

Ash Green Community Primary School



M22 POLICY FOR SAFEGUARDING AND CHILD PROTECTION

*This policy should be read alongside statutory guidance **Working Together to Safeguard Children 2015** and the document **What to do if you are worried a child is being abused 2015 – advice for practitioners**. All staff must read part 1 of the statutory guidance. Senior leaders should read parts 1, 2 and 3. Governors must read parts 2 and 3. Staff and governors should sign the relevant declaration set out in the appendix. Part 4 of the guidance is incorporated directly into this policy.*

1. ETHOS

Safeguarding is about protecting children from maltreatment; preventing impairment of children's health or development; ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and taking action to enable all children to have the best outcomes. Everyone here has a role to play in safeguarding children as we are in a position to identify concerns early and provide help for children, to prevent concerns from escalating.

We seek to support parents/carers and families in order that they are able to provide the necessary care for their children, whilst ensuring the highest standards of professional care throughout the school day. However, we recognise that there will be circumstances where children receive inadequate care and (could) suffer significant harm. In these circumstances we are committed to a comprehensive and holistic assessment of the needs of the child and their family, working with other services (as needed) through an EISA (Early Intervention Single Assessment) so that appropriate action is taken.

2. AIMS

We aim to ensure that adequate protection and support is provided for pupils who may be at risk of significant harm, either through physical, sexual or emotional abuse or neglect by:

- Providing a safe environment where children can learn
- Identification of behavioural indicators associated with all types of abuse
- Definition of categories of child abuse, its impact and assessment
- Early identification of concerns
- Clear procedures for staff to report safeguarding concerns about children and adults or concerns about safeguarding practices
- Definition of the role of the designated safeguarding lead
- Clear referral procedures
- Safe recruitment procedures for all staff and volunteers
- Providing appropriate help and support for children to ensure their well-being and safety

3. POLICY

3.1 Behavioural Indication

Staff maintain an attitude of "it could happen here" and are trained to always act in the best interests of any child. They are aware that they may be asked to support social workers to take decisions about individual children. Often abuse is accompanied by behaviour or emotional problems exhibited by a child. Whilst these in themselves may merely indicate that the child is

experiencing emotional stress for a variety of reasons, they can be used to indicate that the abuse is occurring **when viewed in conjunction with other factors**. No sign or symptom should be considered in isolation from other prevailing circumstances. Where abuse is suspected the following behavioural points should be considered as areas of concern:

- Clinging
- Bed-wetting
- Sleep disturbances (nightmares and/or poor sleep patterns)
- Eating problems and/or loss of appetite, fussiness over eating
- Sudden mood changes
- Withdrawn/apathetic social isolation
- Aggression/temper tantrums
- Running away
- Suicide attempts –self mutilation
- Dependence on drugs or alcohol
- Sexually inappropriate behaviour
- Control problems
- Unusual fears
- Psychosomatic illness
- Cruelty to other children and pets

Other sources of advice are provided on the NSPCC website.

3.2 Definitions of categories

ABUSE

A form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. They may be abused by an adult or adults or another child or children.

PHYSICAL ABUSE

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

Physical abuse suffered by a child can lead to:

- Neurological damage
- Physical injuries
- Disability
- In the extreme, death

A child subjected to physical abuse may also witness domestic violence or other acts of violence within the wider family or within institutional surroundings.

In assessing physical abuse the following points need to be considered as areas of concern:

1. The severity of the injuries (although minor injuries will not be overlooked).
2. Presentation for treatment with an unexplained delay
3. Explanations which do not appear to be consistent with the injury

There are new reporting requirements with regard to known cases of female genital mutilation (FGM). Further details are set out on pages 14 and 15 of the statutory guidance.

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. It may involve a parent or carer failing to provide adequate food, shelter and clothing (including exclusion from home or abandonment); failing to protect a child from physical and emotional harm or danger; failing to ensure adequate supervision (including the use of inadequate care-givers) or the failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness, to a child's basic emotional needs.

