



# MALVERN COLLEGE

## **Safeguarding Children (including Child Protection) Policy**

Every pupil should feel safe and protected from any form of abuse and maltreatment which could impair his/her mental and/or physical health or development. In this policy, this means any kind of physical, emotional or sexual abuse or ill-treatment, or neglect.

There are a wide range of adults to whom pupils can turn for help. These include Housems, Teaching staff, House staff, the Chaplain, the College Medical staff, the Designated Safeguarding Lead, the Deputy Designated Safeguarding Lead, the Senior Deputy Head, the Deputy Head: Pastoral, College Counsellors and the College's Independent Listeners.

The College aims to raise pupils' awareness of Safeguarding issues through induction processes, the curriculum, and Life Skills lessons as well as through the tutorial system and within the Houses. Pastoral care and College Policies ensure that pupils have a range of contacts and strategies for their own protection and an understanding of the importance of protecting others.

In performing its safeguarding duties and when responding to safeguarding situations, the College will consider at all times what is in the best interests of the child.

The policy is updated annually and has been updated in response to Keeping Children Safe in Education (KCSiE), September 2020, and is ratified by the College's Governing Body in December of 2020.

## Who's Who in Safeguarding:

**Mrs Penny Bijl** is the Designated Safeguarding Lead (DSL). This means she has lead responsibility for the wellbeing and protection of pupils at the College, for ensuring staff are recruited and trained safely (working closely with the Director of Human Resources, **Mrs Kate Tripp**), and for monitoring the progress of any pupil needing additional support or protection. Mrs Bijl is also the Prevent Single Point of Contact and the Child Sexual Exploitation (CSE) Lead. She is also responsible for online safety.



### **Penny Bijl – Designated Safeguarding Lead**

See **Appendix 2, Responsibilities of the Designated Safeguarding Lead**, for additional information.

Mrs Bijl can be contacted on 01684 581609 or by email [penny.bijl@malverncollege.org.uk](mailto:penny.bijl@malverncollege.org.uk)

**Mrs Emma Brown** is the Deputy Designated Safeguarding Lead and works closely with the DSL at all times. Mrs Brown can be contacted by email [emma.brown@malverncollege.org.uk](mailto:emma.brown@malverncollege.org.uk)

**Mr Lewis Faulkner** is the Deputy Head: Pastoral and Deputy DSL; he is responsible for overall pastoral care and policies in the College and works closely with the DSL. Mr Faulkner can be contacted on 01684 581691 or by email [lewis.faulkner@malverncollege.org.uk](mailto:lewis.faulkner@malverncollege.org.uk)

**Mr Christopher Thomas** is the Head of E-Safety. He can be contacted by email on [c.thomas@malverncollege.org.uk](mailto:c.thomas@malverncollege.org.uk)

**Mrs Fiona Bridge** and **Mrs Sue Raby-Smith** are the Safeguarding Governors and can be contacted through the Bursar's Office: [bursarsoffice@malverncollege.org.uk](mailto:bursarsoffice@malverncollege.org.uk)

### **Who this document applies to:**

- This document applies to all young people under 18 at Malvern College, and to all pupils on the College roll who are 18 and over.
- Anyone coming into contact with our pupils or visiting the College site must abide by this policy.

- Everyone working at the College as a member of staff, supply teacher or volunteer has a duty to safeguard and protect our pupils. They must read this policy and sign to say they agree to work to it. Visitors (eg visiting speakers) and contractors must also comply with it.

## **Valuing Diversity**

Diversity is a strength and we promote inclusive behaviours and respect for all people and groups. Discrimination can be a safeguarding issue and we will take appropriate action if pupils' behaviour or comments are discriminatory or racist, working with other agencies if necessary. If staff or volunteers behave in a way that discriminates against particular groups, or is racist, we will act immediately to rectify the issue in line with the College's Code of Conduct.

## **Further Information**

In addition to this Safeguarding Policy, the following documents are available in the staff handbook and copies can be obtained from the Designated Safeguarding Lead:

- 'Working Together to Safeguard Children' 2018.
- Keeping Children Safe in Education, (Department for Education) September 2020 (note it is a statutory requirement for all staff to read and understand Part 1 of this document).
- Guidance for Safer Working Practice for Adults who work with Children and Young People in Education Settings (May 2019)
- Malvern College Staff Code of Conduct.

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## 1. Introduction

This policy has been developed in accordance with the principles established by the Children Acts 1989 and 2004; the Education Act 2002; in line with government publications the Teachers' Standards 2012, 'Working Together to Safeguard Children' 2018 and 'Keeping Children Safe in Education' September 2020; and with regard to "What to do if you're worried a child is being abused" (March 2015). The College will also fulfil its national and local responsibilities as laid out in the following additional documents:

- <https://westmidlands.procedures.org.uk/> West Midland Procedures
- <https://www.gov.uk/government/publications/sexting-in-schools-and-colleges> Sexting in Schools
- <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/>
- [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/755135/Mental\\_health\\_and\\_behaviour\\_in\\_schools\\_.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/755135/Mental_health_and_behaviour_in_schools_.pdf) Mental Behaviour in Schools / DoFE
- Protecting Children from Radicalisation: The Prevent Duty, 2015
- Relationship Education, Relationships and Sex Education (RSE) and Health Education 2019 (updates 2020)
- Voyeurism Offences Act 2019
- Children Missing Education: Statutory Guidance for Local Authorities 2016

Malvern College (the College) fully recognises its moral and statutory responsibilities for safeguarding and promoting the welfare of children.

Our policy applies to all full-time and part-time teaching and support staff, governors, temporary staff and volunteers working in the College. (Please note that separate Safeguarding Policies operate at The Downs Malvern, Abberley Hall and Malvern College International schools).

The policy applies wherever staff, supply staff or volunteers are working with pupils even where this is away from the College, for example at an activity centre or on an educational visit.

There are five main elements to our policy:

- Ensuring we practice safer recruitment in checking the suitability of staff and volunteers to work with children;
- Raising awareness of child protection issues and equipping our pupils with the skills needed to keep them safe;
- Developing and then implementing procedures for identifying and reporting cases, or suspected cases, of abuse;
- Supporting pupils who have been identified as in need of early help or at risk of harm in accordance with his/her agreed Child Protection, Child in Need or Early Help plan;

- Establishing a safe environment in which our pupils can learn and develop.

Our policy is to take all reasonable measures to improve the well-being of each child and young person (pupils) in our care. We will carry out our safeguarding and child protection responsibilities in accordance with local inter-agency procedures and the Worcestershire Safeguarding Children Partnership (WSCP) Levels of Need Guidance.

We recognise that because of the day to day contact with children, College staff are well placed to identify concerns early and to observe the outward signs of abuse.

The College will therefore:

- Establish and maintain an environment where pupils feel safe, secure, valued and respected and are encouraged to talk, believing they will be listened to and their points of view valued;
- Ensure pupils know that there are adults in the College whom they can approach if they are worried;
- Have regard to the DfE statutory guidance “Relationships Education, relationships and sex education (RSE) and health education” (June 2019) by including opportunities in the curriculum, specifically through PSHE/Life Skills and ICT, for pupils to develop the skills they need to recognise and stay safe from abuse and to know who they should turn to for help. PHE’s Rise Above resources are helpful <https://www.gov.uk/government/news/phe-launches-rise-above-for-schools-programme>

We seek to ensure that the child's wishes and feelings are taken into account when determining what action to take and what services to provide to protect children from harm. To this end we will:

- Ensure there are systems in place for pupils to express their views and give feedback e.g. through College/House councils, peer mentors, safety/pastoral questionnaires, participation in anti-bullying and e-safety events;
- Ensure that the pupil’s thoughts/wishes and feelings are sought and recorded on all referrals.

