not to they should discuss the issue with the school's DSL and children's social care should be involved as appropriate.

## **PEER ON PEER ABUSE**

There is no clear boundary between incidents that should be regarded as abusive and incidents that are more properly dealt with as bullying, sexual experimentation etc. This is a matter of professional judgement.

If one child or young person causes harm to another, this should not necessarily be dealt with as abuse: bullying, fighting and harassment between children are not generally seen as child protection issues. However, it may be appropriate to regard a young person's behaviour as abusive if:

- There is a large difference in power (for example age, size, ability, development) between the young people concerned; or
- The perpetrator has repeatedly tried to harm one or more other children; or
- There are concerns about the intention of the alleged perpetrator.

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

- Bullying, including cyberbullying
- Physical abuse
- Sexual violence and sexual assault
- Sexual harassment
- Upskirting (now illegal) which typically involves taking a picture under a person's clothes without them knowing

- Sexting
- Initiation/hazing type violence and rituals

If the evidence suggests that there was an intention to cause severe harm to the victim, this should be regarded as abusive whether or not severe harm was actually caused.

Particular difficulties arise in responding to a child or young person who abuses another child because:

- There is no clear dividing line between abusive behaviour and normal childhood behaviour;
- Many adults who abuse children repeatedly established this pattern of behaviour in childhood or adolescence, but a single incident of abuse does not indicate that a young person is likely to abuse again; and
- Some young people who abuse have themselves been abused, but this cannot be assumed in any particular case.

The guiding principles for dealing with these situations are:

- The needs of the victim and the needs of the alleged perpetrator must be considered separately;
- In addition to safeguarding the identified victim, agencies must consider whether the alleged perpetrator seems to pose a risk to any other children;
- Children and young people who abuse others are responsible for their abusive behaviour, and safeguarding action must include addressing their behaviour and its causes;
- The alleged perpetrator is likely to have considerable unmet needs as well as posing a significant risk of harm to other children;
- There should be a co-ordinated approach. No agency should start a course of action that has implications for any other agency without appropriate consultation.

Discussion with pastoral leaders and the DSL will be needed to determine which procedures should be followed initially. Review will be required if new information comes to light or circumstances change.

## **SEXUAL VIOLENCE AND SEXUAL HARASSMENT**

The school

- Makes it clear that sexual violence and sexual harassment are not acceptable, will never be tolerated and are not an inevitable part of growing up;
- Does not tolerate or dismiss sexual violence and sexual harassment as “banter”, “part of growing up”, “just having a laugh” or “boys being boys”;
- Challenges behaviour such as grabbing bottoms, breasts and genitalia and flicking bra straps and lifting up skirts, since dismissing or tolerating such behaviours risks normalising them; and
- Understands that all of the above can be driven by wider societal factors such as sexist stereotypes and sexist language

The school recognises the importance of preventive education, both through the School’s Tutorial programmes, PSHE and specifically Sex and Relationship Education.

## **Definition**

Sexual violence is categorised under the Sexual Offences Act 2003 as Rape, Assault by Penetration and Sexual Assault. In all instances consent has not be given or has been withdrawn.

Sexual harassment means 'unwanted conduct of a sexual nature' that can occur online and offline. This reference to sexual harassment, is in the context of child on child sexual harassment. Sexual harassment is likely to: violate a child's dignity, and/or make them feel intimidated, degraded or humiliated and/or create a hostile, offensive or sexualised environment.

## **Initial response**

The initial response to a report from a child is important and all victims will be reassured that they are being taken seriously and that they will be supported and kept safe. Staff will always act in the best interests of the child.

In the case of reported sexual violence, the police will be contacted immediately and the school will generally inform parents or carers unless there are compelling reasons not to do so.

Where a child has been harmed, is at risk of harm, or is in immediate danger a referral will be made to local children's social care. The DSL will make an immediate risk and needs assessment.

In the case of reported sexual harassment, a risk and needs assessment will be considered and the incident may be managed internally. Early help may be sought at any time in this process.

The referral process outlined below will be followed under the guidance of the DSL or DDSL.