Severe neglect of young children is associated with major impairment of growth, physical development, social and intellectual development. Persistent neglect can lead to:

- Serious impairment of health and development
- Long term difficulties with social functioning, relationships and educational progress
- In extreme cases, neglect can result in death

In order to grow and develop normally, children not only need food but also loving care and concern, praise and encouragement, appropriate boundaries with control, and stimulation through play and talking. When the child fails to receive appropriate care either growth or development, usually both will suffer.

Key Indicators of neglect

Physical

- Failing to achieve developmental milestones compared to expected development
- Recurrent minor infections
- Severe nappy rash
- Mottled periphery (hands and feet) which may also be swollen
- General neglected appearance, poorly clothed
- Abnormally voracious appetite
- Dry, sparse hair
- Unhygienic home conditions which present a threat to health

Development

- General delay
- Persistent failure to attend school with apparent collusion of parents/carers

Behaviour

- Attention disorder
- Lack of responsiveness

SEXUAL ABUSE

Sexual abuse involves forcing or enticing a child 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) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways or grooming a child in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts sexual abuse, as can other children.

The adverse effects of sexual abuse often endure into adulthood. The older the child, the extent of the abuse and the length of time over which the abuse takes place can lead to long term impairment, both emotionally and psychologically.

A proportion of adults who sexually abuse children have themselves been sexually abused as a child

Sexual contact without consent and incestuous relationships are **always** illegal.

Key Indicators of sexual abuse:

- Withdrawal and introversion
- Display of sexual knowledge or behaviour beyond the child's years
- Persistent masturbation, particularly in inappropriate settings
- A child behaving provocatively or seductively with adults, or kissing in a sexualised way
- Sexualised behaviour towards other children
- Disclosure of sexual activity through words, play or drawings

Child Sexual Exploitation (CSE) involves situations, contexts and relationships where children receive something as a result of engaging in sexual activities where the perpetrator always holds some kind of power over the victim. Further information is set out on page 14 of the statutory guidance.

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 include conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or making fun of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child's developmental capability as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve 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 ill treatment of a child, though it may occur alone.

Emotional abuse has an important impact on a developing child's mental health, behaviour and self-esteem. It can be especially damaging in infancy.

Adverse long-term effects of emotional abuse include:

- Consequences for the child's overall physical and emotional development
- An adverse effect on the child's developing mental health.
- Behavioural problems
- Poor self esteem

Emotional abuse occurs when a child's basic needs for love, security, praise and recognition are persistently and consistently, over a period of time, left unmet.

Emotional abuse is a complex and often difficult area to evaluate.

Domestic violence, adult mental health problems and parental substance misuse are often features in families where children are exposed to emotional abuse.

Key Indicators of Emotional Abuse

- Lack of praise and encouragement
- Lack of comfort and love
- Lack of attachment
- Lack of appropriate stimulation
- Lack of continuity of care
- Singling out of one particular child for such treatment, scape-goating and some children having to carry the burden of many tasks in the home inappropriate to their age and status
- The over-protective and possessive behaviour of a parent so not allowing the child to have normal contact and activity with friends

A child going missing from education is a potential indicator of abuse or neglect. We have a clear Attendance Policy (M20) which sets out procedures to be followed when a child is not in school with no communication from home, particularly on repeat occasions. Further information is detailed on pages 13 and 14 of the statutory guidance.

Protecting children from the risk of radicalisation is part of our wider safeguarding duties because, during the process of radicalisation, it is possible to intervene to prevent a child being radicalised. This forms part of the school's PREVENT duty, training for which is in place for all staff. Where appropriate, a referral can be made to the CHANNEL programme. Further information is set out on pages 16/17 of the statutory guidance.

3.3 Procedures for Staff

If a member has any safeguarding concerns or anxieties about a child they should:

- i) Complete a CPOMS referral and notify the designated leads for safeguarding
- ii) IPT (headed by Designated Safeguarding Lead/Family Social Worker) will decide what monitoring/support procedures need to be implemented and an appropriate time-scale in accordance with level 2 or 3 of the Continuum of Need
- iii) This may result in single service early intervention, EISA, Child In Need Plan or Child Protection referral, dependent upon the outcome of any pre-assessments and whether there is any (potential) risk of harm to the child