## 2. Principles and Procedures

We will follow the West Midlands Safeguarding Procedures as required by Worcestershire Safeguarding Children Partnership (WSCP) and Worcestershire Children First and take account of guidance issued by the Department for Education (DfE).

The College will:

- Ensure it has a senior leader nominated as Designated Safeguarding Lead (DSL) who has received appropriate training and support for this role;
- Ensure it has at least one member of staff who will act in the absence of the DSL (deputy DSL);
- Ensure it has a nominated governor or governors responsible for safeguarding children;
- Ensure every member of staff (including temporary and supply staff and volunteers) and the governing body knows the name of the DSL and any deputies and understands their role;
- Ensure that the DSL and/or a deputy DSL is always available to speak to during College hours and has made adequate and appropriate cover arrangements for any out of hours/out of term time activities;
- Ensure all staff and volunteers are alert to the potential need for early help and aware of those children whose vulnerabilities may indicate a greater need and are aware of the role they may play in supporting other agencies and professionals in an early help assessment;
- Ensure all staff and volunteers understand their responsibilities in being alert to the signs of abuse and neglect, including the specific issues of Peer on Peer abuse, Female Genital Mutilation (FGM), Child Sexual Exploitation (CSE), Child Criminal Exploitation (CCE), Children Missing Education (CME), Radicalisation and Extremism (Prevent), Serious Youth Violence, and Sexual Violence and Sexual Harassment, and maintain an attitude of 'it could happen here';
- Ensure all staff and volunteers understand their responsibility for referring any concerns to the DSL, deputy DSL or Headmaster in a timely manner and are aware that they may raise concerns directly with Children's Social Care Services if they believe their concerns have not been listened to or acted upon;
- Ensure that parents have an understanding of the responsibility placed on the College and staff for child protection by publishing its policy on the College website;

- Operate a vetting policy which ensures the suitability of adults working with children on College sites at any time;
- Ensure that community users organising activities for children are aware of, and understand the need for compliance with, the College's child protection guidelines and procedures;
- Ensure that the duty of care towards its pupils and staff is promoted by raising awareness of illegal, unsafe and unwise behaviour and assist staff to monitor their own standards and practice;
- Ensure that all staff and volunteers feel able to raise concerns about poor or unsafe practice and are aware of whistleblowing procedures and helplines;
- Be aware of and follow procedures set out by the DfE and *WSCP* where an allegation of abuse is made against a member of staff or volunteer, including making a referral to the local authority Designated Officer (LADO);
- Ensure that a referral is made to the DBS and/or Teaching Regulation Agency (TRA) if a person in regulated activity has been dismissed or suspended or removed from regulated activity where the harm criterion is met, or would have been had they not resigned;
- Operate safer recruitment practice, ensuring that at least one member on every recruitment panel has completed safer recruitment training.

Our procedures will be regularly reviewed and updated at least annually unless an incident or new legislation or guidance requires the need for an interim review. We recognise the expertise our staff builds by undertaking safeguarding training and managing safeguarding concerns on a daily basis. We therefore invite relevant staff to contribute to and shape this policy and associated safeguarding arrangements.

#### **Reporting Principles:**

- A member of staff needs only reasonable cause for concern in order to act. One sentence from a child indicating abuse or non-accidental injury provides reasonable grounds and is sufficient need to act. This may also apply if clear information comes from another child or adult.
- The member of staff must report the matter to the DSL (or, in her absence, to the Deputy DSL) as soon as possible, unless it is an allegation against a member of staff or volunteer in which case the procedures set out in this document should be followed. The Safeguarding Reporting Form at Appendix 1 of this policy should be used, and hard copies are also available from the General Office. The member of

staff may refer a matter to children's social care directly in exceptional circumstances such as in an emergency or if there is a genuine concern that appropriate action has not been taken.

- If a child is in immediate danger or at risk of harm, the DSL must be informed, and a referral made (preferably by the DSL) to Children's Social Care and/or the police immediately or within 24 hours.

### **3. Training**

When staff join Malvern College they will be informed of the safeguarding children arrangements in place. All staff will be given a copy of this policy including its Appendices and Part 1 KCSIE 2020, including Annex A.

Recognising the impact of COVID 19, the DSL will be given the time and resources, particularly in the Autumn term, to support staff and pupils regarding new safeguarding and welfare concerns. The DSL and deputies will be supported to both access for themselves and provide additional training, as appropriate, including training in behaviour and mental health. The COVID-19 Safeguarding Annex to the Safeguarding Policy is available on our website [https://www.malverncollege.org.uk/Assets/User/1041-Safeguarding\\_COVID\\_19\\_Policy..pdf](https://www.malverncollege.org.uk/Assets/User/1041-Safeguarding_COVID_19_Policy..pdf) or for staff via Sharepoint.

All staff will receive induction in safeguarding children and will also be familiar with the Safeguarding Policy; the Promoting Good Behaviour and Discipline policy; the staff code of conduct, the College's policy on Children Missing from Education (CME) and be informed about the role of the designated safeguarding lead (including the identity of the designated safeguarding lead and any deputies).

The induction programme will include basic child protection information relating to promoting pupils' welfare, including their mental as well as their physical health, recognising signs and symptoms of abuse, how to manage a disclosure from a child, when and how to record a concern about the welfare of a child and advice on safe working practice.

All volunteers, temporary staff and regular visitors to our College will be told where our policy is kept, given the name of the DSL and deputy/ies and informed of the College's procedures in reporting concerns.

All staff will receive training in child protection and safe working practice, updated at least once every three years, in line with WSCP Training Guidance. Training will include signs and symptoms of abuse and neglect, as well as specific safeguarding issues, such as CSE, CCE, FGM, Prevent, serious crime, on-line safety and peer on peer abuse (including sexting and sexual violence and sexual harassment). Training will also include how to record and report abuse both within College and to Children's Social Care.

In addition, they will receive safeguarding and child protection refresher training and updates from the DSL as required, but at least annually.

Staff with specific responsibility for safeguarding children will undertake both single and inter-agency training at a level suitable to their role and responsibilities, updated every two years. In addition to formal training the DSL and deputy/ies will update their knowledge and skills via briefings, WSCP newsletters, WCF briefings, and safeguarding seminars or conferences, at regular intervals, at least annually.

Staff with leadership responsibilities will undertake further relevant training in safeguarding related issues such as CSE, FGM, Radicalisation (WRAP training), Sexual Violence and Sexual Harassment, Management of Allegations of Abuse and cascade the learning from this training to the rest of the staff.

The College's Lower Sixth (Pupil) Leadership team are provided with safeguarding training during their induction and in addition, aspects of anti-bullying and peer on peer abuse policies are discussed with members of the Pupil and Staff Thrive groups, demonstrating that pupils and staff are consulted.

### **DSL/Deputy DSL Training**

The Designated Safeguarding Lead and the Deputy Designated Safeguarding Leads have undertaken child protection training and training in inter-agency working (to understand the processes, procedures and responsibilities of other agencies) and will attend refresher training at two-yearly intervals in order to:

- understand the assessment process for providing early help and intervention, for example through locally agreed common and shared assessment processes such as early help assessments;
- have a working knowledge of how local authorities conduct a child protection case conference and a child protection review conference and be able to attend and contribute to these effectively when required to do so;
- ensure each member of staff has access to and understands the College's child protection policy and procedures, especially new and part time staff;
- be alert to the specific needs of children in need, those with special educational needs and young carers;
- be able to keep detailed, accurate, secure written records of concerns and referrals, using CPOMS as appropriate;
- obtain access to resources and attend any relevant or refresher training courses;

- encourage a culture of listening to children and taking account of their wishes and feelings, among all staff, in any measures the College may put in place to protect them and to meet the requirements and procedures of the Worcestershire Safeguarding Children Partnership and Worcestershire Children First.