## **Ongoing response**

There will be ongoing safeguarding and support for the victim and alleged perpetrator of sexual violence and sexual harassment in line with KCSIE (September 2019) and Sexual violence and sexual harassment between children in schools and colleges (May 2018).

## **SEXTING (YOUTH PRODUCED SEXUAL IMAGERY): Policy and procedures**

### **Context**

There is no clear definition of 'sexting'. Many consider sexting to be 'sending or posting sexually suggestive images, including nude or semi-nude photographs, via mobiles or over the Internet.' Yet when young people are asked 'What does sexting mean to you?' they are more likely to interpret sexting as 'writing and sharing explicit messages with people they know'. Similarly, many parents think of sexting as flirty or sexual text messages rather than images.

The policy and guidance that follows only covers the sharing of sexual imagery by young people.

On this basis, the phrase 'youth produced sexual imagery' is used rather than 'sexting.' This is in line with guidance from UKCCIS in 'Sexting in schools and colleges: responding to incidents and safeguarding young people'

'Youth produced sexual imagery' best describes the practice because:

- 'Youth produced' includes young people sharing images that they, or another young person, have created of themselves.

- 'Sexual' is clearer than 'indecent.' A judgement of whether something is 'decent' is both a value judgement and dependent on context.
- 'Imagery' covers both still photos and moving videos.

The types of incidents covered are:

- A person under the age of 18 creates and shares sexual imagery of themselves with a peer under the age of 18
- A person under the age of 18 shares sexual imagery created by another person under the age of 18 with a peer under the age of 18 or an adult
- A person under the age of 18 is in possession of sexual imagery created by another person under the age of 18

This advice does not cover:

- The sharing of sexual imagery of people under 18 by adults as this constitutes **child sexual abuse and the school will always inform the police.**
- Young people under the age of 18 sharing adult pornography or exchanging sexual texts which don't contain imagery.

The increase in the speed and ease of sharing imagery has increased concerns about young people producing and sharing sexual imagery of themselves. This can expose them to risks, particularly if the imagery is shared further, including embarrassment, bullying and increased vulnerability to sexual exploitation. Producing and sharing sexual images of under-18s is also illegal.

Although the production of such imagery will likely take place outside of school, these issues often manifest in schools. The School will respond swiftly and confidently to ensure that children are safeguarded, supported and educated.

These procedures are part of the school's safeguarding arrangements and all incidents of youth produced sexual imagery are dealt with as safeguarding concerns. The response to these incidents is guided by the principle of proportionality and the primary concern at all times is the welfare and protection of the young people involved.

### **The Law**

Much of the complexity in responding to youth produced sexual imagery is due to its legal status. Making, possessing and distributing any imagery of someone under 18 which is 'indecent' is illegal. This includes imagery of yourself if you are under 18.

The relevant legislation is contained in the Protection of Children Act 1978 (England and Wales) as amended in the Sexual Offences Act 2003 (England and Wales).

Specifically:

- It is an offence to possess, distribute, show and make indecent images of children.
- The Sexual Offences Act 2003 (England and Wales) defines a child, for the purposes of indecent images, as anyone under the age of 18.

'Indecent' is not defined in legislation. When cases are prosecuted, the question of whether any photograph of a child is indecent is for a jury, magistrate or District Judge to decide based on what is the recognised standard of propriety. For most purposes, if imagery contains a naked young person, a topless girl, and/or displays genitals or sex acts, including masturbation, then it will be considered indecent. Indecent images may also include overtly sexual images of young people in their underwear.

The aim is not, however, to unnecessarily criminalise children. Children with a criminal record face stigma and discrimination in accessing education, training, employment, travel and housing and these obstacles can follow a child into adulthood.

Whilst young people creating and sharing sexual imagery can be very risky, it is often the result of young people's natural curiosity about sex and their exploration of relationships. Often, young people need education, support or safeguarding, not criminalisation.

### **Crime Recording**

Where the police are notified of incidents of youth produced sexual imagery they are obliged, under the Home Office Counting rules and National Crime Recording Standards, to record the incident on their crime systems. The incident will be listed as a 'crime' and the young person involved will be listed as a 'suspect.' **This is not the same as having a criminal record.**

However, there have been concerns that young people could be negatively affected should that crime be disclosed, for example, on an enhanced Disclosure and Barring Service (DBS) check. To mitigate this risk, the NSPCC have worked with the Home Office and the Disclosure and Barring Service and provided policing with a new way of recording the outcome of an investigation into youth produced sexual imagery. This is called outcome 21.