In the event of necessary referral to a single agency for support, the child and family will move to level 2 of the Continuum of Need. The impact of support will be monitored rigorously by the IPT. If successful, the child and family will revert to level 1 (no intervention). If unsuccessful, they will be escalated to level 3 for more specialist support. If intervention from other services is required an EISA will be completed, working with the family. If parents/carers refuse to cooperate, the family will be escalated to level 4 (Child in Need) or level 5 (Child Protection) by referral to Care Services. In the event of serious concerns, it may be appropriate to make an immediate level 5 referral. However, in most cases where there has been previous intervention, it is likely that an EISA would already exist at level 3

If a member of staff has a suspicion that abuse has occurred they should:

- iv) Listen carefully to any disclosure which the child wishes to make, taking careful note of what is said
- v) Provide reassurance to the child
- vi) Report their concerns to the designated teacher immediately, following the safeguarding flowcharts displayed in the staffrooms

THEY MUST NOT

- i) inform the parent at this stage
- ii) question the child in detail or undertake intensive investigative or interrogative action which may hamper or duplicate the work of agencies which have legal obligations to undertake this work
- iii) make any detailed physical examination, or initiate examination by any other agency other than an emergency

The safeguarding lead will usually decide whether to make a referral to children's social care but it is important to note that that any staff member can refer their concerns to children's social care directly.

3.4 Role of the designated safeguarding lead

The designated safeguarding lead is Hugh Monaghan, the school-based full time social worker. He is responsible for the management and co-ordination of the school's response to all matters related to safeguarding and child protection. The designated safeguarding lead works in partnership with the head teacher, deputy head teacher and home-school liaison manager. These key staff are also trained as safeguarding leads and referrals will be made to them in the order set out above if Hugh Monaghan is unavailable.

The school maintains a secure (password protected), online digital record of incidents and interventions appertaining to all pupils (CPOMS). The system provides an accurate, chronological log of occurrences involving or affecting pupils, siblings and families. All staff members have received training and are responsible for reporting incidents and alerting appropriate personnel, as well as making pupil referrals to the IPT that may require further monitoring, support or intervention.

INITIAL RESPONSE

The designated safeguarding lead should always:

- i) Check the School File (Child Protection) for details of previous concerns or incidents.
- ii) Contact the custodian of the Child Protection Register held by Care Services in order to gain further information.

The designated safeguarding lead may consult with Education Welfare Service or other relevant members of staff

THE PARENT SHOULD NOT BE INFORMED AT THIS STAGE.

3.5 Referral Procedures

Referrals to Calderdale Care Services should follow the procedures established by Calderdale Children's Safeguarding Board. These are clearly displayed on flow charts in staffrooms.

Interrogation of the Child Protection Register maintained by Social Care Services does not constitute a referral.

When a referral is made to a statutory agency e.g. Care Services, the designated safeguarding lead should make clear:-

- a. the reasons for making the referral
- b. any special needs of the child including cultural, physical or psychological factors.
- c. expectations of the agency to which referral has been made.
- d. the action to be taken by agency receiving the referral.
- e. the action to be taken, and by whom
- f. when and how the parents will be informed

If the child's situation does not appear to be improving any staff member with concerns should press for reconsideration. Concerns should always lead to help for the child at some point.

Staff and volunteers should feel able to raise concerns about poor or unsafe practice and potential failures in the school's safeguarding systems. The school has a clear Whistleblowing Policy (M51) with clear procedures for staff to raise concerns.

3.6 Allegations Against a Member of Staff

In addition to safeguarding all pupils, we also have a duty of care to our employees. We therefore ensure effective support for anyone facing an allegation and provide the employee with a named contact if they are suspended.

This following guidance is about managing cases of allegations that might indicate a person would pose a risk of harm if they continue to work in regular or close contact with children in their present position, or in any capacity. It should be used in respect of all cases in which it is alleged that a teacher or member of staff (including volunteers) has:

behaved in a way that has harmed a child, or may have harmed a child;
possibly committed a criminal offence against or related to a child; or
behaved towards a child or children in a way that indicates he or she would pose a risk of harm if they work regularly or closely with children.

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

The framework for managing cases of allegations of abuse against people who work with children is set out in *'Keeping Children Safe in Education': Statutory guidance for schools (July 2015)* which provides an overview of how allegations should be handled.