The DSL undertakes Prevent Awareness training as appropriate and will support the College regarding the Prevent Duty requirements, providing advice and support to staff on protecting children from risk of radicalisation.

#### **4. Responsibilities**

**The College Council** will nominate at least one member to take leadership responsibility for safeguarding children and liaise with the DSL and/or Headmaster in matters relating to safeguarding. It will ensure that:

- the DSL takes lead responsibility for safeguarding and child protection and does not delegate this responsibility;
- the DSL and Deputy DSL role is explicit in the role holders' job descriptions, which reflect KCSiE guidance;
- safeguarding policies and procedures are in place, available to parents on the College website or by other means and are reviewed at least annually;
- safeguarding responses are put in place in cases where children go missing from education
- an annual report on the effectiveness of the College's safeguarding procedures is presented to the governing body and any returns requested by the local authority/WCF are completed in a timely manner;
- any weaknesses brought to its attention relating to safeguarding are remedied without delay;
- it complies with all legislative duties, including the duty to report suspected or known cases of FGM and the duty to prevent young people from being drawn into terrorism.

**The Headmaster** will ensure that:

- The Safeguarding policies and procedures are fully implemented and followed by all staff;

- Sufficient funding, support, time and resources are allocated to enable the DSL and other staff to discharge their responsibilities with regard to child protection;
- All staff feel able to raise concerns about poor or unsafe practice and that these are handled sensitively and in accordance with the whistleblowing procedures;
- All allegations of abuse involving Members of Staff are reported to the Local Authority Designated Officer (LADO) in a timely manner.

**The DSL** will co-ordinate action and risk assessments for safeguarding and promoting the welfare of children within the College setting, and:

- The DSL will be a member of the Senior Leadership Team.
- The DSL and deputies will work closely with teachers to promote educational outcomes where they have safeguarding or child protection concerns.

**The Role of the DSL (See Appendix 2):**

The DSL is responsible for:

- Providing a mechanism to ensure that all staff understand and are able to discharge their role and responsibilities as set out in Part one of Keeping Children Safe in Education;
- Undertaking, in conjunction with the Headmaster and Safeguarding Governors, an annual audit of safeguarding procedures.
- Making use of the Levels of Need guidance when making a decision about whether the threshold for Early Help or Social Care intervention is met;
- Referring a child to the Family Front Door /Multi Agency Safeguarding Hub (MASH), when there are concerns about possible abuse and neglect;
- Referring a child to the Channel Panel when there are concerns about possible radicalisation or involvement in extremist groups;
- Keeping records of concerns about children, including the use of body maps, even where there is no need to refer the matter immediately;
- Notifying the key worker if there is an unexplained absence of more than two days of a pupil who is subject to a child protection plan;
- Monitoring unauthorised absence, with the Attendance Officer, particularly where children go missing on repeated occasions, and reporting concerns in line with 'missing children' procedures;
- Developing effective links with relevant agencies and other professionals, including Senior Mental Health Leads, and co-operating as required with their enquiries regarding safeguarding matters including co-operation with serious case reviews, attendance at strategy meetings, initial and review child protection conferences, core group and “child in need” review meetings;
- Contributing to assessments and providing a report to initial and review conferences which has been shared with parents first, whenever possible;

- Liaising with other staff (for example Housems., pastoral support staff, medical centre staff or counsellors, the Head of E-safety, the SENCO and ICT) on matters of safety and safeguarding and when deciding whether to make a referral by liaising with relevant agencies;
- Liaising with the Head of Life Skills (Mrs Michelle Nardone), to co-ordinate a programme of safety, health and well-being through the curriculum, including issues of protective behaviours, healthy relationships and staying safe on-line ([https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/908013/Relationships Education Relationships and Sex Education RSE and Health Education.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/908013/Relationships_Education_Relationships_and_Sex_Education_RSE_and_Health_Education.pdf))
- Liaising with the Deputy Head: Pastoral (Mr Lewis Faulkner) regarding the promotion of fundamental universal (British) values;
- Acting as a source of support, advice and expertise for all staff
- **Helping to promote educational outcomes by sharing with teachers and the College Leadership team, where appropriate, information about the welfare, safeguarding and child protection issues that pupils are experiencing or have experienced. This is to ensure an understanding of factors affecting pupils' academic progress and attainment, to aid identification of additional academic support and adjustments that could be made to support these pupils and to maintain a culture of high aspirations for this cohort.**

*Any steps taken to support a pupil who has a safeguarding vulnerability must be reported to the DSL or deputies.*

*Staff will be informed of relevant details regarding a safeguarding incident or circumstances only when the DSL feels that their having knowledge of a situation will improve their ability to support an individual pupil or family.*

## **5. Mental Health**

KCSiE 2020 also emphasises the impact of abuse, neglect or other potential adverse childhood experiences on mental health, behaviour and education in children and young people.

All staff will be made aware that mental health problems can sometimes be an indicator that a child has suffered or is at risk of suffering abuse, neglect or exploitation.

All staff will take immediate action and speak to the DSL or Deputy DSL, as well as the relevant Housems., if they have a mental health safeguarding concern about a pupil.

## **6. Procedures for Managing Concerns**

Our college adheres to child protection procedures that have been agreed locally through the Worcestershire Safeguarding Children Partnership (WSCP) and Worcestershire Children First (WCF). Where we identify children and families in need of support, we will carry out

our responsibilities in accordance with the <https://westmidlands.procedures.org.uk/> and the [https://www.worcestershire.gov.uk/downloads/file/7962/levels of need guidance formerly threshold guidance](https://www.worcestershire.gov.uk/downloads/file/7962/levels_of_need_guidance_formerly_threshold_guidance)

Every member of staff, including volunteers working with children at our College, is advised to maintain an attitude of 'it could happen here' where safeguarding is concerned. When concerned about the welfare of a child, staff members should always act in the interests of the child and have a responsibility to take action as outlined in this policy. They should not assume a colleague or another professional will take action and share information that might be critical in keeping children safe.

All staff are encouraged to report any concerns that they have and not see these as insignificant. On occasions, a referral is justified by a single incident such as an injury or disclosure of abuse. More often however, concerns accumulate over a period of time and are evidenced by building up a picture of harm over time; this is particularly true in cases of emotional abuse and neglect. In these circumstances, it is crucial that staff record and pass on concerns to the DSL, in accordance with this policy, to allow the DSL to build up a picture and access support for the child at the earliest opportunity. A reliance on memory without accurate and contemporaneous records of concern could lead to a failure to protect.

It is not the responsibility of College staff to investigate welfare concerns or determine the truth of any disclosure or allegation. All staff, however, have a duty to recognise concerns and pass the information on in accordance with the procedures outlined in this policy.

The Designated Safeguarding Lead (DSL) should be used as a first point of contact for concerns and queries regarding any safeguarding concern in our College. Any member of staff or visitor to the College who receives a disclosure of abuse or suspects that a child is at risk of harm must report it immediately to the DSL or, if unavailable, to the Deputy Designated Safeguarding Lead. In the absence of either of the above, the matter should be brought to the attention of the most senior member of staff.

All concerns about a child or young person should be reported without delay and recorded in writing using the agreed template (available from the DSL - see Appendix 1 - or as hard copies from the General Office or in the Mem. Lib.) or through CPOMS, as appropriate.

Following receipt of any information raising a concern, the DSL will consider what action to take and seek advice from Children's Services as necessary. All information and actions taken, including the reasons for any decisions made, will be fully documented.

