



# SAFEGUARDING POLICY

## 1. Introduction & Purpose

1.1. This Safeguarding Policy applies to Hartmore School

1.1.2 Hartmore School makes a positive contribution to a strong and safe community and recognises the right of every individual to stay safe.

1.1.3 Hartmore School comes into contact with children through educational and recreational activities.

1.1.4 This policy seeks to ensure that Hartmore School undertakes its responsibilities with regard to the protection of children and will respond to concerns appropriately. The policy establishes a framework to support paid and unpaid staff in their practices and clarifies the organisation's expectations.

1.1.5 'Child Protection' is part of safeguarding and promoting welfare, to protect specific children who are suffering or who are at risk of suffering significant harm<sup>1</sup>". Safeguarding legislation and government guidance says that safeguarding means:

- Protecting children from maltreatment
- Preventing impairment of children's health and development
- Ensuring that children are growing up in circumstances consistent with the provision of safe and effective care
- Enabling children to have optimum life chances and to enter adulthood successfully

1.1.6 Hartmore school make every effort to ensure that all children and young people have the same protection regardless of age, disability, gender, racial heritage, religious belief, sexual orientation or identity. This policy should be read in conjunction with our "Valuing equality and diversity policy".

1.2. This Safeguarding Policy is designed to work in conjunction with the Safeguarding procedures of both Gloucestershire, Herefordshire and Worcestershire Safeguarding Children Boards, (which can be referred to on-line) and the safeguarding procedures and protocols from Placing Authorities. Further, this Safeguarding Policy has been designed to incorporate principles of guidance and legislation including Working Together to Safeguard Children 2018<sup>1</sup>, the Children Act 1989<sup>2</sup>, The Protection of Children Act 1999<sup>3</sup>, The Children Act 2004<sup>4</sup>, Keeping Children Safe in Education 2018<sup>5</sup>

1.3. As with all Policies, Procedures and Guidelines, whilst this document forms the safeguarding framework for staff within the organisation, it is insufficient by itself to ensure best practice.

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<sup>1</sup><https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>

<sup>2</sup> <http://www.legislation.gov.uk/ukpga/1989/41/contents>

<sup>3</sup> <http://www.legislation.gov.uk/ukpga/1999/14/contents>

<sup>4</sup> <http://www.legislation.gov.uk/ukpga/2004/31/contents>

<sup>5</sup> <https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

Regular staff training, supervision and consultation are essential. Further, on-going training and updates are an essential for all staff with direct contact with children.

1.4. The Directors ensure that there is a Designated Safeguarding Lead within the organisation (along with appropriate deputy in case of absence). It is their responsibility to provide staff with necessary guidance and support in prevention of abuse, recognition of abuse, dealing with disclosures or suspicions of abuse, and in the understanding and implementation of this Safeguarding Policy.

## 2. Definitions of Child Abuse

Abuse is defined in statutory guidance as:

*“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. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others (e.g. via the internet). They may be abused by an adult or adults, or another child or children”.*

### 2.1. Sexual Abuse

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

### 2.2 Emotional Abuse

The persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child’s emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or ‘making fun’ of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child’s developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyber bullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

### 2.3 Neglect

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 children from physical and emotional harm or danger  
ensure adequate supervision (including the use of inadequate care-givers) ensure access to appropriate medical care or treatment

It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

## 2.4. Physical Abuse

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

## 2.5. Significant Harm

2.5.1 The Children Act 1989 defines 'harm' as "... ill-treatment or the impairment of health or development". 'Development' means physical, intellectual, emotional, social or behavioural development; 'health' means physical or mental health; and 'ill-treatment' includes sexual abuse and forms of ill-treatment which are not physical. As a result of the Adoption and Children Act 2002, the definition of harm also includes "impairment suffered by hearing or seeing the ill-treatment of another"

## 3. Implementation

### Roles & Responsibilities

3.1. It is the responsibility of the Directors to ensure that there is a Designated Safeguarding Lead within the organisation (along with appropriate deputy in case of absence).

#### 3.1.1. Directors

The directors are responsible for the implementation of this policy into practice.

#### 3.1.2. Director with Safeguarding Responsibility

The CEO (Steve Miller) is the Director named lead for safeguarding at board level. They are trained to Level 3. They are responsible for supporting the implementation of this policy by:

- Champion Safeguarding at board level and ensuring the culture of 'everyone's responsibility' is the heart of all we do
- Ensuring that relevant training and advice is available and appropriately targeted
- Ensuring that OFSTED Standards are met through monitoring and audit
- To support the Headteacher in ensuring that systems are in place to meet the requirements of this policy

#### 3.1.3. Headteacher

The Headteacher has accountability to ensure the provision of safe, effective, caring, responsive and well led provision and:

- Ensuring that staff are aware of this policy, understand and implement and its requirements
- Ensuring that appropriate resources and systems are in place to meet the requirements of this Policy
- Ensure they provide staff with necessary guidance and support in prevention of abuse, recognition of abuse, dealing with disclosures or suspicions of abuse.
- Ensure that all staff working are aware and familiar with this policy
- To provide evidence that this policy has been brought to the staff attention

- Ensuring that all new and temporary staff are made aware and familiar with this policy
- Ensuring that this policy is effectively implemented
- Ensuring that staff have the knowledge and skills to implement the policy and provide any training where gaps are identified
- To take any action where a breach of this policy is identified in accordance with Hartmore policies
- To be an ambassador for safe, effective, responsive, well-led, and caring services

Headteacher will ensure:

- That through robust supervision all staff are aware of their duties and responsibilities relating to safeguarding children
- That quality assurance arrangements are in place to monitor the effectiveness of the services arrangements for safeguarding children and for promoting their wellbeing.
- That training needs are identified in respect of policies

### 3.1.5 DSL

There is a full Job description of the role of the designated Safeguarding Lead in Appendix VI at the end of this Policy. The DSL maintains a good positive relationship with the GSCB and the LADO and statutory partners e.g. police, social care, where the homes and school is located.

