

Safeguarding and Child Protection Policy



This policy outlines the fundamental aims which underpin all aspects of safeguarding at Tots Academy.

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SAFEGUARDING POLICY

1. INTRODUCTION

Safeguarding is defined as –

- Protecting children from maltreatment;
- Preventing impairment of children's mental and physical health or development;
- Ensuring that children are growing up in circumstances consistent with the provision of safe and effective care; and
- Taking action to enable all children to have the best life chances.

Child Protection is defined as –

- The activity that is undertaken to protect specific children who are suffering or likely to suffer significant harm.

A child is defined as anyone who has not yet reached their 18th birthday. 'Children' therefore means children and young people throughout.

(Working Together, DfE 2018)

This includes, but is not limited to, safeguarding children in specific circumstances such as:

Neglect	Physical abuse
Emotional abuse	Sexual abuse
Bullying, including online and prejudice-based bullying	Racist, disability and homophobic or transphobic abuse
Gender based violence / violence against women and girls	Radicalisation and /or extremist behaviour
Child Sexual Exploitation and trafficking	The impact of new technologies on sexual behaviour: e.g. Youth Produced Sexual imagery
Teenage relationship abuse	Substance abuse
Gang / youth violence including initiation / hazing	Domestic abuse / violence (including being a witness)
Female Genital Mutilation	Forced Marriage
Fabricated / induced illness	Poor parenting
Online including grooming via social networking, online gaming, video messaging	Peer on peer abuse, including "Upskirting"
Self-Harm behaviours	Children with mental health difficulties or illness
Serious violent crime (at risk from, or involved with)	Child Criminal Exploitation, including County Lines

Tots Academy is committed to safeguarding and promoting the welfare of all its children. We believe that:

- All children/young people have equal right to be protected from harm.
- Children/young people need support which matches their individual needs, including those who may have experienced abuse.
- All children/young people have the right to speak freely and voice their values and beliefs.
- All children/young people must be encouraged to respect each other's values and support each other.
- All children/young people have the right to be supported to meet their emotional, and social needs as well as their educational needs.
- Schools can and do contribute to the prevention of abuse, victimisation, bullying, exploitation, extreme behaviours, discriminatory views and risk-taking behaviours and
- All staff, volunteers and visitors have an important role to play in safeguarding children and protecting them from abuse.
- Everyone is responsible. Staff will not assume that somebody else will take action and share information that might be critical in keeping children safe.

Tots Academy will fulfil local and national responsibilities as laid out in the following documents :-

Working Together to Safeguard Children (DfE 2018)
Keeping Children Safe in Education (DfE September 2020) – and additional statutory guidance 'Disqualification under the Childcare Act 2006'
The procedures of Luton Safeguarding Children Board
The Children Act 1989
The Education Act 2002 s175 / s157
What to do if you are worried a child is being abused (DfE, 2015)
Use of reasonable force in schools (DfE, 2013)
Mental Health and Behaviour in Schools: Departmental Advice (DfE, 2016)
Preventing and Tackling Bullying: Advice for Head Teachers, Staff and Governing Bodies (DfE, 2017)
Prevent Duty, Counter Terrorism and Security Act 2015
Serious Crime Act 2015
The use of social media for on-line radicalisation (HMGov/DfE July 2015)
Sexting in Schools and Colleges: responding to incidents and safeguarding young people (UK Council for Child Internet Safety, 2016)
Criminal exploitation of children and vulnerable adults county lines (Home office guidance)
Children missing education (DfE advice for schools)
Child missing from home or care (DfE statutory guidance)
Child sexual exploitation advice for practitioners (DfE advice for practitioners)
Domestic abuse (Home Office advice)
Drugs (DfE and ACPO guidance)

2. OVERALL AIMS

This policy will contribute to safeguarding our children and promoting their welfare by:

- Clarifying standards of behaviour for staff and children.
- Contributing to the establishment of a safe, resilient and robust ethos in the school, built on mutual respect, and shared values.
- Creating an organisational culture that is safe for children.
- Introducing appropriate work within the curriculum.
- Encouraging children and parents to participate.
- Developing staff awareness of the risks and vulnerabilities children face to enable them to recognise and respond to concerns.
- Addressing concerns at the earliest possible stage in the least intrusive way.

3. KEY PRINCIPLES

- a. We will always see the child first and consider what life is like for the child maintaining a culture of vigilance.
- b. Focus on the importance of children receiving the right help at the right time to address risks and prevent issues escalating.
- c. Provide support and intervention at the earliest possible opportunity in the least intrusive way in accordance with Luton LSCB Thresholds Framework (until 28.09.19) then from 29.09.19, the Safeguarding Partners with shared and equal duty to work together to safeguard and promote the welfare of children (Local Authority, Clinical Commissioning Group, Chief of Police)
- d. Have conversations, build relationships and maintain professional curiosity.
- e. Focus on securing improved outcomes for children, considering at all times, what is in the best interests of the child.
- f. Build a culture of openness and transparency where all staff are able to demonstrate understanding of their role and responsibility to safeguard and promote the welfare of children.
- g. Ensure that every child is entitled to a rich and rounded curriculum.

When issues arise, the Nursery Manager will speak out, address issues internally where possible and engage in a multi-agency response when required in accordance with interagency procedures.

4. KEY PROCESSES

All staff are aware of the guidance issued by Luton Safeguarding Children Board (effective until 28.09.19) and from 29.09.19 the Safeguarding Partners, to secure support and intervention for children and young people at the earliest possible opportunity in the least intrusive way.

<http://lutonlscb.org.uk/public/threshold-framework/>

This document is integral to safeguarding children in Luton educational establishments and will always be used to underpin decision making.

This Safeguarding and Child Protection policy will clarify standards of behaviour for staff and children, contribute to the establishment of a safe, resilient and robust ethos in the school, built on mutual respect and shared values, creating an organisational culture that is safe for children.

The nursery will introduce appropriate work within the curriculum to encourage a safe ethos and develop staff awareness of the risks and vulnerabilities children face to enable them to recognise and respond to concerns and address concerns at the earliest possible stage in the least intrusive way.

5. EXPECTATIONS

All staff will

- Be familiar with this safeguarding policy and implement this consistently in the course of their work with children and young people
- Undertake referrals of child protection concern to Children's Services in the absence of the Designated Safeguarding Lead
- Be subject to Safer Recruitment processes and checks, whether they are new staff, supply staff, contractors, volunteers etc.
- Be involved in the implementation of individual education programmes, early help assessments and plans, child in need plans and interagency child protection plans
- Be alert to signs and indicators of safeguarding concerns and possible abuse
- Be aware that abuse, neglect and safeguarding issues are rarely stand-alone events that can be covered by one definition or label. In most cases, multiple issues will overlap with one another
- Be aware that safeguarding incidents and/or behaviours can be associated with factors outside the school or college and/or can occur between children outside of these environments. All staff, but especially the designated safeguarding lead (and deputies) should consider whether children are at risk of abuse or exploitation in situations outside their families. Extra-familial harms take a variety of different forms and children can be vulnerable to multiple harms including (but not limited to) sexual exploitation, criminal exploitation, and serious youth violence
- Record concerns and give the record to the Designated Safeguarding Lead
- Recognise and respond to concerns about the behaviour of staff (including supply teachers), students and volunteers which indicates they may pose a risk of harm to children following interagency procedures agreed by the LSCB (change to the Safeguarding Partners end Sept 19)
- Deal with a disclosure of abuse from a child in line with the guidance in Appendix 2.

Training

- All staff will receive foundation training at the point of induction. This will be regularly updated at a minimum of three-year intervals. The Designated Safeguarding Lead together with named deputies will undertake additional higher-level training in order to ensure they have the appropriate knowledge and skills to undertake the role and will utilise the training opportunities available from the LSCB Safeguarding Partners and other organisations as agreed by the Trustees. This training will be regularly updated at a minimum of two-year intervals.

- In addition to the above, all staff will receive annual safeguarding updates which may include E-learning, circulation of information and guidance internally, staff meetings, INSET training. The subject/topics for training and updates will take into consideration LSCB (Safeguarding Partners Sept 19) priorities, local context, needs of our pupils and identified training needs of staff.
- All training will incorporate safeguarding children in specific circumstances which includes, but is not limited to Child Sexual Exploitation (CSE), Female Genital Mutilation (FGM), vulnerability to radicalisation and peer on peer abuse. The training will ensure that Peer on Peer abuse is never seen as 'banter' or part of growing up and incorporates issues of sexually harmful behaviours such as "upskirting", sexual touching or assault and gang initiation or hazing type violence.
- The training recognises how alcohol use, drug use, truanting and youth generated sexualised imagery increases risks of harm to children. In addition, the training will also ensure staff have the skills and knowledge about the additional vulnerability of Looked After Children.

Mobile phones and Cameras

It is our intention to provide an environment in which children are safe from images being recorded and inappropriately used.

Mobile phones

- Visitors to the nursery will be asked to leave their mobile phones in the nursery office when they sign in.
- Parents will be asked to turn off mobile phones while in the nursery building or playground areas and not use phones.
- Parents are not to use mobile phones whilst accompanying children on trips.
- Staff will be instructed to leave their mobile phones in the staff room. Mobile phones cannot be used in classrooms in front of children or used to take photographic evidence of activities.
- The use of mobile phones is prohibited in all areas of the school with the exception of the nursery staffroom and office.

Cameras: Photographs taken for the purposes of recording a child or group of children participating in activities in the nursery, or celebrating their achievements is an effective form of recording progression. The following applies:

- Only designated Tots Academy cameras will be used to take photographs within the nursery environment or on outings.
- On joining the nursery parents/carers will be asked to sign a consent form to allow photographs to be taken. If their consent is refused, staff will be made aware that individual children must be excluded from having their photograph taken.
- Images taken on nursery cameras must be deemed suitable without putting the children in any compromising positions

- Staff are responsible for the safekeeping of the camera equipment and returning them to locked storage and for downloading and printing pictures used for profiling.
- Photographs used for the nursery prospectus and website will not lead to any child's identification
- The appointed DSL will monitor staff computer usage on a regular basis to ensure correct procedures are complied with
- For nursery classes under no circumstances will cameras of any kind be taken into toilet/bathroom areas. Where photographs need to be taken of children washing their hands permission from the Nursery Manager must be sought and staff supervised with the door to the facilities remaining open.