### **Outcome 21**

Every 'crime' recorded on police systems has to be assigned an outcome from a predefined list of outcome codes. As of January 2016 the Home Office launched a new outcome code (outcome 21) to help formalise the discretion available to the police when handling crimes such as youth produced sexual imagery.

#### **Outcome 21 states:**

***Further investigation, resulting from the crime report, which could provide evidence sufficient to support formal action being taken against the suspect is not in the public interest. This is a police decision.***

This means that even though a young person has broken the law and the police could provide evidence that they have done so, the police can record that they chose not to take further action as it was not in the public interest. That said, it is not possible to categorically say that an incident of youth produced sexual imagery recorded on police systems with outcome 21 would never be disclosed on a DBS certificate.

# SEXTING

## Ascertain full circumstances

### Aggravated

*Criminal or abusive elements - Adult involvement or criminal or abusive behaviour by minors such as sexual abuse, extortion, threats, malicious conduct arising from personal conflicts.*

### Experimental

*Youths sending, receiving or forwarding sexually explicit messages, photographs or images of themselves: 1) to share with established boy or girlfriends 2) To create romantic interest in another youth 3) For reasons such as attention seeking( no criminal element/ intent)*

## INVESTIGATION

All checks on Police systems to be conducted, to identify any significant risks.

Ensure the needs of the Victim are considered.

The devices used or owned by the person(s) believed to have shared without consent or who may have exploited the other party should be seized where possible.

It is not necessary to seize their devices. Appropriate advice should be given to remove and delete images/photographs/messages from their devices.

The child victim / reporting person may need to be formally interviewed in accordance with Achieving Best Evidence

Current & future welfare of the child should be assessed.

The Child's welfare will be assessed. Any concerns should be subject to immediate child protection referral.

Once the account has been obtained, the child & their parents or carers should be informed with a full explanation and outcome.

Once an account has been obtained the child / parents or carers should be notified as to the next steps of the investigation.

Ensure Signposting to other services for further advice and support.

## Procedures

These procedures should be read in conjunction with Appendices A to D of *Sexting in schools and colleges: responding to incidents and safeguarding young people*, and the DfE advice *Searching, screening and confiscation (January 2018)*

## Handling incidents

When an incident involving youth produced sexual imagery comes to a school's attention:

- The incident will be referred to the DSL as soon as possible.
- The DSL will hold an initial review meeting with appropriate school staff.
- There will be subsequent interviews with the young people involved (if appropriate).
- Parents 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.
- At any point in the process if there is a concern a young person has been harmed or is at risk of harm a referral will be made immediately to children's social care and/or the police.

## Handling Disclosures

All staff are made aware of the procedures regarding pupil disclosures as part of the Basic Awareness training in addition specific guidance is provided regarding youth produced sexual imagery.

Any direct disclosure by a young person should be taken very seriously. A young person who discloses they are the subject of sexual imagery is likely to be embarrassed and worried about the consequences. It is likely that disclosure in school is a last resort and they may have already tried to resolve the issue themselves.

## Initial Review Meeting

The initial review meeting will consider the initial evidence and aim to establish:

- Whether there is an immediate risk to a young person or young people
- If a referral should be made to the police and/or children's social care
- If it is necessary to view the imagery in order to safeguard the young person – **in most cases, imagery should not be viewed**
- What further information is required to decide on the best response
- Whether the imagery has been shared widely and via what services and/or platforms. This may be unknown.
- Whether immediate action should be taken to delete or remove images from devices or online services
- Any relevant facts about the young people involved which would influence risk assessment
- If there is a need to contact another school, college, setting or individual
- Whether to contact parents or carers of the pupils involved - in most cases parents should be involved

An immediate referral to police and/or children's social care will be made if at this initial stage:

1. The incident involves an adult
2. There is reason to believe that a young person has been coerced, blackmailed or groomed, or if there are concerns about their capacity to consent (for example, owing to special educational needs)
3. 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

4. The imagery involves sexual acts and any pupil in the imagery is under 13
5. There is reason to believe a young person is at immediate risk of harm owing to the sharing of the imagery, for example, the young person is presenting as suicidal or self-harming.