## 3.2. Staff

Staff are responsible for:

- Adhering to this Policy
- Ensuring that any training required is attended and kept up to date
- Ensure that any competencies required are maintained

3.2.1. Temporary/Agency staff not fully familiar with the organisation and its policies, must read this Safeguarding Care Policy in full, when they first arrive at the school. Agency Staff concerned must then sign the school log to confirm that they have read and understood this policy.

3.2.2. The scope of this safeguarding policy is broad ranging and in practice, it will be implemented via a range of policies and procedures within the organisation. These include:

- Whistleblowing
- Grievance and Disciplinary procedures
- Health and Safety
- Equal and diversity
- Data Protection
- Confidentiality
- Staff recruitment, induction, training and development
- Administration of medication
- Bullying

## 3.3. Safer Recruitment

3.3.1. Hartmore School ensures safer recruitment through the following processes:

- Application questionnaire
- Interview process
- Reference collection
- Disclosure and Barring Service checks
- The recruitment process is overseen by staff with safer recruitment training
- A member of Staff with safer recruitment training oversees the entire process and is involved in all interviews. Specifically the Headteacher with the support of the HR manager

3.1.2. Hartmore School ensures Criminal Bureau Records checks via the Disclosure & Barring Service are undertaken for all staff (paid or unpaid). Hartmore School does not employ staff working in contact with children until a DBS check has been received.

### 3.4. Communications, Training & Support for Staff

3.4.1 Hartmore School commits resources for induction, training of staff (paid and unpaid), effective communications and support mechanisms in relation to Safeguarding.

3.4.2 Safeguarding training is a compulsory element of the induction programme for all new staff. All new staff joining Hartmore school must also read this Safeguarding Policy as part of their induction. A record of the date and time this was completed, along with their signature must be kept on file.

### 3.5. Professional Boundaries

3.5.1. Professional boundaries are what define the limit of a relationship between a support worker and a client/ They are a set of standards we agree to uphold that allows this necessary, and often close, relationship to exist while ensuring the correct detachment is kept in place.

3.5.2 Hartmore School expects staff to protect the professional integrity of themselves and the organisation. The professional boundaries we expect staff to adhere to are laid out in Appendix V "Good Practice Guidance for staff".

3.5.3. If the professional boundaries and policies are breached this could result in disciplinary or allegation management procedures.

## 4. Responding to Concerns of Abuse & Neglect (see Appendix Two)

4.1. If any member of staff has a concern about a child, they have a duty to act on that concern, even if they are not concerned the child is at immediate risk of harm. See Appendix II for the relevant action to take.

## 5. Accepting Disclosures of Abuse & Neglect

5.1 Once abuse has been alleged or is suspected, it is the responsibility of the person who is told, sees, suspects or hears about the abuse to take appropriate action.

a) Listen to the child: Interrupt only when necessary to make sense of what is being told. Ask open questions. Do not ask leading questions.

b) Be clear with the child that you cannot keep a secret (ensuring this is done with great sensitivity). Care must be taken not to 'collude' with a child who may request, or insist upon guarantee of complete confidentiality. Staff must however assure the child that they will only pass on information to the minimum number of people; limiting the passing on of sensitive information only to those who need to be told, to ensure the right action is taken and their welfare and safety is protected.

c) Appropriate steps must be taken to protect the child/or any other child from risk of immediate harm, whilst the information is being reported (See Appendix II). All necessary action should be taken to make the child feel safe.

## 6. Safeguarding Concerns About a Member of Staff, Professional or Volunteer (see Appendix III)

6.1. If any staff member has a concern about another member of staff, they have an absolute duty to act on that concern, promptly and without delay, as per this Safeguarding Policy.

6.2. All and every concern will be taken seriously, and investigated fully. Where required, it will be reported to the appropriate safeguarding board for external investigation.

6.3. The safeguarding of children is Hartmore School's primary and overriding responsibility. In circumstances where an allegation indicates that an individual/s may present a potential on-going risk to a child, appropriate action will be taken to safeguard that child. A range of options exist including complete suspension from work, suspension from direct contact with children or suspension from contact with the child/children concerned. All such actions are taken 'without prejudice'.

6.3.1. Similar courses of action may be taken, if it is felt the member of staff may deliberately or inadvertently interfere with, or prejudice any investigation.

6.3.2. Hartmore School fully recognises its responsibility as an employer, the importance of providing appropriate support to its staff throughout any investigation. This includes both employees being investigated, and, where appropriate, the employee doing the reporting.

6.4. Following the completion of any external safeguarding investigation (whatever the outcome or recommendations) Hartmore School reserves the right to undertake further internal investigations as per its own disciplinary procedures, and to take what action it deems appropriate.

6.5. If Hartmore School permanently removes an employee from work, as a result of an a decision has been made that the person poses a risk of harm to children (whether or not the individual is subject to criminal prosecution) a referral will be to the Disclosure and Barring Service by the Head teacher (in conjunction with Human Resources Manager).

## **7. Responding to Concerns About Abuse by Another Child**

7.1. In circumstances where it is believed a child presents a specific threat to any other child normal procedures are followed (see appendix ii), the Headteacher, in conjunction with the Placing Authority and all other stakeholders, will make specific arrangements to ensure the protection of the alleged victim and the alleged perpetrator. Due regard to the welfare of all children must be taken in all cases.

## **8. Escalation Policy**

8.1. All Local Safeguarding Children Boards have Escalation Policies (although they may be known by a different name in different areas). In all cases, the guidance is available online. In essence, the policies state, that if any professional has a safeguarding concern that they believe is not being addressed within their own organisation, (or another), then they have a duty to escalate their concerns firstly to the Safeguarding Lead for the Organisation, if they are still concerned then to Steve Miller CEO (Designated Safeguarding Director), and then ultimately, if they are not satisfied with how it has been followed up within the organisation, to the Gloucestershire LADO. Therefore, all employees of Hartmore School have a duty to ensure all and any safeguarding concerns they have raised, are addressed to their satisfaction.