If, at any point, there is a risk of immediate serious harm to a pupil a referral should be made to Children's Services immediately. Anybody can make a referral. If the pupil's situation does not appear to be improving, or the concern is not addressed, the staff member with concerns should press for re-consideration by raising the matter again with the DSL and/or the Headmaster or directly with Children's Services. Concerns should always lead to help for the pupil at some point.

Where unmet needs have been identified for a pupil but there is no evidence of significant risk, the DSL will oversee the delivery of an appropriate **Early Help** response. This may include a multi-agency response and/or ongoing school focused support.

Staff should always follow the reporting procedures outlined in this policy in the first instance.

However, they may also share information directly with Children's Services, or the police if:

- the situation is an emergency and the DSL, their deputy and the Headmaster are all unavailable;
- they are convinced that a direct report is the only way to ensure the pupil's safety.

## **7. Specific Safeguarding Issues**

### **Peer on peer abuse (including Sexual Violence and Sexual Harassment)**

Malvern College has a separate, detailed Peer on Peer Abuse policy, which can be found on our website.

We recognise that children are also vulnerable to physical, sexual and emotional abuse by their peers or siblings.

Malvern College recognises that abuse perpetrated by children can be just as harmful as that perpetrated by an adult, so it is important to remember the impact on the victim of the abuse as well as to focus on the support for the child or young person exhibiting the harmful behaviour. Abuse is abuse and should never be tolerated or passed off as "banter", "just having a laugh" or "part of growing up".

Malvern College also recognises the gendered nature of peer on peer abuse (i.e. that it is more likely that girls will be victims and boys perpetrators), but that all peer on peer abuse is unacceptable and will be taken seriously. Staff should be aware that some groups are potentially more at risk, for example, children with SEND and LGBT children.

The different forms peer on peer abuse can take include but are not limited to:

- sexual violence (such as rape, assault by penetration and sexual assault);
- sexual harassment (such as sexual comments, remarks or jokes and online sexual harassment which may be stand-alone or part of a broader pattern of abuse);
- abuse within intimate partner relationships;

- upskirting, which typically involves taking a picture under a person's clothing (not necessarily a skirt) without their permission and/or knowledge, with the intention of viewing their genitals or buttocks (with or without underwear) to obtain sexual gratification or cause the victim humiliation, distress or alarm. This is now a criminal offence. Anyone of any gender can be a victim;
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm;
- sexting (also known as youth produced sexual imagery)
- bullying (including cyber bullying)
- gender-based violence/sexual assaults and sexting:  
<https://www.gov.uk/government/publications/sexting-in-schools-and-colleges>
- initiation/hazing type violence and rituals.

Staff must never tolerate or dismiss concerns relating to peer on peer abuse.

All staff are made aware of the College policy and processes in dealing with instances of peer on peer abuse (**See Appendix 3, and the Antbullying Policy and the Peer on Peer Abuse Policy**) [https://www.malverncollege.org.uk/Assets/User/1041-Safeguarding\\_COVID\\_19\\_Policy..pdf](https://www.malverncollege.org.uk/Assets/User/1041-Safeguarding_COVID_19_Policy..pdf)

We will ensure, through training, that staff, volunteers and governors will have an understanding of the range of peer on peer abuse, including sexual violence and sexual harassment, and will be made aware of how to recognise and manage such issues.

Staff should be aware that such incidents and/or behaviours can be associated with factors outside the College and can occur between children outside the College. Staff, and particularly the DSL, should always consider whether pupils are at risk or abuse or exploitation in situations outside their families.

Where the abuse is physical, verbal, bullying or cyber-bullying, recording of such incidents and sanctions will be applied in line with our Promoting Good Behaviour and Discipline Policy and Anti-Bullying policy. Where a child discloses safeguarding allegations of a sexual nature against another pupil in the same setting, the DSL should refer to the West Midlands Safeguarding Children procedures website and seek advice from the Family Front Door or Community Social Worker before commencing its own investigation or contacting parents. This may mean, on occasions, that the College is unable to conduct its own investigation into such incidents. All such incidents will be recorded using our child protection/safeguarding recording system (CPOMS).

Reports of incidents of sexual violence or sexual harassment will be responded to in line with Part 5 of Keeping Children Safe in Education 2020 and the DfE guidance <https://www.gov.uk/government/publications/sexual-violence-and-sexual-harassment-between-children-in-schools-and-colleges>

Support for the victims of abuse will be in line with support outlined in the College's Behaviour and Anti-Bullying policies. For victims of sexual abuse, the College should follow advice given by Children's Social Care and consider using external agencies, such as Early Help or West Mercia Rape and Sexual Abuse Support Centre to support any strategies that they may be able to provide within College.

Depending on the nature of abuse, the College may need to consider providing measures to protect and support the victim, the alleged perpetrator and other pupils and/or staff in the College by means of a risk assessment. The risk assessment should be recorded and kept under review.

### **Special Educational Needs and Disability (SEND)**

The College recognises that children with special educational needs (SEN) and disabilities can face additional safeguarding risks and challenges. Specific challenges exist in recognising abuse and neglect in this group of children. These can include:

- assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability without further exploration;
- being more prone to peer group isolation than other children; the potential for children with SEN and disabilities being disproportionately impacted by behaviours such as bullying, without outwardly showing any signs;
- communication barriers and difficulties in overcoming these barriers.

We will always consider extra pastoral support for children with SEND to address these additional challenges.

### **Child Sexual Exploitation (CSE) (See Appendix 4) and Child Criminal Exploitation (CCE)**

We recognise that CSE occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child into sexual or criminal activity (a) in exchange for something the victim needs or wants and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. Victims can be boys or girls. Children and young people are often unwittingly drawn into sexual exploitation through the offer of friendship and care, gifts, drugs and alcohol, and sometimes accommodation. It may also be linked to child trafficking.

Child Criminal Exploitation is where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child into any criminal activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial or other advantage of the perpetrator or facilitator and/or (c) through violence or the threat of violence. CCE can include children being forced to work in cannabis factories, being coerced into moving drugs or money across the country (county lines), forced to shoplift or pickpocket, or to threaten other young people.

The College addresses the risks of exploitation in the Life Skills and SRE Curriculum. A common feature of exploitation is that the child often doesn't recognise the coercive nature of the relationship and doesn't see themselves as a victim. The child may initially resent what they perceive as interference by staff, but staff must act on their concerns, as they would for any other type of abuse.

All staff, volunteers and governors are made aware of the indicators of sexual exploitation, the fact that the victim may have been sexually exploited even if the sexual activity appears consensual and that it does not always involve physical contact but can occur through the use of technology. All concerns of CSE are reported immediately to the DSL.

Pupils/Students who are at risk/vulnerable to Exploitation, Trafficking, or so called 'Honour-based' Abuse – including Female Genital Mutilation (see **Appendix 7: FGM: A form of Human Rights Abuse**) and Forced Marriage:

With effect from October 2015, all schools are subject to a mandatory reporting requirement in respect of female genital mutilation (FGM). When a teacher suspects or discovers that an act of FGM is going to be or has been carried out on a girl aged under 18, that teacher has a statutory duty to report it to the Police.

Failure to report such cases will result in disciplinary sanctions.

The teacher will also discuss the situation with the DSL before a decision is made as to whether the mandatory reporting duty applies.

All staff are up to date on the latest advice and guidance provided to assist in addressing specific vulnerabilities and forms of exploitation around;

- Forced Marriage
- FGM
- Honour Based Abuse
- Trafficking
- Criminal Exploitation & Gang Affiliation

Our staff will be supported to recognise warning signs and symptoms in relation to each specific issue, and include such issues, in an age appropriate way, in their lesson plans.