Annex A of *Sexting in schools and colleges: responding to incidents and safeguarding young people* will be used as a guide to inform the questioning and decision making in the initial review.

If none of the above apply then the school may decide to respond to the incident without involving the police or children's social care, although the school may choose to escalate the incident at any time if further information/concerns come to light.

The decision to respond to the incident without involving the police or children's social care will be made by the DSL with input from the Head teacher and input from other members of staff if appropriate. The decision will be clearly recorded and explained.

The decision will be in line with the school's child protection procedures and will be based on consideration of the best interests of the young people involved. This should take into account proportionality as well as the welfare and protection of the young people. The decision will be reviewed throughout the process of responding to the incident.

### **Informing Parents (or Carers)**

Parents (or carers) will be informed and involved in the process at an early stage unless informing the parent will put the young person at risk of harm. Any decision not to inform the parents would generally be made in conjunction with other services such as children's social care and/or the police, who would take the lead in deciding when the parents should be informed.

The DSLs may work with the young people involved to decide on the best approach for informing parents. In some cases, the DSL may work to support the young people to inform their parents themselves.

The advice and information about involving parents and carers in Annex C of *Sexting in schools and colleges: responding to incidents and safeguarding young people* will be followed.

### **Reporting incidents to the police**

If it is necessary to refer to the police, contact will be made through existing arrangements.

Once a report is made to the police, the report has to be recorded and the police will conduct an investigation. This may include seizure of devices and interviews with the young people involved.

### **Securing and handing over devices to the police**

If any devices need to be seized and passed onto the police, then the device(s) should be confiscated and the police should be called. The device should be turned off and placed under lock and key until the police are able to come and retrieve it.

### **Searching devices, viewing and deleting imagery**

#### **Viewing the imagery**

Adults should **not** view youth produced sexual imagery unless there is good and clear reason to do so. Wherever possible responses to incidents will be based on what the DSL has been told about the content of the imagery.

The decision to view imagery will be based on the professional judgement of the DSL and will always comply with the child protection policy and procedures of the school. Imagery will never be viewed if the act of viewing will cause significant distress or harm to the pupil.

If a decision is made to view imagery, the DSL would need to be satisfied that viewing:

- 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)?
- 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
- is unavoidable because a young person has presented an image directly to a staff member or the imagery has been found on a school device or network

If it is necessary to view the imagery, then the DSL should:

- Never copy, print or share the imagery; this is illegal
- Discuss the decision with the Head teacher
- Ensure viewing is undertaken by the DSL or another member of the safeguarding team with delegated authority from the Head teacher
- Ensure viewing takes place with another member of staff present in the room, ideally the Head teacher or a member of the senior leadership team. This staff member does not need to view the images.
- Wherever possible ensure viewing takes place on school or college premises, ideally in the Head teacher or a member of the senior leadership team's office.
- Ensure wherever possible that images are viewed by a staff member of the same sex as the young person in the imagery
- Record the viewing of the imagery in the school's safeguarding records including who was present, why the image was viewed and any subsequent actions Ensure this is signed and dated and meets the wider standards set out by Ofsted for recording safeguarding incidents

If youth produced sexual imagery has been unavoidably viewed by a member of staff either following a disclosure from a young person or as a result of a member of staff undertaking their daily role (such as IT staff monitoring school systems) then the DSL will ensure that the staff member is provided with appropriate support.

### **Deletion of images**

If the school 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.

The *Searching, Screening and Confiscation advice* confirms that schools have the power to search pupils for devices, search data on devices and delete youth produced sexual imagery.

The Education Act 2011 amended the power in the Education Act 1996 to provide that when an electronic device, such as a mobile phone, has been seized, a teacher who has been formally authorised by the Head teacher can examine data or files, and delete these, where there is good reason to do so. This power applies to all schools and there is no need to have parental consent to search through a young person's mobile phone.