8.2 If there is a difference of opinion between professionals, we need to work together to resolve those differences to ensure children's safety is our first priority. If we are unable to resolve those differences and they are still not satisfied with how their concern has been followed up, then Gloucestershire/Worcestershire Safeguarding Children's Board Escalation Policy should be employed<sup>5</sup>

## **9. Whistleblowing**

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<http://www.gscb.org.uk/CHttpHandler.ashx?id=60436&p=0>

9.1. All staff must be aware that they have a duty bring to the attention of their Head teacher all safeguarding concerns they may have regarding the attitude or actions of colleagues. Hartmore School has in place a Whistleblowing Policy, which protects workers who report colleagues they believe are doing something wrong, or illegal, or who are neglecting their duties.

## **10. Information Management & Monitoring**

10.1. Information will be gathered, recorded and stored in accordance with the Data Protection Policy and the Confidentiality Policy.

10.2. All staff must be aware that they have a professional duty to share information with other agencies in order to safeguard children. The public interest in safeguarding children may override confidentiality interests. However, information will only be shared as required by the designated senior manager.

10.3. All staff must be aware that they cannot promise children or their families/carers that they can keep secrets.

## **11. Communication & Review**

11.1. This Safeguarding Policy is reviewed, approved and endorsed by the directors annually or if legislation changes require it. All Hartmore School employees must also read all updates, with a signed record kept confirming they have done so.

11.2. It is considered best practise that the Headteacher will incorporate a discussion on Safeguarding in every new employee's first meeting with them, to ensure themselves that their staff are completely familiar with, and understand their safeguarding responsibilities.

## **12. Policy Review**

This Policy was written by Harry Howells for Hartmore School. It was last reviewed in January 2019. Next review is due in July 2019.

## Appendix I – Safeguarding Leads

### Lead Person for Safeguarding Children

The designated Lead Person for Safeguarding for Hartmore School is:

Harry Howells  
Headteacher  
Hartpury Old School  
GL19 3BG  
Tel: 01452 700942 Mobile: 07805695821  
Email: [harry.howells@hartmoreschool.co.uk](mailto:harry.howells@hartmoreschool.co.uk)

The designated Deputy Lead Person for Safeguarding for Hartmore School is:

Cath Quinton  
Lead teacher  
Hartpury Old School  
GL19 3BG  
Tel: 01452 700942  
Email: [cath.quinton@hartmoreschool.co.uk](mailto:cath.quinton@hartmoreschool.co.uk)

## Appendix II - Safeguarding Procedure

### Step 1 - Ensure the Child is Safe

The employee makes a judgement about whether any child is at immediate risk of harm and takes any and all required actions to ensure the child's immediate safety.

### Step 2 - Speak to your Manager

The employee makes immediate contact with the Headteacher and DSL to discuss their concern. School staff should contact Martin Davies in the absence of the Headteacher and Deputy.

### Step 3 - Complete Significant occurrence /conversation report/other written record

The employee completes significant occurrence form, conversation report, or other written record (which captures the concern they have) ... and tick the box that identifies it as a safeguarding concern.

They must do this and pass it to the Head teacher (or Deputy) dealing with their concern immediately.

**This becomes the most important thing they do that day**

(This concern should not be discussed with anyone outside of this process)

### Step 4 - Begin a Safeguarding Concern Form

The Head teacher (Or Deputy) dealing with the safeguarding concern should begin a safeguarding concern form that will be then be used to report internally and externally and to keep a 'running log' of all actions.

### Step 5 - The Safeguarding Concern is shared

Head teacher shares the concern in writing by sending the form as required to:

- Social worker of Child Involved
- Local Authority MASH
- LADO of the appropriate authority

### Step 6 - Safeguarding Concern Form is Updated with all Actions Taken to Ensure and any Outcomes

The Head teacher updates the form with any and all actions taken to safeguard the child.

This produces a chronology of all actions, phone calls, and emails sent with regard to this concern.

The form is also used to record any outcomes following the actions taken.

### Step 7 - Closing the safeguarding concern

When all required actions to safeguard the child have been taken and outcomes recorded the completed Safeguarding Concern Form will be signed off as "closed" and kept in the Safeguarding concerns folder for future reference.

## Appendix III – Allegations Management Procedure

A Hartmore School employee should follow the following steps if they have a concern that another professional or volunteer has:

- Behaved in a way that has harmed or may have harmed a child or ...
- Possibly committed a criminal offence against or related to a child or ...
- Behaved towards a child or children in a way that indicates she/he is unsuitable to work with children

### Step 1 - Concern About Another Professional

If the employee has a concern about another professional or volunteer, they should inform the Head teacher (unless they are implicated, in which case the employee informs the Safeguarding Director (Steve Miller)

### Step 2 - Reporting to the DSL and Consultation with the LADO

The Headteacher should then immediately complete the Safeguarding Concern Form and report the allegation/concern to the LADO and ensure that LADO are informed the same day or next working day.

The Headteacher, or Deputy will contact the Local Authority Designated Officer (LADO) for advice prior to investigating the allegation. This is because it might meet the criminal threshold and so any investigation could interfere with a Police or Social Care investigation. Local Authority Designated Officer (LADO) – Tel: 01452 426994 The LADO will offer advice on any immediate action required and whether the matter can be dealt with within the school's own structures (disciplinary/supervisory) or whether an Allegations Management meeting is required.