In addition

- The nursery will remedy any deficiencies or weaknesses brought to its attention without delay; and recognise the importance of utilising the expertise of the Designated Safeguarding Lead and Deputy in shaping safeguarding arrangements.
- There are appropriate online filtering and monitoring systems within the nursery which safeguard children from accessing inappropriate or harmful online material. Over blocking of material which could impair children's independent research and learning will be avoided.
- The curriculum is delivered in such a way to include educating children at an age appropriate level about how to stay safe.
- The nursery will ensure that there are processes in place which enables children and young people to express their wishes and feelings and provide feedback.

Temporary staff, volunteers and visitors will be made aware of the arrangements for child protection and their responsibilities.

6. THE DESIGNATED SAFEGUARDING LEAD

The **Designated Safeguarding Lead**, Caroline Beach (Nursery Manager) takes lead responsibility for coordinating all child protection activity within the nursery. During term time, the designated safeguarding lead and/or a deputy will always be available (during nursery hours) for staff in the nursery to discuss any safeguarding concerns. She will provide support to staff members to carry out their safeguarding duties and will liaise closely with other services such as the early help hub, children's social care, health, police etc. This person has lead responsibility and management oversight for safeguarding and child protection.

The Designated Safeguarding Lead is supported by a Deputy, Jodie Jobson. The Deputy Designated Safeguarding Lead is trained to the same level as the Designated Safeguarding Lead and will undertake this role operationally with direct oversight and management from the Designated Safeguarding Lead, who will maintain lead responsibility.

The Proprietor of the Nursery is Dr Andrew Cook (Head of King's House School)

The Trustee with responsibility for Safeguarding is Mr Jonathan Egan.

When the nursery has concerns about a child, the Designated Safeguarding Lead or Deputy will decide what steps should be taken in accordance with the LSCB (Safeguarding Partners from Sept 19) Thresholds Framework and initiate a response accordingly. This may include

providing a single agency early help response, undertaking an early help assessment or referral to Children's Social Care for a statutory social work assessment. The proprietor will be kept apprised of cases as appropriate.

The Designated Safeguarding Lead will

- Support staff who make referrals to the Local Authority Children's Social Care and act as a source of support, advice and expertise for all staff.
- Focus on DSL training to ensure they have good understanding of their role and responsibilities, processes, and responsibilities of other agencies.
- Be aware of pupils who have a social worker.
- Recognise additional risks of children with SEND.
- Understand the risks associated with online safety, and have relevant up to date knowledge to keep children safe online at school and at home.
- Refer cases to the Police where a crime may have been committed.
- Understand the Prevent Duty and work with the designated Prevent SPOC (see section 12) to seek advice with regard to safeguarding matters related to radicalisation and make referrals to Channel as required.
- Liaise with the Proprietor regarding allegations to ensure where necessary referrals have been made to the Disclosure and Barring Service when a person is dismissed or resigned due to risk/harm to a child.
- Lead regular case monitoring reviews of vulnerable children. These reviews, together with any actions arising from the review and the rationale for decision making will be recorded in case files.
- Ensure that safeguarding and child protection information is dealt with in a confidential manner and in accordance with the LSCB (Safeguarding Partners from Sept 19) information sharing guidance. Staff will be informed of relevant details only when the Designated Safeguarding Lead feels their having knowledge of a situation will improve their ability to deal with an individual child and/or family. A written record will be made of what information has been shared with whom, and when. This will be retained within the child's safeguarding file.
- Help promote educational outcomes by sharing the information about the welfare, safeguarding and child protection issues that children, including children with a social worker, are experiencing, or have experienced, with teachers and nursery leadership staff.
- Keep detailed and accurate safeguarding and child protection records that are stored securely in a central place separate from academic records. Individual files will be kept for each child: the nursery will not keep family files. They are retained in a locked, secure filing cabinet.

- Ensure that access to safeguarding and child protection records by staff other than by the Designated Safeguarding Lead are restricted, and a written record will be kept of who has had access to them and when. This will be recorded within the child's safeguarding file. They are retained in a locked, secure filing cabinet.
- Ensure that parents are (subject to the point below) aware of information held on their children and are kept up to date regarding any concerns or developments by the appropriate members of staff. General communications with parents will be in line with any home school policies and give due regard to which adults have parental responsibility.

The Designated Safeguarding Lead will not disclose to a parent any information held on a child if this would put the child at risk of significant harm. In such circumstances, advice will be sought from Children's Social Care.

If a child moves from the nursery, the Designated Safeguarding Lead will ensure child protection records are forwarded on to the Designated Safeguarding Lead at the new setting, with due regard to their confidential nature and in line with current government guidance on the transfer of such records.

Direct contact between may be necessary, especially on transfer from nursery to primary schools. Where and to whom the records have been passed and the date will be recorded. The practice guidance produced by LSCB (Safeguarding Partners Sept 19) will be adhered to in relation to archiving child protection records.

If sending by post, children's records will be sent by "Special/Recorded Delivery". For audit purposes a note of all children's records transferred or received should be kept in either paper or electronic format. This will include the child's name, date of birth, where and to whom the records have been sent and the date sent and/or received.

If a child is permanently excluded and moves to a Pupil Referral Unit, child protection records will be forwarded on to the relevant organisation.

If a child is being removed from the nursery roll in order to be home educated, the school will ensure all relevant safeguarding information is shared with the Local Authority's Children's Services and Elective Home Education team.

When a Designated Safeguarding Lead resigns their post or no longer has child protection responsibility, there should be a full face to face handover/exchange of information with the new post holder.

In exceptional circumstances when a face to face handover is unfeasible, the proprietor/ Nursery Manager will ensure that the new post holder is fully conversant with all procedures and any case files.

7. THE TRUSTEES

The Trustees will ensure that they comply with their duties under legislation. They will have regard to Keeping Children Safe in Education 2020 to ensure that the policies, procedures and training in our school are effective and comply with the law at all times

The Trustees will ensure that the Nursery:

- contributes to inter-agency working in line with statutory guidance Working Together to Safeguard Children 2018. This includes providing a co-ordinated offer of early help when additional needs of children are identified and contributing to inter-agency plans to provide additional support to children subject to child protection plans.
- provides an appropriate safeguarding response in accordance with the Luton LSCB (Safeguarding Partners Sept 2019) Thresholds Framework in order to safeguard children.
- pays due regard to the need to safeguard children in specific circumstances such as Child Sexual Exploitation (CSE), vulnerability to radicalisation, Female Genital Mutilation (FGM) or peer on peer abuse which can include gang related violence, cyberbullying, sexually harmful behaviours or youth produced sexual imagery.
- maintains information about the legal status of all children including whether a looked after child is subject to S20 voluntary arrangements, interim or full care order, contact details for persons with parental responsibility, level of delegated authority, details of the social worker and the virtual head in the authority that looks after the child.
- ensures that there is a designated teacher with the appropriate training skills and knowledge appointed to promote the academic achievement of looked after children.
- ensures that safeguarding arrangements take into account the procedures and practice of the local authority as part of the inter-agency safeguarding procedures set up by the Local Safeguarding Children Board (LSCB) (Safeguarding Partners Sept 2019). This includes working with Children's Social Care from other areas when children attend school in Luton however live outside of Luton.
- shares information with other professionals in the interests of safeguarding children in accordance with the guidance within Working Together to Safeguard Children 2018 and Information Sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers, 2015.
- follows local procedures for sharing intelligence in relation to Child Sexual Exploitation with Bedfordshire Police and the Single Point of Contact for CSE within Luton Borough Council.
- initiates appropriate safeguarding responses to children who go missing from education, particularly on repeat occasions, to help identify the risk of abuse and neglect including sexual abuse, exploitation or radicalisation and to help prevent the risks of their going missing in future.
- the Nursery Manager ensures that safeguarding policies and procedures which have been adopted by the Trustees are consistently implemented.
- has a Staff Handbook and appropriate additional policies which include - staff/child relationships and communications, the use of social media, and other online platforms and mobile phones and camera usage.
- has procedures for managing allegations and concerns about adults that work or volunteer with children and that these include the procedures for making referrals to the Disclosure and Barring Service and the TRA (Teaching Regulation Authority), where appropriate.

- operates, “safer recruitment” procedures and ensures that appropriate checks are carried out on all new staff and relevant volunteers in accordance with Keeping Children Safe in Education 2020

The Trustees will ensure that a member of the Trustees is nominated to liaise with the designated officer(s) from the relevant local authority and partner agencies in the event of allegations of abuse made against the Headmaster.

The Trustee with responsibility for Safeguarding is Mr Jonathan Egan.

8. A SAFER NURSERY CULTURE

The culture of the nursery is one that is safe for children and unsafe for adults that may pose a risk to children. Safeguarding is the responsibility of all adults working or volunteering within the organisation and all concerns will be reported to the Designated Safeguarding Lead/Nursery Manager when concerns relate to an adult.

The Nursery has a culture of listening to and hearing the voice of the child.

The Nursery Manager/ Proprietor will inform the Inspectorate (OFSTED), of any allegations of serious harm or abuse by any person living, working or looking after children at the premises (whether that allegation relates to harm or abuse committed on the premises or elsewhere), or any other abuse which is alleged to have taken place on the premises, and the action taken in respect of these allegations.

9. SAFER RECRUITMENT AND SELECTION (refer to Staff Recruitment Policy)

The nursery pays full regard to ‘Keeping Children Safe in Education’ (DfE 2020) plus the additional statutory guidance ‘Disqualification under the Childcare Act 2006’ (DfE 2018). Safer recruitment practice includes scrutinising applicants, verifying identity and academic or vocational qualifications, obtaining professional and character references, checking previous employment history and ensuring that a candidate has the health and physical capacity for the job.

