



LEGRA
ACADEMY
TRUST

Safeguarding Policy

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**SAFEGUARDING & CHILD PROTECTION POLICY FOR
LEGRA ACADEMY TRUST**

KEY CONTACTS WITHIN THE ACADEMY

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DESIGNATED SAFEGUARDING GOVERNOR:	Belfairs Academy: Dominic Carver Darlinghurst Academy: Chris Hatton

KEY CONTACTS WITHIN THE LOCAL AUTHORITY

<p>FIRST CONTACT DUTY TEAM Children's Services, Southend Borough Council: Where academys have concerns for the safety and welfare of a child or young person.</p> <p>Practice Manager (for Consultation)</p> <p>OUT OF OFFICE HOURS: To make URGENT referrals</p>	<p>01702 534496</p> <p>01702 212419 / 01702 212436 / 01702 212445</p> <p>Fax: 01702 611478</p> <p>fct@southend.gov.uk (unsecure)</p> <p>fct@southend.gcsx.gov.uk (secure)</p> <p>01702 212442</p> <p>0345 606 1212</p>
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INDEX

KEY CONTACTS	Page 2
INDEX	Page 3
1. CONTEXT	Page 4
2. INTRODUCTION	Page 4
3. ACADEMY COMMITMENT	Page 5
4. STATUTORY FRAMEWORK	Page 6
5. ROLES AND RESPONSIBILITIES	Page 6
6. PROCEDURES	Page 8
7. TRAINING AND SUPPORT	Page 10
8. PROFESSIONAL CONFIDENTIALITY	Page 11
9. RECORDS AND MONITORING	Page 11
10. INTERAGENCY WORKING AND ATTENDANCE AT CONFERENCES AND CORE GROUP MEETINGS	Page 12
11. SUPPORTING PUPILS AT RISK	Page 12
12. TYPES OF ABUSE & SPECIFIC SAFEGUARDING ISSUES	Page 13
13. ALLEGATIONS INVOLVING A MEMBER OF STAFF	Page 17
14. WHISTLEBLOWING	Page 18
15. USE OF ACADEMY PREMISES BY OTHER ORGANISATIONS	Page 18
ACKNOWLEDGEMENT	Page 18
Appendix 1 - SEXUAL VIOLENCE, SEXUAL HARRASSMENT AND SEXUAL BULLYING	Page 19
Appendix 2 – FLOWCHART ON DBS CHECKS	Page 24

SAFEGUARDING & CHILD PROTECTION POLICY FOR LEGRA ACADEMY TRUST

1. CONTEXT

1.1 Academies and their staff form part of the wider safeguarding system for children. 'Academy and college staff are particularly important as they are in a position to identify concerns early, provide help for children and prevent concerns from escalating'. **'Everyone** who comes into contact with children and their families and carers has a role to play in safeguarding children. In order to fulfil this responsibility effectively, all professionals should make sure their approach is child-centred. This means that they should consider, at all times, what is in the **best interests** of the child'.

(Keeping Children Safe in Education – DfE, September 2018)

1.2 This Child Protection Policy is for all staff, parents, governors, volunteers and the wider academy community. It forms part of the safeguarding arrangements for our academy. It should be read in conjunction with:

- 'Keeping children safe in education' (2018) - Part one of which is provided to all staff, including Annex A to staff who work directly with children.
- Staff Code of Conduct
- 'What to do if you're worried a child is being abused' (HMG, 2015)
- General Data Protection Regulation (GDPR)

1.3 Safeguarding and promoting the welfare of children is defined in 'Keeping children safe in education' (2018) as:

- Protecting children from maltreatment
- Preventing impairment of children's health or development
- Ensuring that children grow up in circumstances consistent with the provision of safe and effective care
- Taking action to enable all children to have the best outcomes

2. INTRODUCTION

2.1 Legra Academy Trust takes seriously its responsibility to protect and safeguard the welfare of children and young people in its care. "The welfare of the child is paramount" (the Children Act 1989).

2.2 Section 175 (157 for Independent academies) of the Education Act 2002 places a statutory responsibility on the governing body to have policies and procedures in place that safeguard and promote the welfare of children who are pupils of the academy.