The Head teacher (or deputy) will do nothing else to investigate this incident further until guidance has been received from the LADO

### Step 3 - Immediate Actions

The Headteacher or Deputy will immediately discuss the most appropriate immediate steps to be taken regarding the member of staff to safeguard children within the organisation with the LADO. If a response is not immediately received from LADO the organisation will take all reasonable steps to Safeguard Children without commencing an investigation. These actions should be completed delicately and as a neutral act may include:

1. Immediate suspension from duty – The staff member should be informed an allegation has been made and that someone will be in touch and that the Police might also be in contact and they will receive more information when that occurs. The staff member should be assigned someone to support them during the process of investigation who will not discuss the allegation with them.
2. Remain in the school in 'Child Facing Role' with a specific risk assessment e.g. no lone working (with that child or with any child)
3. Movement within the school to another class but remaining in a child facing role – this might be applied when this is a specific allegation does not demonstrate broader or generic risk to all children and young people.
4. Movement within the School to none child facing role – where the allegation is of concern may have a broader application to all children the staff member may be assigned an administrative function away for the caring setting
5. To not inform the member of staff and await guidance from LADO – This may be applicable in rare and complex circumstances.

The conversation with the member of staff relating to their suspension or movement should be recorded and provided to the LADO and or Police. The conversation in no way should be investigatory and no questions should be asked relating to the specific incident reported. The nature and source of the allegation should be revealed in anyway and the staff told explicitly

they are not to communicate this with other staff or pupils.

#### Step 4 - The Safeguarding Concern is Shared with Placing Authority

Headteacher shares the concern by sending the form to:

- Social worker of Child(ren) Involved

#### Step 5 - The LADO's Decision Relating to Threshold & Investigation

If, after the Initial Discussion with the LADO, it is agreed that the allegation meets the criteria, a multi-agency meeting will be convened and appropriate staff will be invited. (The Head teacher or Deputy will communicate this to the directors as soon as possible.

This might result in a criminal investigation, a Social Care investigation and/or an internal organisational investigation as instructed by LADO

If it is agreed that the allegation does not meet the criteria, the LADO will record the Initial Discussion and send it the DSL for recording

NB - The LADO may request an initial internal 'fact finding investigation' to understand the allegation further. This should be completed within 72-hours and sent to the LADO. Following the outcome of this being shared with the LADO they will advise as above.

#### Step 5 - Response to the Guidance from LADO and Outcome

The DSL will follow the guidance from the LADO and coordinate all activities to ensure the incident is followed up in line with this guidance.

Following any form of investigation and consideration to the investigation by the LADO usually via a further 'strategy meeting' the LADO will issue one of the five 'statutory outcomes':

- **Substantiated**—Evidence was able to prove that what was alleged did happen
- **Unsubstantiated**—It cannot be proven either way that the allegation did or did not happen.
- **Unfounded**— Evidence was available to prove that what was alleged did not happen or could not have happened or information has been misinterpreted
- **Malicious**— A deliberate act to deceive. For an allegation to be classified as malicious, it will be necessary to have evidence which proves this intention
- **False**—there is sufficient evidence to disprove the allegation

The outcome must be received in writing from LADO and will be recorded within the schools monitoring records and on the Human Resource file of the member of staff. The Safeguarding Concern Form is to be completed with all actions and outcomes.

### Step 6 - Action Following Outcome

- **Substantiated**—Disciplinary Hearing with the investigatory evidence. Child given the outcome and what action has been taken
- **Unsubstantiated**—1:1 meeting with the member of staff within 72-hours to feedback the outcome and why by their Line Manager. Feedback given to the child by the Headteacher or designated deputy
- **Unfounded**— 1:1 meeting with the member of staff within 72-hours to feedback the outcome and why by their Line Manager. Feedback given to child by the by the Headteacher or designated deputy
- **Malicious**— 1:1 meeting with the member of staff within 72-hours to feedback the outcome and why by their Line Manager. 1:1 Meeting with the child and the Headteacher or designated deputy to discuss any further concerns and try to understand why a malicious allegation had been made
- **False**—there is sufficient evidence to disprove the allegation. 1:1 meeting with the child and the by the Headteacher or designated deputy to gain greater understanding as to why the allegation was made and feedback that this behaviour is not appropriate

## Appendix IV – Safeguarding Concern Form

Hartmore School Safeguarding Concern Form										
Name of Staff Member Raising the Concern:						Date:			Time:	
Name of senior person Concern Shared with:										
Location of the Concern (Home/School):										
Name of Child Involved:										
Name of Staff Member Involved:										
All Others Present (Staff & Children):										
Is this an Allegations Management Concern?			YES	NO	<i>If YES, complete this Safeguarding Concern Form and follow the Allegations Management Procedure</i>					
Relevant Information about the Events Leading up to the Concern/Allegation/Occurrence:										
Details of Safeguarding Concern/Allegation/Occurrence:										
Details of Action Taken to Ensure Immediate Safety of the Child: <i>(Including Phone Calls and Emails)</i>										
Contact made with Safeguarding Lead?	YES	NO	Name of Safeguarding Lead:				Date:		Time:	
Contact made with Placing Authority?	YES	NO	Name of Contact:				Date:		Time:	
Contact made with Glos./Worc. Local Authority?	YES	NO	Name of Contact:				Date:		Time:	
Contact made with LADO?	YES	NO	Name of LADO and Location:				Date:		Time:	
Contact made with Parents/Carers?	YES	NO	Name of Contact:				Date:		Time:	
Record of all Actions/Discussions/Advice etc.: <i>(Including Date, Time and Names of Individual's Involved)</i>										
Outcomes: <i>(Including Date, Time, Names of Individual's Involved, Sharing of Outcome and Responses Received)</i>										
Date of Closure:					By:					

## Appendix V – Good Practice Guidance for Staff

We make no assumption that staff or volunteers already know what behaviours which are expected of Hartmore staff. What follows is a list of behaviours that are acceptable or unacceptable. This is for both the protection of pupils and the protection of staff and volunteers.