## **Radicalisation and Extremism (See Appendix 9)**

With effect from 1<sup>st</sup> July 2015, all schools are subject to a duty to have “due regard to the need to prevent people being drawn into terrorism” (section 26, Counter Terrorism and Security Act 2015). This is known as The Prevent Duty.

The current threat from terrorism in the United Kingdom may include the exploitation of vulnerable people, to involve them in terrorism or in activity in support of terrorism. The normalisation of extreme views may also make children and young people vulnerable to future manipulation and exploitation.

Definitions of terrorism, radicalisation and extremism, and indicators of vulnerability to radicalisation, are given in **Appendix 9**.

Malvern College values freedom of speech and the expression of beliefs and ideology as fundamental rights underpinning our society’s values. Pupils and teachers have the right to speak freely and voice their opinions. However, free speech is not an unqualified privilege; it is subject to laws and policies governing equality, human rights, community safety and community cohesion.

### **Risk Reduction:**

- The Safeguarding Governors, Headmaster and the DSL will assess the level of risk within the school and put actions in place to reduce that risk. Risk assessment may include (but are not limited to) consideration of the school’s RS curriculum, SEND policy, the use of school premises by external agencies, integration of pupils by gender and SEN, anti-bullying policy and other issues specific to the College’s profile, community and philosophy. To this end, open source due diligence checks will be undertaken on all external speakers invited to the College.
- We are clear that this exploitation and radicalisation must be viewed as a safeguarding concern and that protecting pupils from the risk of radicalisation from any group (including, but not restricted to, those linked to Islamist ideology, or to Far Right/Neo-Nazi/White Supremacist, Domestic Terrorism, Irish Nationalist and Loyalist paramilitary groups, and extremist Animal Rights movements) is part of our safeguarding duty.
- All staff are alert to changes in a pupil’s behaviour or attitudes which could indicate that they are vulnerable to exploitation or radicalisation and/or need help or protection.
- College staff are also aware of and vigilant regarding the role of social media in encouraging travel to Iraq and Syria and promoting radicalisation.

- We are required to identify a Prevent Single Point of Contact (SPOC) who will be the lead within the organisation for safeguarding in relation to protecting individuals from radicalisation and involvement in terrorism: this will normally be the DSL. The DSL and deputies are aware of local procedures for making a Prevent referral.

#### **The Prevent SPOC is Mrs Penny Bijl.**

- The College will monitor online activity to ensure that inappropriate sites are not accessed by pupils or staff, and there are systems in place for keeping pupils safe from extremist material when accessing the internet in our College by using effective filtering and usage policies. The College has in place appropriate ICT filters and monitoring systems to enable us to identify and, where appropriate, limit children's exposure to online extremist material. However, we aim to ensure that "overblocking" does not lead to unreasonable restrictions that could compromise learning.
- We will use relevant information, tools and resources to help our staff and parents recognise and address extremism and radicalisation in young people, for example <https://educateagainsthate.com/>

#### **Channel:**

- The School has a duty to cooperate with the Channel programme in the carrying out of its functions, and with the Police in providing information about an individual who is referred to Channel (Section 38, Counter Terrorism and Security Act 2015).
- Channel is a voluntary, confidential support programme which focuses on providing support at an early stage to people identified as vulnerable to being drawn into terrorism. Prevent referrals may be passed to a multi-agency Channel Panel for assessment. It is led by the West Midlands Police Counter-Terrorism Unit, and it aims to:
  - Establish an effective multi-agency referral and intervention process to identify vulnerable individuals;
  - Safeguard individuals who might be vulnerable to being radicalised, so that they are not at risk of being drawn into terrorist-related activity; and
  - Provide early intervention to protect and divert people away from the risks they face and reduce vulnerability.
  - Further guidance about duties relating to the risk of radicalisation is available in the Advice for Schools on [The Prevent Duty](#).

#### **Domestic Abuse (see Appendix 5)**

All children can witness and be adversely affected by domestic abuse in the context of their home life where domestic abuse occurs between family members. Exposure to domestic

abuse and/or violence can have a serious, long lasting emotional and psychological impact on children. In some cases, a child may blame themselves for the abuse or may have had to leave the family home as a result.

- We will ensure that our pupils are educated to ensure they understand what a healthy relationship looks like through, for example, the Life Skills curriculum and resources from the <https://www.worcestershire.gov.uk/domesticabuse>

## **8. Children Missing Education (CME)**

A child going missing, particularly repeatedly, can act as a vital warning sign of a range of safeguarding risks, including abuse and neglect, which may include sexual abuse or exploitation; child criminal exploitation; mental health problems; substance abuse and other issues. Early intervention is necessary to identify the existence of any underlying safeguarding risks and to help prevent the risk of them going missing in future.

We hold two or more emergency contact numbers for each pupil and our Attendance Officer, Mrs Ria Wilkins, working closely with the DSL, will adapt attendance monitoring on an individual basis to ensure the safety of each pupil. We will take, and be able to demonstrate that we have taken, reasonable enquiries to ascertain the whereabouts of pupils considered “missing” and will work closely, where appropriate, with the CME Team, School Admissions Service and the Elective Education Team.

Work around attendance and pupils missing from education will be coordinated with safeguarding interventions.

The College will notify the Local Authority of any pupil who fails to attend school regularly after making reasonable enquiries or has been absent without the school’s permission for a continuous period of 5 days or more.

The College (regardless of designation) must also notify the Local Authority of any pupil who is to be deleted from the admission register because s/he:

- Has been taken out of school by their parents and is being educated outside the school system (e.g. home education);
- Has ceased to attend school and no longer lives within a reasonable distance of the school at which s/he is registered (moved within the city, within the country or moved abroad but failed to notify the school of the change);
- Has been displaced as a result of a crisis e.g. domestic violence or homelessness
- Has been certified by the school medical officer as unlikely to be in a fit state of health to attend school before ceasing to be of compulsory school age, and neither s/he nor his/her parent has indicated the intention to continue to attend the school after ceasing to be of compulsory school age;

- Is in custody for a period of more than four months due to a final court order and the proprietor does not reasonably believe that s/he will return to the school at the end of that period;
- Has been permanently excluded.

## **9. Criminal Exploitation and Gang Affiliation (See Appendix 10 Criminal Exploitation – County Lines)**

Criminal exploitation interlinks with several multiple vulnerabilities and offences including a child being exposed to and/or the victim of physical and emotional violence, neglect, poor attendance, sexual abuse and exploitation, modern slavery, human trafficking and missing episodes.

It is important that children who are criminally exploited are seen as victims and not treated as criminals, and treated through safeguarding and child protection procedure.

We will be aware of and work with the Police and local organisations to combat the possibility of gang activity within the College and locally. The DSL is aware of County Lines and the National Referral Mechanism.

Work to address criminal exploitation is covered by relevant legislation including:

- Crime & Disorder Act – 1998
- Children Act – 2004
- Serious Crime Act – 2015
- Modern Slavery Act – 2015
- Criminal Finances Act – 2017
- Children & Social Work Act - 2017

And the new Working Together (2018) requires agencies to support vulnerable people within the context of the wider safeguarding agenda.

## **10. Racist Incidents**

Our policy on racist incidents is set out within the Anti-Bullying Policy and acknowledges that repeated racist incidents or a single serious incident may lead to consideration under child protection procedures. We maintain a log of racist incidents in College through the CPOMS recording system.

## **11. Anti-Bullying**

Our policy on anti-bullying is set out in a separate policy and we acknowledge that to allow or condone bullying may lead to consideration under child protection procedures. All incidences of bullying, including cyber-bullying, sexting, racist, homophobic and gender-

related bullying, will be dealt with in accordance with our anti-bullying policy. We recognise that children with special needs and/or disabilities are more susceptible to being bullied. The DSL maintains a log of bullying incidents in College, through CPOMS.