2.3 This policy applies to all pupils, staff, parents, governors, volunteers, students and visitors to our academy.

2.4 There are three main elements to our Safeguarding & Child Protection Policy:

- **Prevention**

- By ensuring that we practice safe recruitment in checking the suitability of all staff and volunteers who work with children
 - Through establishing and maintaining a safe and positive environment and the teaching and pastoral support offered to pupils
 - By raising awareness of child protection issues and equipping children with the skills needed to keep them safe
- **Protection** by following agreed procedures and ensuring all staff are trained and supported to respond appropriately and sensitively to child protection concerns.
 - **Support** to pupils who have/may have been abused or neglected (in line with his/her Child Protection Plan, if appropriate).

2.5 This academy recognises it is an agent of referral and not of investigation.

3. ACADEMY COMMITMENT

Our academy is committed to keeping children safe and aims to:

- Create a culture of vigilance where the welfare of our pupils is promoted and where timely and appropriate safeguarding action is taken.
- Establish and maintain an environment where pupils feel safe and secure, are encouraged to talk and are listened to.
- Ensure that pupils know that there are adults within the academy who they can approach if they are worried or are in difficulty.
- Ensure pupils receive the right help at the right time to address risks and prevent issues escalating. This includes identifying emerging problems and those children who may benefit from early help.
- Include in the curriculum activities and opportunities which equip pupils with the skills they need to stay safe from abuse and to develop healthy and safe relationships.
- Include in the curriculum material which will help pupils develop realistic attitudes to the responsibilities of adult life, particularly with regard to childcare and parenting skills.
- Protect children from harm and to ensure that they are taught in a way that is consistent with the law and our values and to promote respect for all others.
- Facilitate understanding of wider issues within the context of learning about the values on which our society is founded and our system of democratic government.
- Provide a curriculum which actively promotes the fundamental British values of democracy, the rule of law, individual liberty and mutual respect and tolerance of those with different faiths and beliefs.
- Promote tolerance of and respect for people of all faiths (or those of no faith), races, genders, ages, disability and sexual orientations.
- Make parents/carers aware of the academy policies and practice for safeguarding and ensure that, wherever possible, every effort will be made to establish open and honest effective working relationships with parents and colleagues from partner agencies.

4. STATUTORY FRAMEWORK

4.1 Section 175 of the Education Act 2002 (*Section 157 for Independent academies*) places a statutory responsibility on the governing body to have policies and procedures in place that safeguard and promote the welfare of children who are pupils of the academy.

4.2 The development of appropriate procedures and the monitoring of good practice in Southend are the responsibilities of the Southend Local Safeguarding Children Board (Southend LSCB)

In Southend, all professionals must work in accordance with the SET Procedures (Southend Essex and Thurrock Safeguarding and Child Protection Procedures, 2017).

4.3 Our academy works in accordance with the following legislation and statutory guidance:

- Children Act 1989
- Children Act 2004
- [Keeping children safe in education: for schools and colleges - guidance from 3 September 2018](#)
- [Keeping children safe in education: for school and college staff \(Part 1\) – guidance from 3 September 2018](#)
- [Working Together](#) (HMG, March 2015 – updated February 2017)
- [Counter-Terrorism and Security Act \(HMG, 2015\)](#)
- [Serious Crime Act 2015](#) (Home Office, 2015)
- Sexual Offences Act (2003)
- [Sexual Violence and sexual harassment between children in schools and colleges \(May 2018\)](#)
- Education (Pupil Registration) Regulations 2006
- Information sharing advice for safeguarding practitioners (HMG, 2015)
- Data Protection Act 1998

5. ROLES AND RESPONSIBILITIES

5.1 All adults working with or on behalf of children have a responsibility to protect them and to provide a safe environment in which they can learn and achieve their full potential. There are, however, key people within academy's and the Local Authority who have specific responsibilities under child protection procedures. The names of those in our academy with these specific responsibilities (the Designated Safeguarding Lead and Deputy Designated Safeguarding Lead) are shown on the cover sheet of this document.