It also includes undertaking interviews and undertaking appropriate checks through the Disclosure and Barring Service (DBS) and prohibition order checks in relation to qualified teachers and section 128 Directions in relation to the management of Independent schools. All recruitment materials will include reference to the school’s commitment to safeguarding and promoting the wellbeing of children.

Dr Andrew Cook, Mrs Caroline Beach and Ms Jade Pawaar (King’s House School Deputy Head) have undertaken Safer Recruitment training. One of the above will be involved in all staff/ volunteer recruitment processes and sit on the recruitment panel.

10. THE NURSERY’S ROLE IN THE PREVENTION OF ABUSE

In accordance with Working Together 2018, the nursery recognises the need to safeguard children from:

- o Neglect
- o Emotional Abuse
- o Physical Abuse

o Sexual Abuse

Appendix 1 contains more information about definitions and indicators. In addition, the nursery is alert to the need to safeguard children in specific circumstances as defined within Keeping Children Safe in Education 2020.

11. THE CURRICULUM

The nursery will provide opportunities for children to develop skills, concepts, attitudes and knowledge that promote their safety and well-being together with preparing children for life in modern Britain and embedding Fundamental British Values.

Relevant issues will be addressed through the EYFS curriculum, for example self-esteem, emotional literacy, assertiveness, power, online and bullying. This will be undertaken with reference to guidance around how to promote children's spiritual, moral, social and cultural development. Issues will also be addressed through other areas of the curriculum, for example, circle time.

Educating children in online safety will also include information that such matters cover when they are online at home.

12. Safeguarding in specific circumstances:

Children who are vulnerable to extremism

Tots Academy seeks to protect children and young people against the messages of all violent extremism including, but not restricted to, those linked to Islamist ideology, or to Far Right/Neo Nazi/White Supremacist ideology, Irish Nationalist and Loyalist paramilitary groups, and extremist Animal Rights movements.

In accordance with the Prevent Duty placed upon the nursery by the Counter Terrorism and Security Act 2015 we understand the specific need to safeguard children, young people and families from violent extremism. We are clear that this exploitation and radicalisation should be viewed as a safeguarding concern.

Tots Academy values freedom of speech and the expression of beliefs/ ideology as fundamental rights underpinning our society's values. Both children and teachers have the right to speak freely and voice their opinions. However, 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. Essential to our school are fundamental British values of Democracy, Rule of Law, Equality of Opportunity, Freedom of Speech and the rights of all Women and Men to live free from persecution of any kind and it would be expected that views and opinions expressed would be commensurate with these.

Definitions of radicalisation, extremism and terrorism, and indicators of vulnerability to radicalisation are in Appendix 4.

Risk reduction

The Trustees, the Proprietor and the Nursery Manager (Designated Safeguarding Lead) will assess the level of risk within the school and put actions in place to reduce that risk. Risk assessment may include consideration of the school's curriculum, SEND policy, the use of school premises by external agencies, integration of children by gender and SEN, anti-

bullying policy and other issues specific to our nursery's profile, community and philosophy. In addition, the Prevent Action Plan template will be used to demonstrate how the organisation is fulfilling the prevent duty.

In accordance with the Prevent Duty, the Headmaster, **Dr Andrew Cook is the Prevent Single Point of Contact (SPOC)** who will be the lead for safeguarding in relation to protecting individuals from radicalisation and involvement in terrorism.

When any member of staff has concerns that a child may be at risk of radicalisation or involvement in terrorism, they should speak with the SPOC and to the Designated Safeguarding Lead if this is not the same person. If a child or Young Person is thought to be at risk of radicalisation, advice will be sought from the Early Help Hub, and if advised, information will be shared with the Channel Panel using the Early Help Assessment form.

In all cases, in accordance with advice provided from the Early Help Hub the nursery will ensure appropriate interventions are secured which are in line with local procedures in order to safeguard children assessed as being vulnerable to radicalisation.

If we are concerned that a child may be at risk of significant harm in relation to radicalisation or involvement in violent extremism, a child protection referral will be made to the Multi Agency Safeguarding Hub. No parental or pupil consent is required to make this referral.

13. Safeguarding Children in Specific Circumstances:

Domestic Abuse

At Tots Academy, we are working in partnership with Luton Council and Bedfordshire Police to identify and provide appropriate support to pupils who have experienced domestic abuse in their household (including when they may have witnessed domestic abuse); nationally this scheme is called Operation Encompass and locally as Relay. In order to achieve this, Luton Council will share police information with the Nominated Relay SPOC (**Caroline Beach**) of all domestic incidents where one of our pupils has been affected. On receipt of any information, the Nominated Relay SPOC (**Caroline Beach**) will decide on the appropriate support the child requires, this could be silent or overt.

All information sharing and resulting actions will be undertaken in accordance with the 'Luton Relay Protocol for Domestic Abuse – Notifications to Schools'. We will record this information and store this information in accordance with the record keeping procedures outlined in this policy.

The cross-government definition of domestic violence and abuse is: any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can encompass but is not limited to: psychological, physical, sexual, financial and emotional.

All children can witness and be adversely affected by domestic abuse in the context of their home life where domestic abuse occurs between family members. Exposure to domestic abuse and/or violence can have a serious, long lasting emotional and psychological impact on children. In some cases, a child may blame themselves for the abuse or may have had to leave the family home as a result.

National Domestic Abuse Helpline (run by Refuge) 0808 2000 247

14. Safeguarding Children in Specific Circumstances:

Female Genital Mutilation (FGM)

FGM comprises all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs. It can be known as female circumcision or female genital cutting and is often carried out for cultural, religious and social reasons within families and communities.

FGM is illegal in the UK and it is also illegal to take a British national or permanent resident abroad for FGM, or help someone trying to do this.

The Female Genital Mutilation Act 2003 (section 74 of the Serious Crime Act 2015) places a statutory duty upon **teachers** (along with social workers and healthcare professionals) **to report to the police** where they discover (either through disclosure by the victim or visual evidence) that FGM appears to have been carried out on a girl under 18. This is in addition to following our school's safeguarding reporting procedures.

Those failing to report such cases will face disciplinary sanctions.

If the nursery is concerned that a child/young person has experienced or is at risk of FGM a Child Protection referral will be made to the Multi Agency Safeguarding Hub in accordance with interagency procedures produced by the LSCB (Safeguarding Partners from Sept 19). In addition, all teachers will follow mandatory reporting duties.

Further information regarding "Honour based" abuse, specifically FGM can be found in Appendix 5.

15. Safeguarding Children in Specific Circumstances:

Peer on Peer abuse

The nursery recognises that children can abuse other children and such behaviours are never viewed simply as 'banter' or as part of growing up. We recognise that peer on peer abuse can take many different forms such as:

- Bullying, including Cyber-bullying
- Sexting (also known as youth produced sexual imagery) - sending or posting sexually suggestive images including nude or semi-nude photographs via mobiles or over the internet by persons aged under 18
- Physical abuse which can include hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm
- Sexual assault, violence or harassment
- Sexually harmful or problematic behaviour
- Gang initiation or hazing type violence
- Upskirting: a criminal offence when, typically, a photograph is taken under a person's clothing without them knowing, with the intention of viewing their genitals or buttocks, for sexual gratification or to cause the victim humiliation, distress or alarm. Anyone, of any gender, can be a victim.

The nursery will follow Sexual Violence and Sexual Harassment guidance (DfE, 2017) when responding to such issues alongside local interagency procedures and the Harmful Sexual

Behaviours strategy. This includes responding to any reports in a child-centred manner and undertaking an immediate risk and needs assessment in relation to the victim, the alleged perpetrator and other children. The school will respond to reports of sexual violence and sexual harassment on a case by case basis using the Luton Thresholds Framework to consider/identify whether a criminal offence may have been committed and subsequently decide whether a report to the Multi Agency Safeguarding Hub is necessary. The school will also consider seeking specialist advice, guidance and assessment and will work with partner agencies in relation to management of information and what should be shared with staff, parents and carers.

16. Safeguarding Children in Specific Circumstances:

Sexualised behaviours

Where children display sexualised behaviours, the behaviours will be considered in accordance with the children's developmental understanding, age and impact on the alleged victim. Tools such as Brook Traffic Light Tool will be used to assist in determining whether the behaviour is developmental or a cause for concern. This will assist in ensuring the child/ren receive the right support at the right time either via an Early Help response or referral to Children's Social Care. <https://www.brook.org.uk/our-work/the-sexual-behaviours-traffic-light-tool>

In all cases of peer-on-peer abuse the nursery will consider the vulnerability of all children including those alleged to have caused the harm and those alleged to be victims and provide a safeguarding response consistent with the LSCB Thresholds Framework. (Safeguarding Partners from Sept 19)

Where necessary, the nursery behaviour policies will be invoked and any sanctions applied will be consistent with these procedures.

Where issues indicate that a criminal offence may have been committed a report will be made to Bedfordshire Police.

17. Safeguarding Children in Specific Circumstances:

Gang related violence

The nursery recognises the risks posed to children in relation to involvement in gang related activity which may be street gang, peer group or organised crime. Young people who are involved in gangs are more like to suffer harm themselves, through retaliatory violence, displaced retaliation, territorial violence with other gangs or other harm suffered whilst committing a crime. In addition, children may experience violence as part of an initiation or hazing practices. Hazing (initiation ceremonies) refers to the practice of rituals, challenges, and other activities involving harassment, abuse or humiliation used as a way of initiating a person into a group.

The nursery understands that Early Help can be crucial in the early identification of children who may need additional support due to gang related activity and as such will provide an early help response when concerns are raised about indicators of gang activity.

If, however, information suggests a child may be at risk of significant harm due to gang related activity, a referral will be made to the Multi Agency Safeguarding Hub within Children's Social Care.

Where there are concerns that a child or young person may be, or is at risk of, becoming involved in gang related activity, a referral will be made to the Multi Agency Gang panel in accordance with local procedures as part of the safeguarding response.

See Appendix 7 for more information

18. Safeguarding Children in Specific Circumstances:

Youth Generated Sexualised imagery

The nursery recognises the impact of online social communication and the issue of sending or posting sexually suggestive images including nude or semi-nude photographs via mobiles or over the internet (also known as “Sexting”) and pays due regard to the guidance issued by the UK Council for Child Internet Safety in relation to how the nursery responds to incidents.