#### Staff should not:

- give gifts to or receive gifts from the children, (gifts may be provided by the organization as part of a planned activity).
- Develop Personal relationships with any current service user (child). This includes relationships through social networking sites such as Facebook and Twitter. It is also prohibited to enter into a personal relationship with a person who has been a service user over the past 12 months.
- use of abusive language.
- share a child's personal information or contact details.
- share personal contact information with children
- shout, threaten, punish or chastise
- take family or friends to a child's home and/or take a child to their own home or that of a friend/relative.
- sell or buy items from a child, unless part of a planned activity (cake sale etc.)
- to accept cash gifts or borrow money from a child.
- have personal relationships with a third party related to or known to the child.
- humiliate, shame or embarrass children in our care.
- engage in sexual conversations or jokes.
- engage in rough physical games or play fighting
- engage in or allow inappropriate touching
- smoke on School property or at times when you are responsible for pupils or in sight of pupils.
- take picture of pupils without consent
- use personal mobile phones to take photographs

#### Staff should:

- Maintain appropriate levels of supervision for children in our care
- Work within the prescribed methodology and maintain a calm, considered approach.
- Intervene as required to keep pupils safe
- Communicate effectively with colleagues about who you are working with and where
- Treat all individuals equally with respect and kindness regardless of gender, age, race, disability, religion, sexual orientation or any other irrelevant distinction
- Be enthusiastic, encouraging and constructive when giving feedback.
- Record any injury that occurs and any treatment given
- Report and record any incident involving pupil's welfare including 'near misses'
- Ensure no pupils are allowed unsupervised Internet access
- Be aware of clothing and dress appropriately at all times
- Address pupils who engage in inappropriate conversations or cruel and discriminatory jokes
- Address pupils if they swear or use other inappropriate language

This list is NOT exhaustive. All staff should remember they are role models, and must act accordingly

## Appendix VI – Other Aspects of Safeguarding

### Child Sexual Exploitation

The key indicators of children being sexually exploited can include (This checklist is not intended to be comprehensive, is based on advice published by Barnardo's In August 2011):

- going missing for periods of time or regularly coming home late
- regularly missing school or education or not taking part in education
- appearing with unexplained gifts or new possessions
- associating with other children involved in exploitation
- having older boyfriends or girlfriends
- suffering from sexually transmitted infections
- mood swings or changes in emotional wellbeing
- drug and alcohol misuse
- displaying inappropriate sexualised behaviour

(Safeguarding children and young people from sexual exploitation statutory guidance <https://www.education.gov.uk/publications/standard/publicationDetail/Page1/DCSF-00689-2009> )

Practitioners should also be aware that many children who are victims of sexual exploitation do not recognise themselves as such. A significant number of children who are victims of sexual exploitation go missing from home, care and education at some point. Return interviews for young runaways can help

In establishing why a child may have run away and the subsequent support that may be required, as well as preventing repeat incidents. The information gathered from return interviews can be used to inform the identification, referral and assessment of any child sexual exploitation cases.

In assessing whether a child is a victim of sexual exploitation, or at risk of becoming a victim, careful consideration should be given to the issue of consent. It is important to bear in mind that:

- A child under the age of 13 is not legally capable of consenting to sex (it is statutory rape) or any other type of sexual touching
- Sexual activity with a child under 16 is also an offence
- It is an offence for a person to have a sexual relationship with a 16 or 17-year-old if they hold a position of trust or authority in relation to them;
- Where sexual activity with a 16 or 17-year-old does not result in an offence being committed, it may still result in harm, or the likelihood of harm being suffered;
- Non-consensual sex is rape whatever the age of the victim
- If the victim is incapacitated through drink or drugs, or the victim or his or her family has been subject to violence or the threat of it, they cannot be considered to have given true consent and therefore offences may have been committed

Child sexual exploitation is therefore potentially a child protection issue for all children under the age of 18 years and not just those in a specific age group. Please refer to the Child Sexual Exploitation Policy.

### Honour-based Violence

Honour based violence is a collection of practices used to control behaviour within families to protect perceived cultural or religious beliefs and honour. Violence can occur when offenders

perceive that a relative has shamed the family or community by breaking their 'code of honour'. Honour Based Violence cuts across all cultures and communities: Turkish, Kurdish, Afghani, South Asian, African, Middle Eastern, South and Eastern European for example. This is not an exhaustive list. Where a culture is heavily male dominated, HBV may exist.

### Forced Marriage

'A forced marriage is a marriage in which one or both spouses do not (or, in the case of some vulnerable adults, cannot) consent to the marriage and duress is involved. Duress can include physical, psychological, financial, sexual and emotional pressure.'

For more information see:

- <http://www.fco.gov.uk/en/travel-and-living-abroad/when-things-go-wrong/forced-marriage/>
- <http://www.fco.gov.uk/en/travel-and-living-abroad/when-things-go-wrong/forced-marriage/case-studies/safer-schools-partnership>
- <http://www.karmanirvana.org.uk/>

### Female Genital Mutilation

Female Genital Mutilation is the partial or complete removal, or modification of, the female genitalia for cultural or religious reasons. In most cases, FGM can be seen as an attempt to prevent female infidelity and sexual independence by reducing a woman's sex drive.

For more information see:

- <http://www.fco.gov.uk/en/travel-and-living-abroad/when-things-go-wrong/fgm/>

If it is suspected or it is alleged that any of the above has happened or there is an immediate risk to a child, follow the same procedure under 'Procedure where abuse is suspected/alleged'.

### Bullying

Please see Prevention of Bullying Policy for full policy and procedure relating to bullying.

Bullying is behaviour by an individual or group, repeated over time, that intentionally hurts another individual or group either physically or emotionally. Bullying can take many forms (for instance, cyber-bullying via text messages or the internet), and is often motivated by prejudice against particular groups, for example on grounds of race, religion, gender, sexual orientation, or because a child is adopted or has caring responsibilities. It might be motivated by actual differences between children, or perceived differences. Stopping violence and ensuring immediate physical safety is obviously the first priority but emotional bullying can be more damaging than physical. Staff need to make individual judgements about each specific case.