INITIAL CONSIDERATIONS

The procedures for dealing with allegations need to be applied with common sense and judgement. Many cases may well either not meet the criteria set out above at all, or may do so without warranting consideration of a police investigation or enquiries by local authority children's services. In these cases local arrangements will be followed to resolve cases quickly and without delay.

Some rare allegations will be so serious as to require immediate intervention by the local

authority's social care services and/or police. The local authority designated officer (LADO) should be informed of all allegations that appear to meet the criteria so that he or she can consult police and local authority children's social care services as appropriate.

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

- **Substantiated:** there is sufficient evidence to prove the allegation
- **Malicious:** there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive
- **False:** there is sufficient evidence to disprove the allegation
- **Unsubstantiated:** there is insufficient evidence to either prove or disprove the allegation. The term, therefore, does not imply guilt or innocence.

In the first instance, the head teacher, or chair of governors (if the allegation is about the Head Teacher), will immediately discuss the allegation with the LADO. The purpose of an initial discussion is for the LADO and the case manager to consider the nature, content and context of the allegation and agree a course of action. The LADO may ask the case manager to provide or obtain relevant additional information, such as previous history, whether the child or their family have made similar allegations and the individual's current contact with children. There may be situations when the case manager will want to involve the police immediately, for example if the person is deemed to be an immediate risk to children or there is evidence of a possible criminal offence. Where there is no such evidence, the case manager should discuss the allegations with the LADO in order to help determine whether police involvement is necessary.

This initial sharing of information and evaluation may lead to a decision that no further action is to be taken in regard to the individual facing the allegation or concern, in which case this decision and a justification for it should be recorded, by both the case manager and the LADO, and agreement reached as to what information should be put in writing to the individual concerned and by whom. The case manager should then consider with the LADO what action should follow in respect of the individual and those who made the initial allegation.

The case manager should inform the accused person about the allegation as soon as possible after consulting the LADO. It is extremely important that the case manager provides them with as much information as possible at the time. However, where a strategy discussion is needed, or police or local authority's social care services need to be involved, the case manager should not do that until those agencies have been consulted, and have agreed what information can be disclosed to the accused. We would consider carefully whether the circumstances of a case warrant a person being suspended from contact with children at the school or whether alternative arrangements can be put in place until the allegation or concern is resolved. All options to avoid suspension should be considered prior to taking that step.

If there is cause to suspect a child is suffering or is likely to suffer significant harm, a strategy discussion should be convened, in accordance with the statutory guidance *Working Together to Safeguard Children 2015*. If the allegation is about physical contact, the strategy discussion or initial evaluation with the police should take account of the fact that teachers and other school staff are entitled to use reasonable force to control or restrain pupils in certain circumstances, including dealing with disruptive behaviour.

Where it is clear that an investigation by the police or local authority children's social care services is unnecessary, or the strategy discussion or initial evaluation decides that is the case, the LADO should discuss the next steps with the case manager. In those circumstances the options will depend on the nature and circumstances of the allegation and the evidence and information available. This will range from taking no further action to dismissal or a decision not to use the person's services in future. Suspension will not be the default position – an individual should only be suspended if there is no reasonable alternative.

In some such cases further enquiries will be needed to enable a decision about how to proceed. If so, the LADO should discuss with the case manager, how and by whom the investigation will be undertaken. In straightforward cases, the investigation should normally be undertaken by a senior member of staff.

However, other circumstances such as lack of appropriate resource within the school, or the nature or complexity of the allegation, will require an independent investigator. Calderdale LA provides for an independent investigation of allegations, as part of our service level agreement with Human Resources.

SUPPORTING THOSE INVOLVED

We have a duty of care to our employees. We will therefore act to manage and minimise the stress inherent in the allegations process. Support for the individual is vital to fulfilling this duty. Individuals should be informed of concerns or allegations as soon as possible and given an explanation of the likely course of action, unless there is an objection by the children's social care services or the police. The individual should be advised to contact their trade union representative, if they have one, or a colleague for support. They should also be given access to welfare counselling or medical advice where this is provided by the Local Authority.