In all cases where an incident of youth produced sexual imagery is reported, the following actions will be undertaken:

- i. The incident should be reported to the Designated Safeguarding Lead as soon as possible.
- ii. The Designated Safeguarding Lead should hold an initial review discussion or meeting with appropriate staff.
- iii. There should be subsequent interviews with the young people involved (if appropriate).
- iv. Parents should 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.
- v. 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 should be made to children’s social care and/or the police immediately.

An immediate referral will be made to the Police and Social Care in the following circumstances:

- i. The incident involves an adult.
- ii. 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.)
- iii. The imagery suggests the content depicts sexual acts which are unusual for the young person’s developmental stage, or are violent.
- iv. The imagery involves sexual acts and any pupil in the imagery is under 13.
- v. 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.

If none of the above applies the nursery may choose to deal with the incident without involving the police or social care. This will usually be the case where the Designated Safeguarding Lead is confident that they have enough information to assess the risks to the pupils involved and the risks can be managed within the pastoral support and disciplinary framework. All decisions and rationale for decision making will be recorded. All decisions will be based on the best interests of the child/ren.

The nursery will pay due regard to the Department for Education guidance: Searching, Screening and Confiscation advice.

Adults in the nursery will not view youth produced sexual imagery unless there is a good and clear reason to do so. Wherever possible the Designated Safeguarding Lead will respond to an incident based on what they have been told about the imagery.

All incidents will be recorded. More information is available in Appendix 6

19. Safeguarding Children in specific circumstances:

Child Sexual Exploitation (CSE) and Child Criminal Exploitation (CCE)

CSE and CCE are forms of abuse and both occur where an individual or group takes advantage of an imbalance in power to coerce, manipulate or deceive a child into sexual or criminal activity. Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, sexual identity, cognitive ability, physical strength, status, and access to economic or other resources. In some cases, the abuse will be in exchange for something the victim needs or wants and/or will be to the financial benefit or other advantage (such as increased status) of the perpetrator or facilitator. The abuse can be perpetrated by individuals or groups, males or females, and children or adults. The abuse can be a one-off occurrence or a series of incidents over time and range from opportunistic to complex organised abuse. It can involve force and/or enticement-based methods of compliance and may, or may not, be accompanied by violence or threats of violence. Victims can be exploited even when activity appears consensual and it should be noted exploitation as well as being physical can be facilitated and/or take place online.

Child Sexual Exploitation - The 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 performing, and/or others performing on them, sexual activities.

Child sexual exploitation can occur through use of technology without the child's immediate recognition, for example the persuasion to post sexual images on the internet/mobile phones with no 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.

The nursery recognises that both boys and girls can be vulnerable to Child Sexual Exploitation and as such ensure staff are alert to signs and indicators.

We recognise that there are various 'models' of CSE which include but are not limited to:

Gangs and groups	Boyfriend/Girlfriend model
Peer on Peer	Familial
Online	Abuse of authority

Where concerns are identified in relation to Child Sexual Exploitation the LSCB (Safeguarding Partners from Sept 19) thresholds framework will be consulted in order to ensure the child receives support at the earliest possible opportunity.

An Early Help multi agency response may be initiated by completing an Early Help Assessment form and engaging with the Early Help Hub or Stronger Families team. Where parental consent cannot be obtained, advice will be sought from the Early Help Hub.

If a child is thought to be at risk of significant harm through child sexual exploitation a referral will be made to the Multi Agency Safeguarding Hub within children's social care.

In all cases intelligence will be shared with Bedfordshire Police using the intelligence form which will also be copied to the Single Point of Contact for CSE within Luton Borough Council.

Child Criminal Exploitation - CCE is where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child into any criminal activity in exchange for something the victim needs or wants, and/or for the financial or other advantage of the perpetrator or facilitator and/or through violence or the threat of violence. The victim may have been criminally exploited even if the activity appears consensual. CCE does not always involve physical contact; it can also occur through the use of technology. CCE can include children being forced to work in cannabis factories, being coerced into moving drugs or money across the country (county lines), forced to shoplift or pickpocket, or to threaten other young people. More information on County Lines can be found in Appendix 10.

Some of the following can be indicators of CCE:

- unexplained gifts or new possessions
- association with other young people involved in exploitation
- changes in emotional well-being
- misuse of drugs and alcohol
- going missing for periods of time or regularly coming home late
- regularly missing school or education not taking part in education

20. Safeguarding Children in Specific Circumstances:

Serious Violent Crime

School staff need to be aware of the indicators that may signal that children are at risk from, or are involved with, serious violent crime. These indicators include, but are not limited or specific to:

- Unexplained gifts/ new possessions – these can indicate children have been approached by/ involved with individuals associated with criminal networks/ gangs
- Increased absence from school
- Change in friendship/ relationships with others/ groups
- Significant decline in performance
- Signs of self-harm and/ or significant change in well-being
- Signs of assault/ unexplained injuries

Staff should be aware of the associated risks and understand the measures in place to manage them, mainly referral to DSL.

21. CHILDREN IN SPECIFIC CIRCUMSTANCES – Further Guidance

Further guidance in relation to safeguarding children in specific circumstances can be located in the Luton Safeguarding Children Board/Luton Borough Council (Safeguarding Partners from Sept 19) procedures as listed below:

- Abuse Linked to Spiritual Belief
- Child Sexual Exploitation
- Safeguarding Children vulnerable to Gang Activity
- Supporting individuals vulnerable to violent extremism
- Private Fostering
- Children missing from home or care
- Children missing education
- Children of Parents who Misuse Substances
- Children of Parents with Learning Difficulties
- Working with parents/carers with mental health problems
- Working with parents/carers with disabilities
- Disabled Children
- Protocol for dealing with domestic violence when children are involved
- Online – Children Exposed to Abuse through the Digital Media
- Fabricated or Induced Illness
- Female Genital Mutilation
- Forced Marriage / Honour Based Violence
- Practice Guidance & Procedures to distinguish between healthy and abusive sexual behaviours in children and young people
- Safeguarding children who may have been trafficked
- Protocol and Guidance; Working with Sexually Active Young People
- Working with hostile, non-compliant clients and those who use disguised compliance

EARLY HELP

Any child may benefit from early help, but the school will be particularly alert to the potential need for early help for a child who:

- is disabled and has specific additional needs
- has special educational needs (whether or not they have a statutory Education, Health and Care Plan)
- is a young carer
- is showing signs of being drawn in to anti-social or criminal behaviour, including gang involvement and association with organised crime groups
- is frequently missing/goes missing from care or from home
- is at risk of modern slavery, trafficking or exploitation
- is at risk of being radicalised or exploited
- is in a family circumstance presenting challenges for the child, such as drug and alcohol misuse, adult mental health issues and domestic abuse
- is misusing drugs or alcohol themselves
- has returned home to their family from care
- is a privately fostered child

(Reference Working Together to Safeguard Children 2018, Chapter 1)

The school recognises that there are indicators of abuse and neglect and they are able to identify cases of children who may be in need of help or protection.

22. CHILDREN WITH ADDITIONAL NEEDS (including those with Mental Health considerations and those requiring a Social worker)

Tots Academy recognises that while all children have a right to be safe, some children may be more vulnerable to abuse, for example those with a disability or special educational need, those requiring mental health support, those who need a social worker or those living with domestic violence or drug/alcohol abusing parents. Children with SEND can be more prone to peer group isolation than other children and in these circumstances extra pastoral support for them will be sought.

When the nursery is considering excluding, either fixed term or permanently, a vulnerable child and/or a child who is the subject of a child protection plan or where there is an existing child protection file, the nursery will call a multi-agency risk-assessment meeting prior to making the decision to exclude. In the event of a one-off serious incident resulting in an immediate decision to exclude, the risk assessment *must* be completed prior to convening a meeting of the Trustees.

Children with Mental Health Considerations

All staff should also be aware that mental health problems can, in some cases, be an indicator that a child has suffered or is at risk of suffering abuse, neglect or exploitation.

Only appropriately trained professionals should attempt to make a diagnosis of a mental health problem. Staff however, are well placed to observe children day-to-day and identify those whose behaviour suggests that they may be experiencing a mental health problem or be at risk of developing one.

Where children have suffered abuse and neglect, or other potentially traumatic adverse childhood experiences, this can have a lasting impact throughout childhood, adolescence and into adulthood. It is key that staff are aware of how these children's experiences, can impact on their mental health, behaviour and education.

If staff have a mental health concern about a child that is also a safeguarding concern, immediate action should be taken, following the child protection policy and speaking to the designated safeguarding lead.

Guidance is available via the following resources:

Public Health England: Promoting children and young people's emotional health and well-being

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/414908/Final_EHWP_draft_20_03_15.pdf

Public Health England "Rise Above" resources

<https://campaignresources.phe.gov.uk/schools/topics/mental-wellbeing/overview>

DfE: Mental Health and Behaviour in Schools.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/755135/Mental_health_and_behaviour_in_schools_.pdf

Anna Freud Centre Mental Health Resources Link Programme

<https://www.annafreud.org/schools-and-colleges/research-and-practice/the-link-programme/>

Children requiring a Social Worker (Child in Need or Child Protection Plans)

Children may need a social worker due to safeguarding or welfare needs. Children may need this help due to abuse, neglect and complex family circumstances. A child's experiences of adversity and trauma can leave them vulnerable to further harm, as well as educationally disadvantaged in facing barriers to attendance, learning, behaviour and mental health.

Local authorities should share the fact a child has a social worker, and the designated safeguarding lead should hold and use this information so that decisions can be made in the best interests of the child's safety, welfare and educational outcomes. This should be considered as a matter of routine. There are clear powers to share this information under existing duties on both local authorities and schools and colleges to safeguard and promote the welfare of children.

Where children need a social worker, this should inform decisions about safeguarding (for example, responding to unauthorised absence or missing education where there are known safeguarding risks) and about promoting welfare (for example, considering the provision of pastoral and/or academic support, alongside action by statutory services).