Many experts say that bullying involves an imbalance of power between the perpetrator and the victim. This could involve perpetrators of bullying having control over the relationship which makes it difficult for those they bully to defend themselves. The imbalance of power can manifest itself in several ways, it may be physical, psychological (knowing what upsets someone), derive from an intellectual imbalance, or by having access to the support of a group, or the capacity to socially isolate. It can result in the intimidation of a person/s through the threat of violence or by isolating them either physically or online.

### Cyber-bullying

The rapid development of, and widespread access to technology, smart phones etc., along with the proliferation of social media sites has provided a new medium for 'virtual' bullying, which can occur in or outside school. Cyber-bullying is a different form of bullying and can happen at

all times of the day, with a potentially bigger audience, and more accessories as people forward on content at a click.

For full details of Hartmore School's approach to Cyber-bullying see Policies on Prevention of Bullying and e-Safety.

## Domestic Violence

The cross-government definition of domestic violence and abuse includes 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
- Emotional

If professionals become aware that a child or young person is witnessing domestic abuse they should always follow the child protection procedure. The definition of harm (Children Act 1989) was amended by the Adoption and Children Act 2002 to include impairment suffered from seeing or hearing the ill-treatment of another. Domestic Abuse falls into this category.

## Drugs

Hartmore School seeks to:

- Support pupils affected by their own or other's drug misuse and facilitates access to local services to help them with this concern
- Provide accurate information on drugs and alcohol through education and targeted information, including via the FRANK service;
- Implement powers of search and confiscation where appropriate and following the appropriate statutory guidance

Where it is felt that children are vulnerable to substance misuse and it is identified as a risk then where appropriate a referral to children's services will be made or contact with social services staff already involved as to the management strategy.

## Fabricated and Induced Illness - Fabrication of Illness in a Child

Hartmore School will follow the 'Safeguarding children in whom illness is fabricated or induced; Supplementary guidance to Working Together to Safeguard Children; HM Government, 2015. The definition of fabricating or inducing illness in a child in this document is as follows. There are three main ways of the carer fabricating or inducing illness in a child. These are not mutually exclusive and include:

- Fabrication of signs and symptoms (this may include fabrication of past medical history)
- Fabrication of signs and symptoms and falsification of hospital charts, records, and specimens of bodily fluids (this may also include falsification of letters and documents);
- induction of illness by a variety of means)

Where this is identified and considered a risk a child protection referral will be made following the local procedures and where relevant contact with responsible adults already involved in the child's/young person's care.

## Gangs & Youth Violence

Children who become involved in gangs are at risk of violent crime and as a result of this involvement are deemed vulnerable. Agencies and professionals have a responsibility to safeguard these children and to prevent further harm both to the child and their potential victims. Risks associated with gang activity include access to weapons (including firearms), retaliatory violence and territorial violence with other gangs, knife crime, sexual violence and substance misuse (Working Together)

Indicators may be (age in brackets):

- Troublesome (7-9; 10-12)
- High daring (10-12)
- Positive attitude towards delinquency (10-12)
- Previously committed offences (7-9)
- Involved in anti-social behaviour (10-12)
- Substance use (7-9)
- Aggression (7-9)
- Running away and truancy (7-9; 10-12)
- Marijuana use (10- 12)
- Disrupted family (7- 9; 10-12)
- Poor supervision (10-12)
- Low academic achievement in primary school (10- 12)
- Learning disability (10-12)
- Peers involved in crime and/or anti-social behaviour (7-9; 10-12)
- Marijuana availability (10-12)
- Children in the neighbourhood involved in crime and/or anti-social behaviour (10-12)

*(Preventing Youth Violence and Gang Involvement for Schools and Colleges – Home Office)*

Where this is a concern in a child Hartmore staff will make a Child Protection referral following the local procedure and where relevant contact the responsible adults already involved in the child/young person's care.

## Gender-based Violence/Violence against Women & Girls (VAWG)

Figures published by the ONS (2012 and 2013) it is estimated that around 1.2 million women suffered domestic abuse and over 330,000 women were sexually assaulted. Domestic and sexual violence is often hidden away behind closed doors, with the victim suffering in silence.

The government is determined to support victims in rebuilding their lives, reporting these crimes, and to make sure perpetrators are brought to justice. We all need to do more to prevent violence against women and girls happening at all.

## Gender Identity & Sexuality - Sexist, Sexual & Transphobic Bullying

A quick guide to Safe to Learn: Preventing and responding to sexist, sexual and transphobic bullying 2009.

'Sexist, sexual and transphobic bullying occurs when a pupil (or group), usually repeatedly, harms another pupil or intentionally makes them unhappy because of their sex or because they may not be perceived to conform to normal gender roles. The root cause of sexist and sexual bullying is gender inequality.

Sexist bullying can be defined as bullying based on sexist attitudes that when expressed demean, intimidate or harm another person because of their sex or gender. These attitudes are commonly based around the assumption that women are subordinate to men, or are inferior.

Young people's expectations and attainment can be limited by sexist attitudes. Sexist bullying may sometimes be characterised by inappropriate sexual behaviours.

Sexual bullying can be defined as bullying behaviour that has a specific sexual dimension or a sexual dynamic and it may be physical, verbal or non-verbal/psychological. Behaviours may involve suggestive sexual comments or innuendo including offensive comments about sexual reputation; or using sexual language that is designed to subordinate, humiliate or intimidate. It is also commonly underpinned by sexist attitudes or gender stereotypes. Sexual bullying can be seen as sexual harassment in the school.

Transphobic bullying stems from a hatred or fear of people who are transgender. 'Transgender' is an umbrella term that describes people whose sense of their gender or gender identity is seen as being different to typical gender norms.