We recognise that there will be occasions when bullying incidents will fall within child protection procedures or may be deemed criminal activity and that it may be necessary to report the concerns to the Family Front Door/Children's Social Care or to the Police.

## **12.E-safety (Online Safety)**

The DSL understands the unique risks associated with online safety and, working closely with the Head of E-Safety, Mr Christopher Thomas, has the relevant knowledge and up to date capability required to keep children safe whilst they are online at College.

The DSL is able to recognise the additional risks that children with SEN and disabilities face online, for example from online bullying, grooming and radicalisation and has the capability to support SEND children to stay safe online.

All members of staff are trained in and receive regular updates in e-safety and recognising and reporting concerns.

Our Policy on the Acceptable Use of ICT and E-Safety is available on the College website and recognises that internet safety is a whole College responsibility (staff, pupils, governors and parents).

Children and young people may expose themselves to danger, whether knowingly or unknowingly, when using the internet and other technologies. Additionally, some young people may find themselves involved in activities which are inappropriate or possibly illegal.

We therefore recognise our responsibility to educate our pupils, teaching them the appropriate behaviours and critical thinking skills to enable them to remain both safe and legal when using the internet and related technologies.

We will ensure that filters are in place to prevent access to unsuitable sites and we will monitor the use of the College network and internet to ensure that any pupil or staff member attempting to access inappropriate, abusive or harmful material is appropriately advised and/or supported.

## **13.Supporting Children**

We recognise that children who are abused or witness violence may find it difficult to develop a sense of self-worth. They may feel helplessness, humiliation and some sense of blame.

We acknowledge that College may be the only stable, secure and predictable element in the lives of children who have been abused or who are at risk of harm.

We are aware that research shows that at school their behaviour may be challenging and defiant or they may be withdrawn.

**The College will endeavour to support all children by:**

- Encouraging self-esteem and self-assertiveness through the curriculum, as well as promoting respectful relationships, and challenging bullying and humiliating behaviour;
- Promoting a positive, supportive and secure environment, giving pupils a sense of being valued;
- Enforcing a consistently applied College behaviour policy (known as the Promoting Good Behaviour and Discipline Policy) which is aimed at supporting vulnerable pupils. The College will ensure that the pupil knows that some behaviour is unacceptable but that they are valued and not to be blamed for any abuse which has occurred;
- Liaising with other agencies that support the pupil such as Children's Social Care Services, Child and Adult Mental Health Service (CAMHS) and those agencies involved in the safeguarding of children;
- The use of Early Help Services, when appropriate;
- Notifying Children's Social Care Services (Family Front Door) immediately there is a significant concern;
- Providing continuing support to a child about whom there have been concerns who leaves the College by ensuring that appropriate information is forwarded under confidential cover to the child's new setting.

**14. Looked after children and previously looked after children**

The most common reason for children becoming looked after is as a result of abuse or neglect. The College will ensure that staff have the necessary skills, knowledge and understanding to keep looked after, and previously looked after, children safe. Appropriate staff will, where relevant, have information about a child's looked after legal status and contact arrangements with birth parents or those with parental responsibility. They will also have information about the child's care arrangements, if relevant, including the level of authority delegated to the carer by the authority looking after the child. If the College is supporting looked after children on roll, a designated teacher for looked after children and

the DSL will have details of the child's social worker and the name and contact details of the Local Authority's Virtual Head for children in care/looked after children and previously looked after children.

## **15. Data Protection, Information Sharing & Confidentiality**

We recognise that all matters relating to child protection are confidential, but information sharing is vital in identifying and tackling all forms of abuse.

### **The Data Protection Officer is Mr David Angus**

- The school is fully aware of the obligations which the Data Protection Act 2018 and the GDPR places on organisations and individuals to process personal information fairly and lawfully and to keep the information they hold safe and secure. However,
- The Data Protection Act 2018 and GDPR do not prevent, or limit, the sharing of information for the purposes of keeping children safe. Fears about sharing information must not be allowed to stand in the way of the need to promote the welfare and protect the safety of children
- The Headmaster or DSL will disclose any information about a pupil to other members of staff on a need to know basis only.
- All staff must be aware that they have a professional responsibility to share information with other agencies in order to safeguard children.
- All staff must be aware that they cannot promise a child to keep secrets which might compromise the child's safety or well-being, or that of others.
- Safeguarding and Child Protection information will be dealt with in a confidential manner.
- Safeguarding records will be stored securely, separately from academic records. Individual safeguarding files will be kept for each pupil, where relevant: the school will not keep family files. Files will be kept for at least the period during which the pupil is attending the school, and beyond that in line with current data legislation and guidance. Because we use CPOMS and store the majority of our records electronically, we do not hold paper files for all pupils.
- We will not disclose to a parent/guardian any information held on a pupil if this could put the pupil at risk of significant harm.
- If a pupil moves from the College, Child Protection and Safeguarding records will be forwarded on to the DSL at the new school, with due regard to their confidential nature and in line with current government guidance on the transfer of such records. Direct contact between the two schools may be necessary. We will record where and to whom the records have been passed, and the date.

## **16. Communication with Parents**

We recognise that good communication with parents is crucial in order to safeguard and promote the welfare of children effectively.

We will always undertake appropriate discussion with parents prior to involvement of another agency unless to do so could place the child or an adult at further risk of harm or would impede a criminal investigation.

We will ensure that parents have an understanding of the responsibilities placed on the College and staff to safeguard children and their duty to co-operate with other agencies in this respect.

## **17. Record Keeping**

Any member of staff receiving a disclosure of abuse from a child or young person, or noticing signs or symptoms of possible abuse, will make notes as soon as possible (within the hour, if possible), writing down exactly what was said, using the child's own words as far as possible. All notes should be timed, dated and signed, with name printed alongside the signature. Concerns will be recorded using the College's Safeguarding Children recording system (CPOMS).

All records of a child protection nature will be passed to the DSL including case conference minutes and written records of any concerns. Child protection records are kept securely and/or are password protected, with only appropriate persons having access to them.

Any referrals made to other agencies will be copied prior to sending and stored in the pupil's child protection file.

The DSL will maintain and regularly audit the College's child protection records and ensure that each stand-alone Child Protection file includes a chronology of significant events, and that information and contact details are accurate and up to date.

The DSL will transfer the child protection record in a safe and timely manner when a child moves College, ensuring receipt of transfer is obtained.

The DSL may copy child protection records generated by the College prior to transfer and retain for as long as is necessary (normally d.o.b. + 25 years), where there is justification for believing that the records may be required as evidence of the College's involvement with the child for statutory purposes (e.g. court cases or serious case reviews). When the records are no longer required, they will be securely disposed of.

## **18. Supporting and Supervision of Staff**

We recognise that staff working in the College who have become involved with a child who has suffered harm, or appears to be likely to suffer harm, may find the situation stressful and upsetting.

We will support such staff by providing an opportunity to talk through their anxieties with the DSL and to seek further support such as counselling or regular supervision, as appropriate.

Regular supervision will be offered to the DSL and Deputy DSLs, usually half-termly and may be extended to other members of staff as deemed appropriate.

We recognise the importance of practice oversight and multiple perspectives in safeguarding and child protection work. We will support staff by providing opportunities for reflective practice including opportunity to talk through all aspects of safeguarding work within education with the DSL and to seek further support as appropriate.

Staff will be made aware of safer working practice guidance and will be given opportunities to develop their understanding of what constitutes safe and unsafe behaviour.