The above will also apply to "Looked-after" children who are in the care of the local authority. A Designated Teacher will be responsible for such children. Statutory guidance can be found at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/683556/Promoting_the_education_of_looked-after_children_and_previously_looked-after_children.pdf

Further information regarding support for Children in Need may be found at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/809236/190614_CHILDREN_IN_NEED_PUBLICATION_FINAL.pdf

23. WHAT THE NURSERY WILL DO WHEN CONCERNED ABOUT A CHILD

All concerns will be viewed alongside the LSCB (Safeguarding Partners from Sept 19) Thresholds Framework in order to ensure the appropriate support or intervention is provided at the earliest opportunity in the least intrusive way. The nursery also pays due regard to the government guidance contained in 'What to do if you are worried a child is being abused', 2015.

If, in consultation with the LSCB (Safeguarding Partners from Sept 19) Thresholds Framework the level of concern sits at Level 2 or 3 an Early Help Assessment should be completed with the consent of the parent/carer. Early help may also be provided on a single agency basis by the nursery, or additional support or advice for this work may be sought from the Early Intervention Hub/Stronger Families team as a multi-agency response. In cases where it is not possible to obtain consent from the Parent/Carer the nursery will seek advice from the Early Help Hub.

The nursery will review each case to ensure that any support or intervention provided has impacted positively on the welfare/safety of the child or young person and that improvement is sustained.

In the event that provision of Early Help has not led to improvements for the child/young person, or concerns escalate, we will follow the step-up procedures published by the LSCB (Safeguarding Partners from Sept 19).

In consultation with the LSCB (Safeguarding Partners from Sept 19) Thresholds Framework, if the concerns about the child or young person indicate that they may be at risk of or suffering significant harm a referral will be made to the Multi Agency Safeguarding Hub. The parent will be informed of the referral unless informing the parent may place the child/young person at increased risk of harm.

In the event of a professional disagreement in relation to a specific concern, the nursery will follow the LSCB procedures for resolution of professional disagreements, also known as escalation procedures.

See 'Dealing with a disclosure of abuse' Appendix 2.

24. INVOLVING PARENTS/CARERS

In general, the nursery will discuss any safeguarding and child protection concerns with parents/carers before approaching other agencies, and will seek their consent to making a referral to another agency. Appropriate staff will approach parents/carers after consultation with the Designated Safeguarding Lead.

However, there may be occasions when the nursery will contact another agency before informing parents/carers because it considers that contacting them may increase the risk of significant harm to the child.

Parents/carers will be informed about the nursery's safeguarding policy through the prospectus, website and parent handbook.

25. MULTI-AGENCY WORK

The nursery works in partnership with other agencies in the best interests of the children. It will, where necessary, liaise with the school nurse, initiate an Early Help Assessment, and make referrals to children's social care.

Referrals and contacts should be made by the Designated Safeguarding Lead to either the Early Help Hub, or the Multi Agency Safeguarding Hub depending on the level of need. Where the child already has a social worker, the request for service will go immediately to the social worker involved, or in their absence to their team manager or Duty Worker.

The nursery will co-operate with any child protection enquiries conducted by children's social care: the nursery will ensure representation at appropriate inter-agency meetings such as team around the family meetings, initial and review child protection conferences, together with core group meetings.

The nursery will provide reports as required for these meetings in accordance with the LSCB interagency procedures (Safeguarding Partners from Sept 19). If the nursery is unable to attend, a written report will be sent. The report will, wherever possible, be shared with parents/carers at least 24 hours prior to the meeting.

Where a child is subject to an inter-agency child protection plan, child in need plan or early help assessment, the nursery will contribute to the preparation, implementation and review of the plan as appropriate.

If a child is subject to a referral to a multi-agency safeguarding panel such as MARAC, MAGPAN OR CHANNEL the nursery will contribute to such arrangements.

Working with the Police: The National Police Chiefs' Council (NPCC) child centred policing document "When to call the police" offers guidance to DSL's, Headteachers and school leadership teams on making decisions regarding involving the police.

<https://www.npcc.police.uk/documents/Children%20and%20Young%20people/When%20to%20call%20police%20guidance%20for%20schools%20and%20colleges.pdf>

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

It is important that governing bodies and proprietors are aware that among other obligations, the Data Protection Act 2018 and the GDPR place duties on organisations and individuals to process personal information fairly and lawfully and to keep the information they hold safe and secure.

Governing bodies and proprietors should ensure relevant staff have due regard to the relevant data protection principles, which allow them to share (and withhold) personal information.

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

Further guidance on Information Sharing can be found via the following sources:

- Working Together to Safeguard Children

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/779401/Working_Together_to_Safeguard-Children.pdf

Chapter One includes a myth-busting guide to information sharing

- Information Sharing: Advice for Practitioners Providing Safeguarding Services to Children, Young People, Parents and Carers.

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

- The Information Commissioner's Office (ICO), which includes ICO GDPR FAQs and guidance from the department
- Data protection: toolkit for schools (2018) - Guidance to support schools with data protection activity, including compliance with the GDPR

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/747620/Data_Protection_Toolkit_for_Schools_OpenBeta.pdf

26. RESPONDING TO AN ALLEGATION OR CONCERN ABOUT A MEMBER OF STAFF OR VOLUNTEER (including Supply Teachers)

The nursery will comply with the LSCB (Safeguarding Partners from Sept 19) procedures for managing allegations and concerns about adults that work or volunteer with children in all circumstances. This includes supply teachers.

This procedure should be used in any case in which it is alleged that a member of staff, governor, visiting professional or volunteer, including a supply teacher, has:

- Behaved in a way that has harmed a child or may have harmed a child
- Possibly committed a criminal offence against or related to a child
- Behaved in a way that indicates s/he may pose a risk of harm to children
- Behaved or may have behaved in a way that indicates they may not be suitable to work with children

Although it is an uncomfortable thought, it needs to be acknowledged that there is the potential for staff to abuse or mistreat children. All staff working within our nursery must report any potential safeguarding concerns about an individual's behaviour towards children and young people immediately.

Allegations or concerns about colleagues and visitors must be reported direct to the Nursery Manager unless the concern relates to the Nursery Manager. If the concern relates to the Nursery Manager, it must be reported immediately to the Proprietor and Chair of the School Committee (refer to contact list). Such a concern should also be reported to the LADO (Local Authority Designated Officer).

Whilst nurseries, schools and colleges are not the employer of supply teachers, they should ensure allegations are dealt with properly. The nursery will usually take the lead in any investigation because agencies do not have direct access to children or other staff, so they will not be able to collect facts or liaise with the LADO.

Alternatively concerns can be reported directly to the Local Authority Designated Officer (LADO) in children's social care, who will liaise with the nominated Governor for Child Protection and they will decide on any action required.

If the Nursery Manager is not available the member of staff should report their concerns to the most senior member of staff available who will make contact with the LADO and discuss the concerns. Contact with the LADO should happen at the earliest possible opportunity and within 1 working day.

The LADO may request a referral; if this is requested the referral will be completed and submitted within 1 working day.

The nursery will engage with the LADO at all stages of the management of the allegation/ concern and comply with the Statutory Guidance contained within Keeping Children Safe in Education (2018) and the local procedures published by the LSCB.

In this regard, the nursery will consider whether it is necessary to suspend the member of staff while the allegation or concern is investigated, however all reasonable alternatives to manage the risk will be considered. Due consideration will be given to the view of the LADO in relation to suspension or in-work safeguards while a matter is investigated.

At all times the nursery will make every effort to maintain confidentiality and guard against unwanted publicity.

The nursery will ensure that it provides effective support for anyone facing an allegation.

Should the nursery dismiss a member of staff/volunteer as a result of a substantiated allegation, or should a member of staff/volunteer resign before an investigation has been completed, in accordance with Statutory Duty, a referral to the Disclosure and Barring Service will be made.

If the member of staff is a qualified teacher, the nursery will in accordance with published guidance from the Department for Education consider whether a referral to the National College of Teaching and Leadership (NCTL) should be made and a prohibition order may be appropriate.

If there has been a substantiated allegation against a member of staff, the School will work with the LADO to determine whether there are any improvements to be made to the school procedures or practice to help prevent similar events in the future.

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

- **Substantiated:** there is sufficient evidence to prove the allegation
- **Malicious:** there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive
- **False:** there is sufficient evidence to disprove the allegation
- **Unsubstantiated:** there is insufficient evidence to either prove or disprove the allegation
- **Unfounded:** to reflect cases where there is no evidence or proper basis which supports the allegation being made

The nursery will adhere to the Statutory Guidance contained within Keeping Children Safe in Education (2020) with regard to record keeping, references and compromise or settlement agreements.

There may be actions used by staff that involve a degree of physical contact to control or restrain children. Nursery procedures should be followed along with following statutory advice:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/444051/Use_of_reasonable_force_advice_Reviewed_July_2015.pdf

27. OTHER RELEVANT POLICIES/DOCUMENTATION

This Safeguarding and Child Protection Policy has links with the wider safeguarding agenda. When agreeing or reviewing the policy, reference should be made with other relevant guidelines and procedures such as (but not limited to):

Whistleblowing Visitor/External speakers Children missing Education PHSE First aid and the administration of medicines Equal Opportunities	Behaviour Management Safer Recruitment Policy Anti-Bullying Special Educational Needs Health and Safety Extended school activities Staff Handbook Staff Code of Conduct
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CONTACTS

Internal School Contacts	Use 01582 491430
Tots Academy Proprietor/ Headmaster of King's House School	Dr Andrew Cook
Designated Safeguarding Lead for Child Protection (DSL)	Mrs Caroline Beach
Deputy DSL (person who acts in the absence of the DSL)	Ms Jodie Jobson
Prevent SPOC (Single Point of Contact)	Dr Andrew Cook
External Contacts	
Chair of the School Committee, Peter Cooper	01582 434311
LADO	Paul James lado@lutongcsx.gov.uk 01582 548069
Multi Agency Safeguarding Hub (MASH)	01582 547653
Emergency Duty Team	01525 405109 0300 3008123
Early Help Assessment team (EHA)	01582 548231
CHANNEL Coordinator	Police Sergeant David Layton-Scott 07718 695640 david.layton-scott@bedfordshire.pnn.police.uk
EHA manager	Israr Shafi 07824 623317
Early Years MARAC Rep	Kathy Sears 01582 548984
Local Police	01582 401212
Police (Emergency)	999 / 101
Non confidential issues	prevent@luton.gov.uk
DfE helpline – non-emergency advice	020 7340 7264
LA Safeguarding & Prevent in Education Officer – Stephanie Golby	Stephanie.golby@luton.gcsx.gov.uk

APPENDIX 1

DEFINITIONS AND INDICATORS OF ABUSE (where “school” is stated for the purpose of definitions, this covers the nursery)

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); or
- Ensure access to appropriate medical care or treatment.