The case manager should appoint a named representative to keep the person who is the subject of the allegation informed of the progress of the case and consider what other support is appropriate for the individual. This may include support via the local authority occupational health or employee welfare arrangements. Particular care needs to be taken when employees are suspended to ensure that they are kept informed of both the progress of their case and current work related issues. Social contact with colleagues and friends must not be prevented unless there is evidence to suggest that such contact is likely to be prejudicial to the gathering and presentation of evidence.

Parents or carers of a child or children involved should be told about the allegation as soon as possible if they do not already know of it. However, where a strategy discussion is required, or police or children's social care services need to be involved, the case manager should not do so until those agencies have been consulted and have agreed what information can be disclosed to the parents or carers. They should also be kept informed about the progress of the case, and told the outcome where there is not a criminal prosecution, including the outcome of any disciplinary process. The deliberations of a disciplinary hearing, and the information taken into account in reaching a decision, cannot normally be disclosed, but the parents or carers of the child should be told the outcome in confidence.

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

In cases where a child may have suffered significant harm, or there may be a criminal prosecution, children's social care services, or the police as appropriate, should consider what support the child or children involved may need.

CONFIDENTIALITY

It is extremely important that when an allegation is made, every effort is made to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered. The Education Act 2002 introduced reporting restrictions preventing the publication of any material that may lead to the identification of a staff member who has been accused by, or on behalf of, a pupil from the same school (where that identification would identify a member of staff as the subject of the allegation). The reporting restrictions apply until the point that the accused person is charged with an offence, or until the Secretary of State publishes this

information about an investigation or decision in a disciplinary case arising from the allegation. The reporting restrictions also cease to apply if the individual to whom the restrictions apply effectively waives their right to anonymity by going public themselves or by giving their written consent for another to do so or if a judge lifts restrictions in a response to a request to do so. These provisions commenced on 1 October 2012.

The legislation imposing restrictions makes clear that 'publication' includes 'any speech, writing, relevant programme or other communication in whatever form, which is addressed to the public at large or any section of the public'. This means that a parent, who for example, published details of the allegation on a social networking site, would be in breach of the reporting restrictions (if what was published could lead to the identification of the member of staff by members of the public).

In accordance with the Association of Chief Police Officers' (ACPO) guidance the police will not normally provide any information to the press or media that might identify an individual who is under investigation, unless and until the person is charged with a criminal offence. (In exceptional cases where the police might depart from that rule, e.g. an appeal to trace a suspect, they must apply to a magistrate's court to request that reporting restrictions be lifted).

The case manager will therefore take advice from the LADO, police and children's social care services to agree the following:

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

RESIGNATIONS AND 'SETTLEMENT AGREEMENTS'

If the accused person resigns, or ceases to provide their services, this should not prevent an allegation being followed up in accordance with this guidance. **A referral to the DBS must be made if the criteria in paragraph 81 of *Keeping Children Safe in Education (2015)* are met.** If the accused person resigns, or their services cease to be used and the criteria are met, it will not be appropriate to reach a settlement/compromise agreement. A settlement/compromise agreement which prevents the school from making a DBS referral when the criteria are met would likely result in a criminal offence being committed as we would not be complying with our legal duty to make the referral.

It is important that every effort is made to reach a conclusion in all cases of allegations bearing on the safety or welfare of children, including any in which the person concerned refuses to cooperate with the process. Wherever possible, the accused should be given a full opportunity to answer the allegation and make representations about it; but the process of recording the allegation and any supporting evidence, and reaching a judgement about whether it can be substantiated on the basis of all the information available, should continue even if that cannot be done or the accused does not cooperate. It may be difficult to reach a conclusion in those circumstances, and it may not be possible to apply any disciplinary sanctions if a person's period of notice expires before the process is complete, but it is important to reach and record a conclusion wherever possible.

'Settlement agreements' (sometimes referred to as 'compromise agreements'), by which a person agrees to resign if the school agrees not to pursue disciplinary action, and both parties agree a form of words to be used in any future reference, will not be used in cases of refusal to co-operate or resignation before the person's notice period expires. Such an agreement will not prevent a thorough police investigation where that is appropriate.