Where children are perceived not to be conforming to the dominant gender roles that may be widely expected of them, schools should be alert for signs of bullying. Anyone whose expression of their gender identity may be interpreted as different from wider cultural or social norms of being male or female may experience bullying related to this.

Young women and girls are disproportionately experiencing sexual and sexist bullying. Young women and girls report that it has become a normal part of their everyday lives. It is because of the gender stereotypes and social norms surrounding female identity that they experience sexual, sexist bullying.

Guidance for schools on preventing and responding to sexist, sexual and transphobic bullying:

Transphobic bullying is commonly underpinned by sexist attitudes. Boys and girls may be equally affected. An individual may also experience transphobic bullying as a result of perceptions that a parent, relative or other significant figure displays gender 'variance' or is transgender.

Behaviours displayed in these forms of bullying are in many cases similar to those of other forms of bullying, but there is the additional element of inappropriate or coercive sexual behaviours, which can in extreme cases constitute criminal behaviour such as sexual abuse. Some of the behaviours associated with sexist, sexual or transphobic bullying, such as the use of sexist or inappropriately sexual language, can sometimes go unchallenged in schools as school staff are unsure how to respond appropriately. Examples of some behaviours which may be seen in instances of sexist, sexual or transphobic bullying include: inappropriate and unwanted touching, spreading rumours of a sexual nature, use of humiliating or offensive sexist, sexual or transphobic language (e.g. reversing he/she pronouns) and the display or circulation of images of a sexual nature.

Sexual and sexist bullying is a form of violence against women and girls as it disproportionately impacts on girls and young women. Girls are more commonly at risk from sexual and sexist bullying and this is a crucial issue to address because of its relationship to the broader issue of violence against women in society. However, boys have also reported being subjected to sexual or sexist bullying (as shown in data provided by ChildLine), and transphobic bullying may be targeted towards young people of either sex. It is important to note the links to homophobic bullying as young men are bullied when they do not fit in to heterosexual gender roles.

Services must respond to this type of bullying as they are responsible for safeguarding the health and well-being of the young people and children in their care, which can be adversely affected by bullying. Sexist, sexual and transphobic bullying can damage lives. It may cause fear and anxiety, increase the likelihood of self-harm and limit aspirations and achievement. The effects of exposure to bullying can last well into adulthood.

## Mental Health

A significant number of the children at Hartmore School have mental Health issues or are at risk of developing mental health issues in the future. This can increase their vulnerability to abuse. It can also result in them being a risk to other children and Hartmore School staff need to be aware of both the vulnerabilities and the risks present with children with mental health issues.

### Peer-on-Peer Abuse.

Abuse is not always adult on child but can be child on child. Hartmore School takes seriously the potential of the children in our care to present a risk to each other. Hartmore school staff need to be aware of this risk and ensure that they treat all peer on peer abuse as seriously as adult on child and follow the same procedures as they would with any other safeguarding concern where they felt a child had been harmed or was at risk of harm

### Hate

Hate, whether motivated by differences in race, sex, gender, sexuality, age is not tolerated in Hartmore School. Children are taught to be tolerant and accepting of difference and the intolerance and lack of acceptance that are motivated by or can lead to hate are always addressed by staff and followed up with reference to our equality and diversity and bullying policies.

### Private Fostering

The following is to ensure we remain aware of the issues relating to Private Fostering. However in the majority of cases the community services involved in the child's care would lead on ensuring the safety of any fostering arrangements.

A private fostering arrangement is essentially one that is made privately (without the involvement of a local authority) for the care of a child under the age of 16 (under 18, if disabled) by someone other than a parent or close relative with the intention that it should last for 28 days or more.

Private foster carers may be from the extended family, such as a cousin or great aunt. However, a person who is a relative under the Children Act 1989 i.e. a grandparent, brother, sister, uncle or aunt (whether of the full or half blood or by marriage) or step-parent will not be a private foster carer. A cohabitee of the mother or father would not qualify as a relative.

A private foster carer may be a friend of the family, the parent of a friend of the child, or someone previously unknown to the child's family who is willing to privately foster a child.

The period for which the child is cared for and accommodated by the private foster carer should be continuous, but that continuity is not broken by the occasional short break. Exemptions to this definition are set out in Schedule 8 to the Children Act 1989.

Private fostering arrangements can be a positive response from within the community to difficulties experienced by families. Nonetheless, privately fostered children remain a diverse and potentially vulnerable group.

Overarching responsibility for safeguarding and promoting the welfare of the privately fostered child remains with the parent or other person with parental responsibility. Local authorities do not formally approve or register private foster carers. However, it is the duty of local authorities to satisfy themselves that the welfare of children who are, or will be, privately fostered within their area is being, or will be, satisfactorily safeguarded and promoted. It is the local authority in whose area the privately fostered child resides which has legal duties in respect of that child.

Private fostering covers a diverse range of situations. Most educational settings will have children who are privately fostered, although the school/setting may not be aware that a child is privately fostered. Asking who has parental responsibility would give an indicator as to whether or not a child is privately fostered. Common private fostering situations include

- African, Asian and Afro Caribbean children with parents or families overseas
- Black and minority ethnic children with parents working or studying in the UK and living with a host family
- Asylum seeking and refugee children
- Trafficked children
- Local children living apart from their families, perhaps because the family has broken down.
- Adolescents estranged from their parents
- Children attending Language Schools
- Children attending independent schools who do not return home for holiday periods
- Children living with host families for a variety of reasons, possibly to learn English or to receive medical treatment in the UK.
- Back door adoptions

If a child in the residential care setting is being privately fostered, the Local Safeguarding Lead should make a referral to the Children and Families Helpdesk or alert Placing Authority Social Worker if not already known to them. Social care will undertake an assessment of the private fostering arrangement which will include safeguard checks on the carers and contacting the child's parents. A worker will be allocated until the child is 16 and the arrangement will be monitored and reviewed and the young person visited on a regular basis.