It may also include neglect of, or unresponsiveness to, a child's basic emotional needs. The following may be indicators of neglect (this is not designed to be used as a checklist):

- Constant hunger;
- Stealing, scavenging and/or hoarding food;
- Frequent tiredness or listlessness;
- Frequently dirty or unkempt;
- Often poorly or inappropriately clad for the weather;
- Poor school attendance or often late for school;
- Poor concentration;
- Affection or attention seeking behaviour;
- Illnesses or injuries that are left untreated;
- Failure to achieve developmental milestones, for example growth, weight;
- Failure to develop intellectually or socially;
- Responsibility for activity that is not age appropriate such as cooking, ironing, caring for siblings;
- The child is regularly not collected or received from school; or
- The child is left at home alone or with inappropriate carers

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.

The following may be indicators of physical abuse (this is not designed to be used as a checklist):

- Multiple bruises in clusters, or of uniform shape;
- Bruises that carry an imprint, such as a hand or a belt;
- Bite marks;
- Round burn marks;

- Multiple burn marks and burns on unusual areas of the body such as the back, shoulders or buttocks;
- An injury that is not consistent with the account given;
- Changing or different accounts of how an injury occurred;
- Bald patches;
- Symptoms of drug or alcohol intoxication or poisoning;
- Unaccountable covering of limbs, even in hot weather;
- Fear of going home or parents being contacted;
- Fear of medical help;
- Fear of changing for PE;
- Inexplicable fear of adults or over-compliance;
- Violence or aggression towards others including bullying; or
- Isolation from peers.

SEXUAL ABUSE

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 an act of sexual abuse, as can other children.

The following may be indicators of sexual abuse (this is not designed to be used as a checklist):

- Sexually explicit play or behaviour or age-inappropriate knowledge;
- Anal or vaginal discharge, soreness or scratching;
- Reluctance to go home;
- Inability to concentrate, tiredness;
- Refusal to communicate;
- Thrush, persistent complaints of stomach disorders or pains;
- Eating disorders, for example anorexia nervosa and bulimia;
- Attention seeking behaviour, self-mutilation, substance abuse;
- Aggressive behaviour including sexual harassment or molestation;
- Unusual compliance;
- Regressive behaviour, enuresis, soiling;
- Frequent or open masturbation, touching others inappropriately;
- Depression, withdrawal, isolation from peer group;
- Reluctance to undress for PE or swimming; or
- Bruises or scratches in the genital area.

SEXUAL EXPLOITATION

Child sexual exploitation occurs when a child or young person, or another person, receives “something” (for example food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of the child/young person performing sexual activities, or another person performing sexual activities on the child/young person. The presence of any significant indicator for sexual exploitation should trigger a referral to children’s social care. The significant indicators are:

- Having a relationship of concern with a controlling adult or young person (this may involve physical and/or emotional abuse and/or gang activity);
- Entering and/or leaving vehicles driven by unknown adults;
- Possessing unexplained amounts of money, expensive clothes or other items;
- Frequenting areas known for risky activities;
- Being groomed or abused via the Internet and mobile technology; and
- Having unexplained contact with hotels, taxi companies or fast food outlets.
- The intelligence reporting form on the LSCB website will be used to share information with Police and children’s social care that raises a concern around CSE.
- In addition to making referrals to children’s social care, referrals of children thought to be at risk of, or experiencing CSE will be referred to the Child Sexual Exploitation panel.

EMOTIONAL ABUSE

Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child’s emotional development. It may involve conveying to children 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 the 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 also involve seeing or hearing the ill-treatment of another person. 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. The following may be indicators of emotional abuse (this is not designed to be used as a checklist):

- The child consistently describes him/herself in very negative ways – as stupid, naughty, hopeless, ugly;
- Over-reaction to mistakes;
- Delayed physical, mental or emotional development;
- Sudden speech or sensory disorders;
- Inappropriate emotional responses, fantasies;
- Behaviours such as rocking, banging head, regression, tics and twitches;
- Self-harming, drug or solvent abuse;
- Fear of parents being contacted;
- Running away;
- Compulsive stealing;
- [Appetite disorders - anorexia nervosa, bulimia; or](#)
- Soiling, smearing faeces, enuresis.

- NB: Some situations where children stop communication suddenly (known as “traumatic mutism”) can indicate maltreatment.

PEER-ON-PEER ABUSE

Peer-on-peer abuse includes bullying, physical abuse, sexual violence and sexual harassment, sexting, so-called initiation ceremonies and upskirting (upskirting: a criminal offence when, typically, a photograph is taken under a person’s clothing without them knowing, for sexual gratification or to cause the victim humiliation, distress or alarm. Anyone of any gender can be a victim).

RESPONSES FROM PARENTS

Research and experience indicates that the following responses from parents may suggest a cause for concern across all four categories:

- Delay in seeking treatment that is obviously needed;
- Unawareness or denial of any injury, pain or loss of function (for example, a fractured limb);
- Incompatible explanations offered, several different explanations or the child is said to have acted in a way that is inappropriate to her/his age and development;
- Reluctance to give information or failure to mention other known relevant injuries;
- Frequent presentation of minor injuries;
- A persistently negative attitude towards the child;
- Unrealistic expectations or constant complaints about the child;
- Alcohol misuse or other drug/substance misuse;
- Parents request removal of the child from home; or
- Violence between adults in the household.

DISABLED CHILDREN: When working with children with disabilities, practitioners need to be aware that additional vulnerabilities to abuse and neglect such as:

- Assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child’s disability without further exploration.
- Children with SEN and disabilities can be disproportionately impacted by things like bullying without outwardly showing any signs.
- Communication barriers and difficulties in overcoming these barriers.
- Possible indicators of abuse and/or neglect may also include:
- A bruise in a site that might not be of concern on an ambulant child such as the shin, might be of concern on a non-mobile child;
- Not getting enough help with feeding leading to malnourishment;
- Poor toileting arrangements;
- Lack of stimulation;
- Unjustified and/or excessive use of restraint;
- Rough handling, extreme behaviour modification such as deprivation of medication, food or clothing, disabling wheelchair batteries;
- Unwillingness to try to learn a child’s means of communication;
- Ill-fitting equipment, eg callipers, sleep boards, inappropriate splinting;
- Misappropriation of a child’s finances; or
- Inappropriate invasive procedures.

APPENDIX 2

DEALING WITH A DISCLOSURE OF ABUSE TO INCLUDE CHILD SEXUAL VIOLENCE AND SEXUAL HARASSMENT

When a child tells me about abuse s/he has suffered, what must I remember?

- Stay calm.
- Do not communicate shock, anger or embarrassment.
- Reassure the child. Tell her/him you are pleased that s/he is speaking to you.
- Never enter into a pact of secrecy with the child. Assure her/him that you will try to help but let the child know that you will have to tell other people in order to do this. State who this will be and why.
- Tell her/him that you believe them. Children very rarely lie about abuse; but s/he may have tried to tell others and not been heard or believed.
- Tell the child that it is not her/his fault.
- Encourage the child to talk but do not ask "leading questions" or press for information.
- Listen and remember.
- Check that you have understood correctly what the child is trying to tell you.
- Praise the child for telling you. Communicate that s/he has a right to be safe and protected.
- Do not tell the child that what s/he experienced is dirty, naughty or bad.
- It is inappropriate to make any comments about the alleged offender.
- Be aware that the child may retract what s/he has told you. It is essential to record all you have heard.
- At the end of the conversation, tell the child again who you are going to tell and why that person or those people need to know.
- As soon as you can afterwards, make a detailed record of the conversation using the child's own language. Include any questions you may have asked. Do not add any opinions or interpretations as the disclosure may be unfounded.

NB It is not education staffs' role to seek disclosures. Their role is to observe that something may be wrong, ask about it, listen, be available and try to make time to talk.

Immediately afterwards

You must not deal with this yourself. Clear indications or disclosure of abuse must be reported to children's social care without delay, by the Headmaster/Designated Safeguarding Lead.

All staff, parents, volunteers and visitors will adhere to the following procedure:

- Speak to the School's Designated Safeguarding Lead or the person who acts in their absence.
- Record the concern, using the School's safeguarding children recording system (case recording protocol issued by the LSCB Luton) (Safeguarding Partners from Sept 19)
- Agree with this person what action may be taken, by whom and when it will be reviewed.
- When deciding whether to make a referral, following an allegation or suspicion of abuse the Headmaster/Designated Safeguarding Lead should not make a decision over what appear to be borderline cases, but rather the doubts and concerns should be discussed promptly with the Early Help Team or MASH.
- The Designated Safeguarding Lead will then take prompt action as appropriate eg inform the Headmaster, contact MASH team or the Early Help Hub for advice and discuss with Parents if this does not put the child at risk of further harm

- The Designated Safeguarding Lead will then inform other staff only on a need-to-know basis (Confidentiality)
- The Designated Safeguarding Lead will then prepare a confidential file when necessary.

Children making a disclosure may do so with difficulty, having chosen carefully to whom they will speak. Listening to and supporting a child/young person who has been abused may be traumatic for the adults involved. Support for you will be available from the Designated Safeguarding Lead/Headmaster.

Risk Assessment

When there has been a report of sexual violence, the Designated Safeguarding Lead (or Deputy) will make an immediate risk and needs assessment.