If during a search a teacher finds material which concerns them and they reasonably suspect the material has been or could be used to cause harm or commit an offence, they can decide whether they should delete the material or retain it as evidence of a criminal offence or a breach of school discipline. They can also decide whether the material is of such seriousness that the police need to be involved.

However, just as in most circumstances it is not recommended that school staff view imagery, it is recommended that schools should not search through devices and delete imagery unless there is good and clear reason to do so.

It is recommended that in most cases young people are asked to delete imagery and to confirm that they have deleted the imagery. Young people should be given a deadline for deletion across all devices, online storage or social media sites.

Young people should be reminded that possession of youth produced sexual imagery is illegal. They should be informed that if they refuse or it is later discovered they did not delete the image they are committing a criminal offence and the police may become involved. All of these decisions need to be recorded, including times, dates and reasons for decisions made and logged in the safeguarding records. Parents and carers should also be informed unless this presents a further risk to the young person.

### **Reporting youth produced sexual imagery online**

Young people may need help and support with the removal of imagery from devices and social media, especially if they are distressed. It is recognised that most online service providers offer a reporting function for account holders and some offer a public reporting function to enable a third party to make a report on behalf of the young person. This information is readily available to parents and pupils.

### **Interviewing and talking to the young person/people involved**

Once a school has assessed a young person as not at immediate risk, it may be necessary to have a conversation with them and decide the best course of action. If possible, the DSL will carry out this conversation. However, if the young person feels more comfortable talking to a different teacher, this will be facilitated where possible.

When discussing the sharing of youth produced sexual imagery, the DSL will:

- Recognise the pressures that young people can be under to take part in sharing such imagery and, if relevant, supports the young person's parents to understand the wider issues and motivations around this.
- Remain solution-focused and avoids questions such as 'why have you done this?' as this may prevent the young person from talking about what has happened.
- Reassure the young person that they are not alone and the school or college will do everything that they can to help and support them.
- Help the young person to understand what has happened by discussing the wider pressures that they may face and the motivations of the person that sent on the imagery.
- Discuss issues of consent and trust within healthy relationships. Explain that it is not ok for someone to make them feel uncomfortable, to pressure them into doing things that they don't want to do, or to show them things that they are unhappy about.
- Let them know that they can speak to the DSL if this ever happens.

The purpose of the conversation is to:

- Identify, **without looking**, what the image contains and whether anyone else has been involved.
- Find out who has seen or shared the image and how further distribution can be prevented.

### **Recording incidents**

All incidents relating to youth produced sexual imagery will be recorded. This includes incidents that have been referred to external agencies and those that have not.

Records will:

- be kept up to date and complete.
- demonstrate both effective identification and management of the risk of harm.

- demonstrate sound decision-making, appropriate responses to concerns and evidence of relevant referrals made in a timely manner.
- will indicate that appropriate action is taken in response to concerns and allegations in a timely manner.

If appropriate records will also:

- show evidence of tenacity in following up concerns with relevant agencies.
- provide evidence of effective partnership working and sharing of information.
- show evidence of attendance at or contribution to inter-agency meetings and conferences.
- indicate clarity about the school's policy relating to the sharing of information internally, safe keeping of records, and transfer when a pupil leaves the school.

In addition, where schools do not refer incidents out to police or children's social care they should record their reason for doing so and ensure that this is signed off by the Head teacher.

## STAFF CODE OF CONDUCT

The safety and welfare of all our pupils at The King's School, Chester, including those in the EYFS, is our highest priority. Our business is to know everyone as an individual and to provide a secure and caring environment so that every pupil can learn in safety. In all matters relating to child protection the school will follow the procedures laid down by Cheshire West and Chester Safeguarding Children Partnership together with DfE guidance contained in Working Together to Safeguard Children July 2018 and Keeping Children Safe in Education September 2019.

All members of staff have a duty to safeguard our pupils' welfare and must therefore familiarise themselves and comply at all times with the Child Protection Policy (3.1), the Whistle blowing Policy (3.2) and arrangements for managing allegations against staff. All school staff should be aware that safeguarding incidents can happen at any time and anywhere and are required to be alert to any possible concerns. The staff set the standards and all have a part to play in ensuring the ethos of the School is maintained. School Policies provide specific guidance and procedures for staff to follow. Failure to follow Code of Conduct or all School procedures may result in formal disciplinary procedures being instigated.