RECORD KEEPING

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

The purpose of the record is to enable accurate information to be given in response to any future request for a reference, where appropriate. It will provide clarification in cases where future DBS checks reveal information from the police about an allegation that did not result in a criminal conviction and it will help to prevent unnecessary re-investigation if, as sometimes happens, an allegation re-surfaces after a period of time. The record should be retained at least until the accused has reached normal pension age or for a period of 10 years from the date of the allegation if that is longer.

REFERENCES

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

TIMESCALES

It is in everyone's interest to resolve cases as quickly as possible consistent with a fair and thorough investigation. All allegations must be investigated as a priority so as to avoid any delay. It is expected that 80 per cent of cases should be resolved within one month, 90 per cent within three months, and all but the most exceptional cases should be completed within 12 months.

For those cases where it is clear immediately that the allegation is unsubstantiated or malicious, they should be resolved within one week. Where the initial consideration decides that the allegation does not involve a possible criminal offence it will be for the school to deal with it, although if there are concerns about child protection, we would discuss with the LADO. In such cases, if the nature of the allegation does not require formal disciplinary action, senior leaders will institute appropriate action within 3 working days. If a disciplinary hearing is required and can be held without further investigation, the hearing will be held within 15 working days.

OVERSIGHT AND MONITORING

The LADO has overall responsibility for oversight of the procedures for dealing with allegations; for resolving any inter-agency issues, and for liaison with the Local Safeguarding Children Board (LSCB) on the subject. The LADO will provide advice and guidance to the case manager, in addition to liaising with the police and other agencies, and monitoring the progress of cases to ensure that they are dealt with as quickly as possible consistent with a thorough and fair process. Reviews should be conducted at fortnightly or monthly intervals depending on the complexity of the case.

Police forces should also identify officers who will be responsible for:

- liaising with the LADO
- taking part in the strategy discussion or initial evaluation

- subsequently reviewing the progress of those cases in which there is a police investigation
- sharing information on completion of the investigation or any prosecution.

If the strategy discussion or initial assessment decides that a police investigation is required, the police should also set a target date for reviewing the progress of the investigation and consulting the Crown Prosecution Service (CPS) about whether to: charge the individual; continue to investigate; or close the investigation. Wherever possible that review should take place **no later than 4 weeks** after the initial evaluation. Dates for subsequent reviews, ideally at fortnightly intervals, should be set at the meeting if the investigation continues.

SUSPENSION

The possible risk of harm to children posed by an accused person should be evaluated and managed in respect of the child(ren) involved in the allegations. In some cases that will require the case manager to consider suspending the accused until the case is resolved. Suspension must not be an automatic response when an allegation is reported; all options to avoid suspension should be considered prior to taking that step. If the case manager is concerned about the welfare of other children in the community or the staff member's family, those concerns should be reported to the LADO or police but suspension is highly unlikely to be justified on the basis of such concerns alone.

Suspension should only be considered in a case where there is cause to suspect a child or other children at the school is/are at risk of harm or the case is so serious that it might be grounds for dismissal. However, a person should not be suspended automatically; the case manager must consider carefully whether the circumstances of the case warrant suspension from contact with children at the school until the allegation is resolved, and may wish to seek advice from the school's personnel advisor and the LADO. In cases where we are made aware that the Secretary of State has made an interim prohibition order in respect of an individual at the school, it will be necessary to immediately suspend that person pending the findings of the NCTL investigation.

The case manager should also consider whether the result that would be achieved by immediate suspension could be obtained by alternative arrangements. In many cases, an investigation can be resolved quickly and without the need for suspension. If the LADO, police and children's social care services have no objections to the member of staff continuing to work during the investigation, the case manager should be as inventive as possible to avoid suspension. Based on assessment of risk, the following alternatives should be considered by the case manager before suspending a member of staff:

- Redeployment within the school so that the individual does not have direct contact with the child or children concerned
- Providing an assistant to be present when the individual has contact with children
- Redeploying to alternative work in the school so that the individual does not have unsupervised access to children
- Moving the child or children to classes where they will not come into contact with the member of staff, making it clear that this is not a punishment and parents have been consulted
- Temporarily redeploying the member of staff to another role in a different location

These alternatives allow time for an informed decision regarding the suspension and possibly reducing the initial impact of the allegation. This will however, depend upon the nature of the allegation. The case manager should consider the potential permanent professional reputational damage to staff that can result from suspension where an allegation is later found to be unsubstantiated or maliciously intended.