Where there has been a report of sexual harassment, the need for a risk assessment should be considered on a case-by-case basis. The risk and needs assessment should consider:

- the victim, especially their protection and support;
- the alleged perpetrator; and
- all the other children (and, if appropriate staff) at the school, especially any actions that are appropriate to protect them.

Risk assessments will be recorded (written or electronic) and will be kept under review. At all times, the school will actively consider the risks posed to all their pupils and put adequate measures in place to protect them and keep them safe.

The Designated Safeguarding Lead (or Deputy) will ensure that they engage with children's social care and specialist services as required. Where there has been a report of sexual violence, it is likely that professional risk assessments by social workers and or sexual violence specialists will be required.

APPENDIX 3

ALLEGATIONS ABOUT A MEMBER OF STAFF, TRUSTEE, VOLUNTEER OR VISITOR (including supply teachers)

Inappropriate behaviour by staff/volunteers, including supply staff, could take the following forms:

- **Physical**
For example, the intentional use of force as a punishment, slapping, use of objects to hit with, throwing objects or inappropriate physical handling.
- **Emotional**
For example, intimidation, belittling, scapegoating, sarcasm, lack of respect for children's rights, and attitudes that discriminate on the grounds of race, gender, disability or sexuality. Excessive or aggressive shouting.
- **Sexual**
For example, sexualised behaviour towards peers, sexual harassment, sexual communication including via social networking, email, text, grooming behavior, sexual assault and rape.
- **Neglect**
For example, failing to act to protect a child or children, failing to seek medical attention or failure to meet a child's basic needs.
- **May Pose a Risk**
Behaviours that may take place outside of the workplace that present a transferable risk in their professional role with children. An incident outside of school may not directly have involved a child but could have an impact on an individual's suitability to work with children. For example, alleged perpetrator of domestic abuse, offences demonstrating a sexual interest in children, abuse or neglect of their own children or any behaviours that are incompatible with a professional role working with children.

If a child makes an allegation or raises a concern about a member of staff, trustee, volunteer or visitor, including supply staff, the Nursery Manager should be informed immediately.

Whilst nurseries, schools and colleges are not the employer of supply teachers, they should ensure allegations are dealt with properly. The school will usually take the lead in any investigation because agencies do not have direct access to children or other school staff, so they will not be able to collect facts or liaise with the LADO.

If the allegation or concern may fall within the following criteria the LADO will be contacted at the earliest possible opportunity and within 1 working day.

- Behaved in a way that has harmed a child or may have harmed a child
- Possibly committed a criminal offence against or related to a child
- Behaved in a way that indicates s/he may pose a risk of harm to children
- Behaved, or may have behaved in a way that indicates they may not be suitable to work with children

The Nursery Manager will not carry out the investigation or interview pupils.

If a child makes an allegation of physical abuse against an adult that works with children and there are visible bruises, marks or injuries, or if a child makes an allegation of sexual abuse against an adult that works with children, Child Protection procedures will be followed and a referral made to the MASH Team. The LADO will also be informed.

The Nursery Manager must exercise, and be accountable for, their professional judgement on the action to be taken, as follows:

If the actions of the member of staff, are felt likely to fall within the scope of the interagency allegation management procedures as stated in point 2, the Nursery Manager/ Proprietor will notify the Local Authority Designated Officer (LADO) (Tel: 01582 548069).

The LADO will liaise with the Nursery Manager and advise about action to be taken which will be in accordance with the interagency procedures for managing allegations.

If the Nursery Manager is uncertain whether the concern or allegation falls within the scope of the allegation management procedures a consultation with the LADO will take place and the advice provided will be acted upon. This consultation and the advice offered will be recorded and held on file.

Where an allegation has been made against the Nursery Manager, then the Proprietor or nominated Governor for child protection takes on the role of liaising with the LADO team in determining the appropriate way forward. For details of this specific procedure see the section Allegations against Staff and Volunteers in the procedures of Luton Safeguarding Children Board. (Safeguarding Partners from Sept 19)

Also see "Keeping Children Safe in Education" September 2020 Part 4

APPENDIX 4

INDICATORS OF VULNERABILITY TO RADICALISATION

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

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.

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.

Terrorism is defined (in the Terrorism Act 2000) as “an action that endangers or causes serious violence to a person/people; causes serious damage to property; or seriously interferes or disrupts an electronic system. The use or threat must be designed to influence the government or to intimidate the public and is made for the purpose of advancing a political, religious or ideological cause.”

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.

Children 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 all staff are able to recognise those vulnerabilities.

Indicators of vulnerability include:

- Identity Crisis – the child is distanced from their cultural / religious heritage and experiences discomfort about their place in society;
- Personal Crisis – the child 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 child’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 child 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 – children may experience difficulties with social interaction, empathy with others, understanding the consequences of their actions and awareness of the motivations of others.

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.

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.

APPENDIX 5

Honour Based Abuse

So-called 'honour-based' abuse (HBA) encompasses incidents or crimes which have been committed to protect or defend the honour of the family and/or the community, including female genital mutilation (FGM) and forced marriage. Abuse committed in the context of preserving "honour" often involves a wider network of family or community pressure and can include multiple perpetrators. All forms of HBA are abuse, including non-violent forms, (regardless of the motivation) and should be handled and escalated as such. Professionals in all agencies, and individuals and groups in relevant communities, need to be alert to the possibility of a child being at risk of HBA, or already having suffered HBA.

FORCED MARRIAGE

Forcing a person into a marriage is a crime in England and Wales. A forced marriage is one entered into without the full and free consent of one or both parties and where violence, threats or any other form of coercion is used to cause a person to enter into a marriage. Threats can be physical or emotional and psychological. A lack of full and free consent can be where a person does not consent or where they cannot consent (if they have learning disabilities, for example). Nevertheless, some perpetrators use perceived cultural practices as a way to coerce a person into marriage. Schools and colleges can play an important role in safeguarding children from forced marriage.

FEMALE GENITAL MUTILATION (FGM)

Female genital mutilation (FGM) is a procedure where the female genitals are deliberately cut, injured or changed, but where there's no medical reason for this to be done.

It's also known as "female circumcision" or "cutting", and by other terms such as sunna, gudniin, halalays, tahur, megrez and khitan, among others.

FGM is usually carried out on young girls between infancy and the age of 15, most commonly before puberty starts. It is illegal in the UK and is child abuse. It's very painful and

can seriously harm the health of women and girls. It can also cause long-term problems with sex, childbirth and mental health.

Effects of FGM

There are no health benefits to FGM and it can cause serious harm, including:

- constant pain
- pain and/or difficulty having sex
- repeated infections, which can lead to infertility
- bleeding, cysts and abscesses
- problems passing urine or incontinence
- depression, flashbacks and self-harm
- problems during labour and childbirth, which can be life-threatening for mother and baby

Some girls die from blood loss or infection as a direct result of the procedure.

Why FGM is carried out

FGM is carried out for various cultural, religious and social reasons within families and communities in the mistaken belief that it will benefit the girl in some way (for example, as a preparation for marriage or to preserve her virginity).

However, there are no acceptable reasons that justify FGM. It is a harmful practice that is not required by any religion and there are no religious texts that say it should be done. There are no health benefits of FGM.

FGM usually happens to girls whose mothers, grandmothers or extended female family members have had FGM themselves or if their father comes from a community where it is carried out.

Where FGM is carried out

Girls are sometimes taken abroad for FGM, but they may not be aware that this is the reason for their travel. Girls are more at risk of FGM being carried out during the summer holidays, as this allows more time for them to "heal" before they return to school

Communities that perform FGM are found in many parts of Africa, the Middle East and Asia. Girls who were born in the UK or are resident here but whose families originate from an FGM practising community are at greater risk of FGM happening to them.

Communities at particular risk of FGM in the UK originate from:

Egypt	Yemen	Eritrea	Sudan
Ethiopia	Somalia	Gambia	Sierra Leone
Guinea	Nigeria	Indonesia	Mali
Ivory Coast	Malaysia	Kenya	Liberia

The Law and FGM

FGM is illegal in the UK.

It is an offence to:

- perform FGM (including taking a child abroad for FGM)
- help a girl perform FGM on herself in or outside the UK
- help anyone perform FGM in the UK
- help anyone perform FGM outside the UK on a UK national or resident
- fail to protect a girl for whom you are responsible from FGM

Anyone who performs FGM can face up to 14 years in prison. Anyone found guilty of failing to protect a girl from FGM can face up to 7 years in prison.

Female Genital Mutilation Act 2003 (section 74 of the Serious Crime Act 2015) places a statutory duty upon teachers (along with social workers and healthcare professionals) to report to the police where they discover (either through disclosure by the victim or visual evidence) that FGM appears to have been carried out on a girl under 18.

Possible signs and indicators of FGM

A girl or woman who has had FGM may:

- have difficulty walking, sitting or standing
- spend longer than normal in the bathroom or toilet
- have unusual behaviour after an absence from school or college
- be particularly reluctant to undergo normal medical examinations
- ask for help, but may not be explicit about the problem due to embarrassment or fear.

Below are some warning signs that MAY indicate a girl is at risk of FGM:

- Parents requesting additional periods of leave around school holiday times
- If the girl comes from a country with a high prevalence of FGM
- Mother and siblings have undergone FGM
- Child may indicate that they are going for a special event

Further information can be obtained from:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/746560/6-1914-HO-Multi_Agency_Statutory_Guidance_on_FGM_-_MASTER_V7_-_FINAL_-_Amended081018.pdf

APPENDIX 6

SAFEGUARDING IN SPECIFIC CIRCUMSTANCE: YOUTH PRODUCED SEXUAL IMAGERY

Under 18's sending or posting sexually suggestive images, including nude or semi-nude photographs via mobile devices or the internet ("Sexting")

Incidents covered by this policy:

- Person under 18 creates a sexual image of themselves and shares it with another person under 18.
- A person under 18 shares an image of another under 18 with another person under 18 or an adult.
- A person under 18 is in possession of sexual imagery created by another person under 18.