## **19. Safer Recruitment and Selection**

The College has a written recruitment and selection policy statement and procedures linking explicitly to this policy. The statement is included in all job advertisements, recruitment websites, and candidate information packs.

The recruitment process is robust in seeking to establish the commitment of candidates to support the College's measures to safeguard children and to identify, deter or reject people who might pose a risk of harm to children or are otherwise unsuited to work with them. References are requested, scrutinised and discrepancies followed up.

All staff working within our College who have substantial access to children have been checked as to their suitability, including verification of their identity, qualifications and a satisfactory barred list check, enhanced DBS check and a right to work in the UK check.

All teachers working within our College have been checked using the Teacher Services website to ensure they have been awarded QTS, where appropriate, they have completed their teacher induction, where appropriate, and that there are no prohibitions, sanctions or restrictions in place that might prevent them from taking part in certain activities or working in specific positions (e.g. management posts).

Our governors are subject to an enhanced DBS check without barred list check unless they are in Regulated Activity in which case an enhanced DBS check with barred list check will be undertaken.

Any member of staff taking up a management position will be checked to ensure s/he is not subject to a section 128 direction made by the Secretary of State.

A number of staff, including all members of the Human Resources team, are safer recruitment trained.

The College maintains a single central record of recruitment checks.

Any member of staff working in regulated activity prior to receipt of a satisfactory DBS check will not be left unsupervised and will be subject to a risk assessment.

Volunteers who are not working in regulated activity, will be supervised at all times. A risk assessment will be undertaken, if appropriate, to help decide whether or not an enhanced DBS check, without barred list check, is required.

The College seeks written assurance from supply and third-party agencies, alternative providers, initial teacher training providers and contractors that they have undertaken all appropriate checks on any of their staff that work with or have regular contact with our pupils.

## **20. Responding to an Allegation against a Member of Staff**

The College has a duty of care towards its employees and as such, it must ensure that effective support is provided for anyone facing an allegation. The College will take action in accordance with Part four of Keeping Children Safe in Education 2020 and the College's employment procedures.

We acknowledge that a pupil may make an allegation against a member of staff or volunteer. This procedure must be used in any case in which it is alleged that a member of staff, Governor/Trustee, visiting professional or volunteer has:

- Behaved in a way that has harmed a child/young person or may have harmed a child/young person;
- Possibly committed a criminal offence against or related to a child/young person; or
- Behaved in a way that indicates s/he is unsuitable to work with children/young people.
- Behaved or may have behaved in a way that indicates they may not be suitable to work with children/young people.

Although it is an uncomfortable thought, it needs to be acknowledged that there is the potential for staff in school to abuse pupils.

All staff working within our organisation must report any potential safeguarding concerns about an individual's behaviour towards children and young people immediately.

- Allegations or concerns about staff, colleagues and visitors must be reported directly to the Headmaster who will liaise with the Designated Officer (LADO) Team, who will decide on any action required. He may also liaise with the DSL.

- If the concern relates to the Headmaster, it must be reported immediately to the Chair of the Governing Body, who will liaise with the Designated Officer (LADO) and they will decide on any action required.
- If the safeguarding concern relates to the proprietor of the setting, then the concern must be made directly to the Designated Officer (LADO) Team who will decide on any action required.

The Headmaster (or Chair of College Council) on all such occasions will discuss the content of the allegation with LADO, *prior to undertaking any investigation.*

If it is not possible to report to the Headmaster or Chairman of the College Council in the circumstances set out above, a report should be made immediately to the Designated Safeguarding Lead. The Designated Safeguarding Lead will take action in accordance with these procedures and will as soon as possible inform the Headmaster or, where appropriate, the Chairman of the College Council or nominated member of the College Council.

The College will follow the DfE, West Midlands Safeguarding Children and Local Authority procedures for managing allegations against staff, a copy of which is available in College.

The parents of the pupil(s) involved will be informed of the allegation as soon as possible if they do not already know of it.

Where the LADO advises that a strategy discussion is needed, or that the police or children's social care need to be involved, the case manager will not inform the accused or the parents until these agencies have been consulted and it has been agreed what information can be disclosed.

The reporting restrictions preventing the identification of a teacher who is the subject of such an allegation in certain circumstances will be observed.

#### **Malicious Allegations:**

- Where an allegation by a pupil is shown to have been deliberately invented or malicious, the Headmaster will consider whether to take disciplinary action in accordance with the College's Promoting Good Behaviour & Discipline Policy.
- Where a parent has made a deliberately invented or malicious allegation the Headmaster will consider whether to require that parent to withdraw their child or children from the College on the basis that they have treated the College or a member of staff unreasonably.
- Whether or not the person making the allegation is a pupil or a parent (or other member of the public), the College reserves the right to contact the police to determine whether any action might be appropriate.

## **21. Whistleblowing**

We recognise that children cannot be expected to raise concerns in an environment where staff fail to do so.

All staff should be aware of their duty to raise concerns, where they exist, about the attitude or actions of colleagues using the College's confidential reporting (Whistleblowing) policy.

Whistleblowing concerns about the Headmaster should be raised with the Chair of College Council.

Staff will be made aware that if they feel unable to raise a child protection failure internally, they can contact the <https://www.nspcc.org.uk/keeping-children-safe/reporting-abuse/dedicated-helplines/whistleblowing-advice-line/>

## **22. Complaints or Concerns expressed by Pupils, Parents, Staff or Volunteers**

We recognise that listening to children is an important and essential part of safeguarding them against abuse and neglect. To this end, any expression of dissatisfaction or disquiet in relation to an individual child will be listened to and acted upon in order to safeguard his/her welfare.

We will also seek to ensure that the child or adult who makes a complaint is informed not only about the action the College will take but also the length of time that will be required to resolve the complaint. The College will also endeavour to keep the child or adult regularly informed as to the progress of his/her complaint. The College's complaints procedures are readily available.

## **23. Positive Physical Intervention/Use of Reasonable Force**

Our policy on positive handling is set out in our [https://www.malverncollege.org.uk/Assets/User/1137-Promoting\\_Good\\_Behaviour\\_&Discipline\\_Policy\\_\(webversion\).pdf](https://www.malverncollege.org.uk/Assets/User/1137-Promoting_Good_Behaviour_&Discipline_Policy_(webversion).pdf) and our Positive Handling Policy available on request from [Nicola.seed@malverncollege.org.uk](mailto:Nicola.seed@malverncollege.org.uk) and acknowledges that staff must only ever use physical intervention as a last resort, and that at all times it must be the minimal force necessary to prevent injury or damage to property.

We understand that physical intervention of a nature that causes injury or distress to a child may be considered under management of allegations or disciplinary procedures.

However, there are circumstances when it is appropriate for staff in school to use a physical intervention to safeguard children and young people. The term 'reasonable force' covers the broad range of actions used by staff that involves a degree of physical contact to control or restrain children/young people. This can range from guiding a child/young person to

safety by the arm, to more extreme circumstances such as breaking up a fight or where a child/young person needs to be restrained to prevent violence or injury.

Departmental advice for schools is available here:

<https://www.gov.uk/government/publications/use-of-reasonable-force-in-schools>

Staff who are likely to need to use physical intervention will be appropriately trained.

All incidences of physical intervention will be recorded on the appropriate form in the Positive Handling Policy, in accordance with recommended procedures.

We recognise that touch is appropriate in the context of working with children and all staff have been given 'safe working practice' guidance to ensure they are clear about their professional boundaries. We do not have a 'no contact' policy as this could leave our staff unable to fully support and protect their pupils and students.

We acknowledge that when applying reasonable force in response to risks presented by incidents involving pupils with SEN or disabilities or with medical conditions, it is important to recognise their additional vulnerability and make every effort to reduce the occurrence of challenging behaviour and the need to use reasonable force.