If immediate suspension is considered necessary, the rationale and justification for such a course of action should be agreed and recorded by both the case manager and the LADO. This should also include what alternatives to suspension have been considered and why they were rejected.

Where it has been deemed appropriate to suspend the person, written confirmation should be dispatched within **one working day**, giving as much detail as appropriate for the reasons for the suspension. It is not acceptable to leave a person who has been suspended without any support. The person should be informed at the point of their suspension, who their named contact is within the school and provided with their contact details.

Children's social care services or the police cannot require the case manager to suspend a member of staff or a volunteer, although they should give appropriate weight to their advice. The power to suspend is vested in the governing body of the school. However, where a strategy discussion or initial evaluation concludes that there should be enquiries by the children's social care services and/or an investigation by the police, the LADO should canvass police and children's social care services for views about whether the accused member of staff needs to be suspended from contact with children in order to inform the school consideration of suspension. Police involvement does not make it mandatory to suspend a member of staff; this decision should be taken on a case-by-case basis having undertaken a risk assessment.

INFORMATION SHARING

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

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

Children's social care services should adopt a similar procedure when making enquiries to determine whether the child or children named in the allegation are in need of protection or services, so that any information obtained in the course of those enquiries which is relevant to a disciplinary case, can be passed to the school without delay.

ACTION FOLLOWING A CRIMINAL INVESTIGATION OR A PROSECUTION

The police should inform the school and LADO immediately when a criminal investigation and any subsequent trial is complete, or if it is decided to close an investigation without charge, or not to continue to prosecute the case after the person has been charged. In those circumstances the LADO should discuss with the case manager whether any further action, including disciplinary action, is appropriate and, if so, how to proceed. The information provided by the police and/or children's social care services should inform that decision. The options will depend on the circumstances of the case and the consideration will need to take into account the result of the police investigation or the trial, as well as the different standard of proof required in disciplinary and criminal proceedings.

ACTION ON CONCLUSION OF A CASE

If the allegation is substantiated and the person is dismissed or the school ceases to use the person's services, or the person resigns or otherwise ceases to provide his or her services, the LADO should discuss with the case manager and the school's personnel advisor whether the school will decide to make a referral to the DBS for consideration of inclusion on the barred lists is required; and in the case of a member of teaching staff, whether to refer the matter to the NCTL to consider prohibiting the individual from teaching.

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

Where it is decided on the conclusion of the case that a person who has been suspended can return to work, the case manager should consider how best to facilitate that. Most people will benefit from some help and support to return to work after a stressful experience. Depending on the individual's circumstances, a phased return and/or the provision of a mentor to provide assistance and support in the short term may be appropriate. The case manager should also consider how the person's contact with the child or children who made the allegation can best be managed if they are still a pupil at the school.

MALICIOUS OR UNSUBSTANTIATED ALLEGATIONS

If an allegation is determined to be unsubstantiated or malicious, the LADO should refer the matter to children's social care services to determine whether the child concerned is in need of services, or may have been abused by someone else. If an allegation is shown to be deliberately invented or malicious, the head teacher (or Chair of Governors if the allegation has been about the head teacher) should consider whether any disciplinary action is appropriate against the pupil who made it; or whether police should be asked to consider if action might be appropriate against the person responsible, even if he or she was not a pupil.

LEARNING LESSONS

At the conclusion of a case in which an allegation is substantiated, the LADO should review the circumstances of the case with the case manager to determine whether there are any improvements to be made to the school's procedures or practice to help prevent similar events in the future. This should include issues arising from the decision to suspend the member of staff, the duration of the suspension and whether or not suspension was justified. Lessons should also be learnt from the use of suspension when the individual is subsequently reinstated. The LADO and case manager should consider how future investigations of a similar nature could be carried out without suspending the individual.