### **All Staff should:**

- 1 Actively support and promote the school's values (Aspire, Respect, Collaborate)
  - 2 Conduct themselves in a professional manner and provide a good role model, both in and out of the School and should always consider whether their actions are warranted, proportionate, safe and applied equitably.
  - 3 Exercise their duty of care towards pupils and take all reasonable steps to ensure the safety of pupils and other staff by following the Health and Safety Policy, the Child Protection Policy (3.1) and the Whistle blowing Policy (3.2)
- All staff are expected to read these policies annually to ensure they are up to date with their requirements.*
- 4 Acknowledge that this duty of care extends to off-site activities and visits (both residential and non-residential).
  - 5 Be in keeping with the School's guidance on Dress and Appearance.
  - 6 Consider carefully the physical setting and nature of any interaction with pupils so as not to lay themselves open to any undue suspicion or accusation.
  - 7 Be aware that working in one to one situations with pupils, including visiting staff from external organisations, can make them more vulnerable to allegations or complaints.
  - 8 Show respect for pupils, parents and colleagues through trust, integrity, honesty and courtesy with consideration for all without prejudice towards creed, disability, age, gender, sexual orientation or race.
  - 9 Fulfil an appropriate pastoral role and support pupils on their emotional, intellectual, physical, social and spiritual development putting the wellbeing, development and progress of the child first.

- 10 Communicate effectively and work collaboratively and supportively with colleagues.
- 11 Use professional discretion regarding information about pupils, parents and colleagues.
- 12 Ensure that any one-to-one interaction with pupils follows good safeguarding practice in accordance with training provided by the School.
- 13 Maintain and respect School property, restricting the use of School equipment and resources to professional use, unless specific permission is given by the relevant member of staff.
- 14 Declare any conflict of interest if and when appropriate.
- 15 Adhere to the rules, regulations and guidelines contained in their contract of employment, all School Policies and The Staff Handbook.

**Staff must not:**

- 1 Act in any way that brings the School into disrepute;
- 2 Use abusive language or exhibit belittling or bullying behaviours;
- 3 Use corporal punishment, unreasonable restraint or any form of degrading or humiliating treatment to punish a child. The use of sarcasm, demeaning or insensitive comments towards children is completely unacceptable. Where pupils display difficult or challenging behaviour, adults should follow the Behaviour Policy (3.4) using strategies appropriate to the circumstance and situation.
- 4 Offer unreserved confidentiality. Equally staff should never use confidential or personal information about a pupil or her/his family for their own, or others. Information must never be used to intimidate, humiliate, or embarrass the child. Confidential information should never be used casually in conversation or shared with any person other than on a need-to-know basis.
- 5 Conduct any form of physical or intimate relationship with a pupil or with a former pupil that had its grounding in a staff-pupil connection. Staff should always maintain appropriate professional boundaries, avoid behaviour which could be misinterpreted by others and report and record any such incident. Where a person aged 18 or over is in a position of trust with a child under 18, it is an offence for that person to engage in sexual activity with or in the presence of that child, or to cause or incite that child to engage in or watch sexual activity.
- 6 View, download or send pornographic, racist or violent material via the school network;
- 7 Take illegal drugs or any other illegal substances; be under the influence of alcohol while teaching, on duty, or in professional capacity; condone any illegal drinking, drug taking, smoking or other breaches of School rules by pupils;
- 8 Communicate with pupils by personal e-mail, personal mobile phones or personal social media.
- 9 Share their network passwords with pupils or colleagues or allow others to access the network in their name.
- 10 Tolerate behaviour from colleagues or pupils which is contrary to the School's values or breaches this code of conduct. Staff should challenge such behaviour and, if appropriate, inform their line manager or the member of KLT if they are aware of behaviour, whether their own, of pupils, colleagues or parents, which is clearly contrary to the School's values or code of conduct of the school. In this context, inaction may constitute a breach of this code of conduct.