## **24. Abuse of Position of Trust**

We recognise that as adults working in the College, we are in a relationship of trust with pupils in our care and acknowledge that it could be considered a criminal offence to abuse that trust.

We acknowledge that the principle of equality embedded in the legislation of the Sexual Offenders Act 2003 applies irrespective of sexual orientation: neither homosexual nor heterosexual relationships are acceptable within a position of trust.

We recognise that the legislation is intended to protect young people in education who are over the age of consent but under 18 years of age

## **25. Photography and use of images (including hand-held devices)**

The welfare and protection of our children is paramount, and consideration should always be given to whether the use of photography will place our children at risk. Images may be used to harm children, for example as a preliminary to 'grooming' or by displaying them inappropriately on the internet, particularly social networking sites.

For this reason consent is always sought when photographing children using any means and including iPads, smart phones or cameras and additional consideration given to

photographing vulnerable children, particularly Looked After Children or those known to be fleeing domestic violence. Consent for potentially vulnerable pupils will be sought from those with parental responsibility (this may include the Local Authority in the case of Looked After Children).

Many pupils own or have access to hand-held devices and parents are encouraged to consider measures to keep their children safe when using the internet and social media at home and in the community.

## **26. Staff/pupil relationships**

The College provides advice to staff regarding their personal online activity and has strict rules regarding online contact and electronic communication with pupils. Staff found to be in breach of these rules may be subject to disciplinary action or child protection investigation.

## **27. Health & Safety**

Our Health & Safety policy, set out in a separate document, reflects the consideration we give to the safeguarding of our children both within the College environment and when away from the College, for example when undertaking College trips and visits.

Risk Assessments are undertaken and reviewed regularly, in respect of site security, risk of children being drawn into terrorism or exposed to extremist behaviour, risk to and from children displaying harmful behaviour.

## **28. Safe Environment**

The College undertakes appropriate risk assessments and checks in respect of all equipment and of the building and grounds in line with local and national guidance and regulations concerning health and safety.

The College has adequate security arrangements in place in respect of the use of its grounds and buildings by visitors both in and out of College hours.

The College keeps a visitors' book at Reception. All visitors must sign in on arrival and sign out on departure and are escorted at all times whilst on College premises by a member of staff or appropriately vetted volunteer. Prospective parents and visitors will also be given a name badge with the title 'Visitor' which must be clearly displayed and worn at all times whilst on the College premises.

Visitors to the College, for example visiting speakers, theatre groups or curriculum specialists, will be appropriately checked and vetted, to ensure they are not linked to extremist groups or promoting extremist or other harmful material.

All visitors to boarding houses must observe the necessity to be kept under sufficient staff supervision during their visit.

## **29. Private fostering arrangements**

Many adults find themselves looking after someone else's child without realising that they may be involved in private fostering. A private fostering arrangement is one that is made privately (without the involvement of local authority Children's Services) for the care of a child under the age of 16 (under 18, if disabled) by someone other than a parent or immediate relative. If the arrangement is to last, or has lasted, for 28 days or more, it is categorised as private fostering.

The Children Act 1989 defines an immediate relative as a grandparent, brother, sister, uncle or aunt (whether of full blood or half blood or by marriage or civil partnership), or a stepparent.

People become involved in private fostering for all kinds of reasons. Examples of private fostering include:

- Children/young people who need alternative care because of parental illness;
- Children/young people whose parents cannot care for them because their work or study involves long or antisocial hours;
- Children/young people sent from abroad to stay with another family, usually to improve their educational opportunities;
- Unaccompanied asylum seeking and refugee children/young people;
- Teenagers who stay with friends (or other non-relatives) because they have fallen out with their parents;
- Children/young people staying with families while attending a school away from their home area.

By law, a parent, private foster carer or other persons involved in making a private fostering arrangement must notify Children's Services as soon as possible.

If we become aware of a private fostering arrangement, we will check that Children's Services (and WCF) have been informed.

## **30. Challenge and Escalation**

We recognise that professional disagreements may arise between any agencies and resolving problems is an integral part of co-operation and joint working to safeguard children.

As part of our responsibility for safeguarding children, we acknowledge that we must be prepared to challenge each other if we feel that responses to concerns, assessments or the way in which plans are implemented are not safeguarding the child and promoting their welfare.

We are aware of the WSCP Escalation Procedures in raising concerns in respect of poor practice and recognise our responsibility to utilise these as and when necessary, in the interests of safeguarding and promoting the welfare of children.

### **31. Monitoring and Evaluation**

Our Safeguarding Children policy and procedures will be monitored and evaluated by:

- Completion of the annual safeguarding audit/report to the Governing Body;
- Pupil surveys and questionnaires;
- Discussions with children and staff;
- Scrutiny of data and risk assessments;
- Scrutiny of the College's single central record of recruitment checks;
- Scrutiny of College Council minutes;
- Monitoring of logs of bullying/racist/behaviour incidents and PPI records;
- Supervision of staff involved in child protection;
- Case file audits undertaken by those College Governors with specific safeguarding responsibility.

The DSL will ensure that the procedures set out in this policy and the implementation of these procedures are updated and reviewed regularly, working with the College Council as necessary. Any child protection incidents at the College will be followed by a review of these procedures by the DSL and a report to the College Council. Where an incident involves a member of staff, the LADO will assist in this review to determine whether any improvements can be made to the College's procedures. Any deficiencies or weaknesses in regard to child protection arrangements at any time will be remedied without delay.

In addition, the College Council will ensure that the DSL will undertake an annual review of this policy. The outcome of the annual review by the DSL will be reported to the College Council who will review the policy and the implementation of its procedures, including good cooperation with local agencies, and consider the proposed amendments to the policy, from both the DSL and its own members, before giving the revised policy its final approval. Detailed minutes recording the review by the College Council will be made.

### **32. Other Relevant Policies**

The Governing Body's statutory responsibility for safeguarding the welfare of children goes beyond basic child protection procedures.

The duty is now to ensure that safeguarding permeates all activity and functions. This policy therefore complements and supports a range of other policies, for instance:

- Staff Code of Conduct
- Staff Exclusion for Misconduct Policy
- Complaints Procedure for Parents
- Parental Concerns Policy
- Promoting Good Behaviour and Discipline Policy
- Peer on Peer Abuse Policy
- Anti-Bullying, including cyber-bullying
- Positive Physical Intervention
- SEN and Learning Difficulties Policy
- Educational Visits Policy
- First Aid Policy
- Medical care Policy
- Health and Safety Policy
- Relationships and Sex Education Policy
- Managing Images Policy
- Social Media Policy
- Staff Acceptable Use of ICT Policy
- Policy on the Acceptable Use of ICT and E-Safety
- Equal Opportunities
- Whistleblowing (Confidential Reporting)
- Promotion of Universal (British) Values Policy

The above list is not exhaustive but when undertaking development or planning of any kind the College will need to consider safeguarding matters.

#### **Appendices:**

- **Appendix 1: Form 1 – Logging a Concern about a Child’s Safety and Welfare – all staff and visitors**
- **Appendix 2: Responsibilities of the DSL**
- **Appendix 3: Recognition and Identification of Abuse**
- **Appendix 4: Appendix 4: Child Sexual Exploitation (CSE)**
- **Appendix 5: Effects of Domestic Abuse on Children and Young People**
- **Appendix 6: Forced Marriage – a form of domestic abuse**
- **Appendix 7: Female Genital Mutilation (FGM) – a form of human rights abuse**
- **Appendix 8: Sexting**
- **Appendix 9: Radicalisation and Extremism**
- **Appendix 10: Criminal Exploitation – County Lines**