3.7 Safe Recruitment Procedures

Ash Green creates a culture of safe recruitment by making safeguarding and promoting the welfare of children an integral factor in our recruitment procedures:

"Ash Green is committed to safeguarding and promoting the welfare of children and expects all staff and volunteers to share this commitment."

This statement is included in:

- Publicity materials
- Recruitment websites
- Advertisements
- Candidate information packs

- Person specifications
- Job descriptions
- Interview questions
- Induction training

An enhanced DBS certificate (which includes barred list information) is undertaken for ALL appointments. These are therefore carried out for anyone who:

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

Other staff who are not engaging in regulated activity (such as contactors) an enhanced DBS certificate, which does not include a barred list check, will be appropriate,

4.1 Parents/Carers

It is extremely important that parents are involved at an appropriate stage in the investigations. Agreement should be reached, as to how this will be done before the end of the school session in order that parents can be advised by the time the child is expected home.

In general, we seek to discuss any concerns with the family and, where possible, obtain their agreement to making a referral. **However, this will only be done where such discussion and agreement will not place a pupil at increased risk of significant harm.**

Even if the above procedure has not been completed the child should not be detained in school beyond the end of the school day. In exceptional circumstances where the child is distressed or considered to be in immediate danger designated teachers must liaise with children's social care services as to the appropriate course of action.

Where a child is interviewed by staff from another agency on school premises and a parent is not present, the safeguarding lead should satisfy themselves that parents are aware that such interviews have been arranged and they have been given adequate opportunity to attend or have legal representation.

4.2 Written report

Reports of child abuse must be confirmed in writing within twenty four hours and the relevant form must be completed in full. The report must include the following details:

1. Date and time of events
2. Reasons for suspicion
3. Details of incident
4. Description or sketch of any physical injuries which have been observed without recourse to detailed or intimate examination.
5. Comment by child or others about how the injury occurred, preferably quoting the words used.
6. Description of the child's attitude and behaviour.

Reports to children's social care services should be addressed to the First Response Team.

5. Evaluation

This policy has been drawn directly from the procedures set out in *Keeping Children Safe in Education (2015)* linked to guidance from children's social care and the Local Children's Safeguarding Board. It is underpinned by the following principles:

- Early Intervention at levels 2 and 3 of the Continuum of Need is the key to ensuring that any potential risk to children is avoided wherever possible
- Partnership between caring agencies and professions, working together to support children and their families, often as a result of an EISA, to deliver services which effectively safeguard children.
- A belief that each child is an individual, who has the right to be loved, valued, respected and above all protected from harm
- Parents have a right to expect recognition of the importance of their role as the people who are charged with the responsibility of ensuring children's needs are met
- A belief that school has a duty to protect children in situations where it is felt that parents or carers are not offering them the basic protection they require
- The needs of the children are paramount in our work with parents and carers
- The rights of the child, parent, carers will be respected whatever their cultural, racial or religious backgrounds and whatever their gender, disability, age or sexual orientation
- Children will be consulted and participate in decision-making processes in the light of age and understanding
- A commitment to quality, professionalism and the highest possible standards.

It will be reviewed by the governing body as part of the school's three yearly cycle of policy reviews when all stakeholders will be consulted. New legislation will be added immediately as an addendum until the formal review takes place.

Reviewed and amended September 2015

APPENDIX

*This policy should be read alongside statutory guidance **Working Together to Safeguard Children 2015** and the document **What to do if you are worried a child is being abused 2015 – advice for practitioners**. All staff must read part 1 of the statutory guidance. Senior leaders should read parts 1, 2 and 3. Governors must read parts 2 and 3. Staff and governors should sign the relevant declaration set out below. Part 4 of the guidance is incorporated directly into this policy.*

NAME OF STAFF MEMBER _____

I confirm that I have read Part 1 of the statutory guidance *Working Together to Safeguard Children 2015*

Signed _____ Date _____

NAME OF SENIOR LEADER _____

I confirm that I have read Parts 1, 2 and 3 of the statutory guidance *Working Together to Safeguard Children 2015*

Signed _____ Date _____

NAME OF GOVERNOR _____

I confirm that I have read Parts 2 and 3 of the statutory guidance *Working Together to Safeguard Children 2015*

Signed _____ Date _____