Incidents not covered by this guidance:

- Under 18s sharing adult pornography.
- Under 18s sharing sexual texts without sexual imagery.
- Adults sharing sexual imagery of under 18s. (This is child sexual abuse and must always be reported to police.)

The Law

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.

Indecent is not definitively defined in law, but images are likely to be considered indecent if they depict:

- a naked young person
- a topless girl
- an image which displays genitals, and
- sex acts including masturbation.
- indecent images may also include overtly sexual images of young people in their underwear.

These laws were not created to criminalise young people but to protect them. Although sharing sexual images of themselves is illegal and risky, it is often the result of curiosity and exploration. We believe young people need education, support, and safeguarding not criminalisation.

National Police Chiefs Council has made clear that incidents of youth produced sexual imagery should be treated primarily as a safeguarding issue. However, the Police may need to be involved in cases to ensure thorough investigation including collection of evidence.

If a young person has shared imagery consensually, such as when in a romantic relationship, or as a joke, and there is no intended malice, it is usually appropriate for the school to manage the incident directly. In contrast any incidents with aggravating factors, for example, a young person sharing someone else's imagery without consent and with malicious intent, should generally be referred to police and/or children's social care.

If you have any doubts about whether to involve other agencies, you should make a referral to the police.

Assessing the risks

The circumstances of incidents can vary widely. If at the initial review stage a decision has been made not to refer to police and/or children's social care, the DSL should conduct a further review (including an interview with the young people involved) to establish the facts and assess the risks.

When assessing the risks the following should be considered:

- Why was the imagery shared? Was the young person coerced or put under pressure to produce the imagery?
- Who has shared the imagery? Where has the imagery been shared? Was it shared and received with the knowledge of the pupil in the imagery?

- Are there any adults involved in the sharing of the imagery?
- What is the impact on the young people involved?
- Do the young people involved have additional vulnerabilities?
- Does the young person understand consent?
- Has the young person taken part in this kind of activity before?

Informing parents (or carers)

Parents (or carers) should 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 Designated Safeguarding Lead may work with the young people involved to decide on the best approach for informing parents. In some cases the Designated Safeguarding Lead may work to support the young people to inform their parents themselves.

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 should be based on what DSL's have been told about the content of the imagery.

If a decision is made to view imagery, the Designated Safeguarding Lead 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 Designated Safeguarding Lead should:

- Never copy, print or share the imagery; this is illegal
- Discuss the decision with the Headteacher
- Ensure viewing is undertaken by the Designated Safeguarding Lead or another member of the safeguarding team with delegated authority from the Headteacher
- Ensure viewing takes place with another member of staff present in the room, ideally the Headteacher 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 Headteacher 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 and ensure the safeguarding recording procedures for the school are followed.

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 Headmaster 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.

Further details on searching, deleting and confiscating devices can be found in the DfE Searching, Screening and Confiscation advice (note this advice is for schools only.)

APPENDIX 7

SAFEGUARDING IN SPECIFIC CIRCUMSTANCES: GANG INVOLVEMENT

There are particular risk factors and triggers that young people experience in their lives that can lead to them becoming involved in gangs. Many of these risk factors are similar to involvement in other harmful activities such as youth offending or violent extremism.

Risk indicators may include:

- Becoming withdrawn from family;
- Sudden loss of interest in school - decline in attendance or academic achievement;
- Starting to use new or unknown slang words;
- Holding unexplained money or possessions;
- Staying out unusually late without reason;
- Sudden change in appearance - dressing in a particular style or 'uniform';
- Dropping out of positive activities;
- New nickname;
- Unexplained physical injuries;
- Graffiti style tags on possessions, school books, walls;
- Constantly talking about another young person who seems to have a lot of influence over them;
- Broken off with old friends and hanging around with a new group;
- Increased use of social networking sites;
- Starting to adopt codes of group behaviour e.g. ways of talking and hand signs;
- Expressing aggressive or intimidating views towards other groups of young people some of whom may have been friends in the past;
- Being scared when entering certain areas;
- Being concerned by the presence of unknown youths in their neighbourhood.

This is not an exhaustive list and should be used as a guide, amended as appropriate in light of local knowledge of the risk factors in a particular area.

APPENDIX 8

SAFEGUARDING IN SPECIFIC CIRCUMSTANCES: CHILD SEXUAL EXPLOITATION

Child sexual exploitation takes different forms - from a seemingly 'consensual' relationship where sex is exchanged for attention, affection, accommodation or gifts, to serious organised crime and child trafficking.

Child sexual exploitation involves differing degrees of abusive activities, including coercion, intimidation or enticement, unwanted pressure from peers to have sex, sexual bullying (including cyber bullying), and grooming for sexual activity. There is increasing concern about the role of technology in Sexual Abuse, including via social networking and other internet sites and mobile phones.

The key issue in relation to child sexual exploitation is the imbalance of power within the 'relationship'. The perpetrator always has power over the victim, increasing the dependence of the victim as the exploitative relationship develops.

Many children and young people are groomed into sexually exploitative relationships but other forms of entry exist. Some young people are engaged in informal economies that incorporate the exchange of sex for rewards such as drugs, alcohol, money or gifts. Others exchange sex for accommodation or money as a result of homelessness and experiences of poverty. Some young people have been bullied and threatened into sexual activities by peers or gangs which is then used against them as a form of extortion and to keep them compliant.

The key indicators of child sexual exploitation include:

Health

- Physical symptoms (bruising suggestive of either physical or sexual assault);
- Chronic fatigue;
- Recurring or multiple sexually transmitted infections;
- Pregnancy and/or seeking an abortion;
- Evidence of drug, alcohol or other substance misuse;
- Sexually risky behaviour.

Education

- Truancy/disengagement with education or considerable change in performance at school.

Emotional and Behavioural Issues

- Volatile behaviour exhibiting extreme array of mood swings or use of abusive language;
- Involvement in petty crime such as shoplifting, stealing;
- Secretive behaviour;
- Entering or leaving vehicles driven by unknown adults;
- Reports of being seen in places known to be used for sexual exploitation, including public toilets known for cottaging or adult venues (pubs and clubs).

Identity

- Low self-image, low self-esteem, self-harming behaviour, e.g. cutting, overdosing, eating disorder, promiscuity.

Relationships

- Hostility in relationships with staff, family members as appropriate and significant others;
- Physical aggression;
- Placement breakdown;
- Reports from reliable sources (e.g. family, friends or other professionals) suggesting the likelihood of involvement in sexual exploitation;
- Detachment from age-appropriate activities;
- Associating with other young people who are known to be sexually exploited;
- Known to be sexually active;
- Sexual relationship with a significantly older person, or younger person who is suspected of being abusive;
- Unexplained relationships with older adults;
- Possible inappropriate use of the Internet and forming relationships, particularly with adults, via the Internet;
- Phone calls, text messages or letters from unknown adults;
- Adults or older youths loitering outside the home;
- Persistently missing, staying out overnight or returning late with no plausible explanation;
- Returning after having been missing, looking well cared for in spite of having no known home base;
- Missing for long periods, with no known home base;
- Going missing and being found in areas where they have no known links.

Note: Whilst the focus is often on older men as perpetrators, younger men and women may also be involved and staff should be aware of this possibility.

Social Presentation

- Change in appearance;
- Going out dressed in clothing unusual for them (inappropriate for age, borrowing clothing from older young people).

Family and Environmental Factors

- History of physical, sexual, and/or emotional abuse; neglect; domestic violence; parental difficulties.

Housing

- Pattern of previous street homelessness;
- Having keys to premises other than those known about.

Income

- Possession of large amounts of money with no plausible explanation;
- Acquisition of expensive clothes, mobile phones or other possessions without plausible explanation

- Accounts of social activities with no plausible explanation of the source of necessary funding.

This list is not exhaustive.

Staff and foster carers should be aware that many children and young people who are sexually exploited do not see themselves as victims.

APPENDIX 9

SAFEGUARDING IN SPECIFIC CIRCUMSTANCES: SERIOUS VIOLENT CRIME

School staff need to be aware of the indicators that may signal that children are at risk from, or are involved with, serious violent crime. These indicators include, but are not limited or specific to:

- Unexplained gifts/ new possessions – these can indicate children have been approached by/ involved with individuals associated with criminal networks/ gangs
- Increased absence from school
- Change in friendship/ relationships with others/ groups
- Significant decline in performance
- Signs of self-harm and/ or significant change in well-being
- Signs of assault/ unexplained injuries

Staff should be aware of the associated risks and understand the measures in place to manage them, mainly referral to DSL.

APPENDIX 10

SAFEGUARDING IN SPECIFIC CIRCUMSTANCES: COUNTY LINES

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

Exploitation is an integral part of the county lines offending model with children and vulnerable adults exploited to move and store drugs and money. Offenders will often use coercion, intimidation, violence (including sexual violence) and weapons to ensure compliance of victims.

Children can be targeted and recruited into county lines in a number of locations including schools, further and higher educational institutions, pupil referral units, special educational needs schools, children’s homes and care homes.

Children are often recruited to move drugs and money between locations and are known to be exposed to techniques such as ‘plugging’, where drugs are concealed internally to avoid detection.

Children can easily become trapped by this type of exploitation as county lines gangs create drug debts and can threaten serious violence and kidnap towards victims (and their families) if they attempt to leave the county lines network.

One of the ways of identifying potential involvement in county lines are missing episodes (both from home and school), when the victim may have been trafficked for the purpose of transporting drugs and a referral to the National Referral Mechanism should be considered.

If a child is suspected to be at risk of or involved in county lines, a safeguarding referral should be considered alongside consideration of availability of local services/third sector providers who offer support to victims of county lines exploitation.

Useful Links (as referenced in Keeping Children Safe in Education Sept 20)

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

Statutory Guidance

[Relationships Education Relationships and Sex Education RSE and Health Education](#)

UK Council for Internet Safety [Education for a Connected World](#)

National Crime Agency's CEOP (Child Exploitation & Online Protection Centre) education programme
www.thinkuknow.co.uk

OFSTED Inspection Framework [Education inspection framework](#)

OFSTED guidance [Inspecting safeguarding in early years education and skills](#)