## Preventing Radicalisation

The Counter-Terrorism and Security Act, which received Royal Assent on 12 February 2015, places a duty on specified authorities, including local authorities and childcare, education and other children's services providers, in the exercise of their functions, to have due regard to the need to prevent people from being drawn into terrorism ("the Prevent duty"). This guidance will be updated further to reflect the implications of the Prevent duty, which is expected to come into force later in 2015.

The Counter-Terrorism and Security Act 2015 will also place a duty on local authorities to ensure Channel panels are in place. The panel must include the local authority and chief officer of the local police. Panels will assess the extent to which identified individuals are vulnerable to being drawn into terrorism, following a referral from the police and where considered appropriate and necessary consent is obtained, arrange for support to be provided to those individuals. The Act will require partners of Channel panels to co-operate with the panel in the carrying out of its functions and with the police in undertaking the initial assessment as to whether a referral is appropriate. Schools and colleges which are required to have regard to Keeping Children Safe in Education are listed in the Act as partners of the panel. The relevant provisions of the Act will come into force on 12 April 2015 but many local authorities already have Channel panels set up in their area.

## Sexting

Sexting is when a child takes an indecent image of them self and sends this to their friends or boy/ girlfriends via mobile phones.

The problem is that once taken and sent, the sender has lost control of these images and these images could end up anywhere. They could be seen by your child's future employers, their friends or even by paedophiles.

By having in their possession, or distributing, indecent images of a person under 18 on to someone else – children are not even aware that they could be breaking the law as these are offences under the Sexual Offences Act 2003.

### Teenage Relationship Abuse

Teenage relationship abuse consists of the same patterns of coercive and controlling behaviour as domestic abuse. These patterns might include some or all of the following: sexual abuse, physical abuse, financial abuse, emotional abuse and psychological abuse.

There is a lack of recognition of the seriousness of teenage relationships because they are more likely to be short lived. This does not mean that they can't be as abusive as adult relationships.

### Trafficking

Article 3 of the Palermo Protocol To Prevent, Suppress And Punish Trafficking In Persons, Especially Women And Children, Supplementing the United Nations Convention Against Transnational Organised Crime to the UN Convention (2000) (ratified by the UK on 6 February 2006) defines trafficking as:

(a) "Trafficking of persons" shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat of or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs

(b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used

(c) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered "trafficking in persons" even if this does not involve any of the means set forth in sub-paragraph (a) of this article

(d) "Child" shall mean any person under eighteen years of age.

Children trafficked into the country may be registered at a school for a term or longer, before being moved to another part of the UK or abroad. This pattern of registration and de-registration may be an indicator that a child has been trafficked. It has been identified as a particular concern in schools which are situated near ports of entry, but practitioners should be alert to this possibility in all schools. However, practitioners should always bear in mind that not all children who go missing from education have been victims of trafficking. For example, there may be instances of children from communities that move around – Gypsy, Roma, traveller or migrant families – who collectively go missing from school.

If a member of staff suspects that a child may have been trafficked they should act immediately to inform the DSL to ensure that police or local authority children's social care are contacted immediately.

### Multi Agency Public Protection Arrangements (MAPPA)

Occasionally a school may need to be involved in the assessment and management of a high risk offender e.g. where there are concerns about a sex offender having an association of some kind with the setting or where there a serious concerns about violence against a child.

The multi-agency public protection arrangements ensure the assessment and management of offenders who are required to register as convicted sex offenders, violent offenders who receive a prison sentence of 12-months or more, and other offenders who are assessed as posing a high risk of serious harm. The assessment of serious harm includes risk to: children, known adults, public, staff, self.

The police, probation and prison service are the lead agencies, with other agencies including CYP/Education settings, having a statutory duty to cooperate.

Multi-agency meetings are convened to share relevant information and produce a plan on how the identified risks can be managed. These meetings are similar in format to Child Protection conferences, however, the offender will not always be aware that the meetings are taking place and will not be invited to attend.

Contact with Public Protection can usually be found through the police force public website in the location where the service is based.

### Multi Agency Risk Assessment Conference (MARAC)

The purpose of MARACs are 'to share information to increase the safety, health and well-being of victims - adults and their children, to construct jointly and implement a risk management plan that provides professional support to all those at risk and that reduces the risk of harm.1' (Please see [www.caada.org.uk](http://www.caada.org.uk) for more information about the process).

Currently representatives from Hartmore School do not attend MARACs. Instead if the MARAC decides to disclose to Hartmore School, the action will be for the designated representative to disclose and inform the Head with the relevant information agreed at MARAC.

Under the current MARAC process, should a Head want to know whether a child has been known to a MARAC meeting, it is the responsibility of the Local Safeguarding Lead to make those enquiries to the Local Public Protection Bureau.

### Medication

Pupils at Hartmore School are sometimes on prescribed medication. Please see the Administration of medication Policy that covers all areas of dispensing and administration of medication.

### Parental Mental Health

The majority of Parents who suffer mental ill-health are able to care for and safeguard their children and/or unborn child. Some parents, however, will be unable to meet the needs and ensure the safety of their children. Hartmore school will follow the guidance outlined in 'Working with parents with mental health problems and their children (Think child, think parent, think family: a guide to parental mental health and child welfare)

### Faith-Based Abuse

Hartmore school supports the 'National Action Plan to Tackle Abuse linked to faith or belief' which describes this abuse as:

'not about challenging people's beliefs, but where beliefs lead to abuse that must not be tolerated. This includes belief in witchcraft, spirit possession, demons or the devil, the evil eye or djinns, dakini, kindoki, ritual or muti murders and use of fear of the supernatural to make

children comply with being trafficked for domestic slavery or sexual exploitation. The beliefs which are not confined to one faith, nationality or ethnic community.'

Where this type of abuse is suspected will make a child protection referral will be made and where relevant contacting the responsible adults already involved with the child/young person.