5.2 The Governing Body (&/or Proprietors) ensures that the policies, procedures and training in our academy are effective and comply with the law at all times. It ensures that all required policies relating to safeguarding are in place and that the child protection policy reflects statutory and local guidance and is reviewed at least annually. In order to utilise the experiences and expertise of staff when shaping safeguarding policies, the Governing Body provides opportunities for staff to contribute to safeguarding arrangements and the child protection policy.

5.3 The academy publishes its Safeguarding Policy on the academy website alongside 'Keeping Children Safe in Education: for schools and colleges - guidance from 3 September

2018' and 'Keeping Children Safe in Education: for school and college staff (part 1) – guidance from 3 September 2018'.

5.4 The Governing Body ensures there is a Designated Safeguarding Governor, as well as a named Designated Safeguarding Lead and Deputy Safeguarding Lead(s) in place.

5.5 The Governing Body ensures the academy contributes to inter-agency working, in line with statutory and local guidance. It ensures that information is shared and stored appropriately and in accordance with statutory requirements.

5.6 The Governing Body ensures that all staff members undergo safeguarding and child protection training at induction and that it is then regularly updated. All staff members receive regular safeguarding and child protection updates, at least annually, to provide them with the relevant skills and knowledge to keep our children safe.

5.7 The Governing Body ensures that children are taught about safeguarding, including online, ensuring that that appropriate filters and monitoring systems for online usage are in place. The academy actively promotes online safety on its website and signpost stakeholders to information that will help keep children safe online. Our children are taught how to keep themselves safe through teaching and learning opportunities as part of a broad and balanced curriculum.

5.8 The Governing Body and Academy Leadership Team are responsible for ensuring the academy follows recruitment procedures that help to deter, reject or identify people who might abuse children. It adheres to statutory responsibilities to check adults working with children and has recruitment and selection procedures in place (see the academy's 'Safer Recruitment' policy for further information). It ensures that volunteers are appropriately supervised in academy.

5.9 The Designated Safeguarding Lead in academy takes lead responsibility for managing child protection referrals, safeguarding training and raising awareness of all child protection policies and procedures. They ensure that everyone in academy (including temporary staff, volunteers and contractors) are aware of these procedures and that they are followed at all times. They act as a source of advice and support for other staff (on child protection matters) and ensure that timely referrals are made to Children's Services (First Contact Team) in accordance with current SET procedures. They work with the Local Authority and other agencies as required.

5.10 If, for any reason, the Designated Safeguarding Lead is unavailable, the Deputy Designated Safeguarding Lead(s) will act in their absence.

5.11 The Principal works in accordance with the requirements upon all academy staff. In addition, (s)he ensures that all safeguarding policies and procedures adopted by the Governing Body are followed by all staff.

5.12 The Principal/Designated Safeguarding Lead, provides an annual report for the Governing Body detailing any changes to the policy and procedures, training undertaken by all staff and governors and other relevant issues.

5.13 The Principal/Designated Safeguarding Lead and Designated Governor will undertake an annual Safeguarding Audit in line with their responsibilities under S.175 (S.157 for Independent academies) of the Education Act 2002.

5.14 All Staff in our academy have a responsibility to provide a safe learning environment in which our children can learn. All staff members are prepared to identify children who may benefit from early help and understand their role within this process. This includes identifying any emerging problems so appropriate support may be provided and liaising with the Designated Safeguarding Lead to report any concerns. All staff members are aware of and follow academy processes (as set out in this policy), understand the difference between 'a concern' and children who are 'in immediate danger or at risk of harm' and are aware of how to make a referral to Children's Services, and/or the Police, if there is a need to do so.

6. PROCEDURES

6.1 All action is taken in accordance with the following guidance and advice:

- The SET (Southend, Essex and Thurrock) Safeguarding and Child Protection Procedures (Southend-on-Sea LSCB, 2017), a copy of which is available the Designated Safeguarding Lead's office] and published on line <http://www.safeguardingsouthend.co.uk/>
- The Early Help Family Support Practitioner Toolkit (Threshold Document), which can be downloaded from <http://www.southendchildren.org>
- Disqualification under the Childcare Act, 2006 (DfE, June 2016)
- Keeping children safe in Education for schools and colleges – guidance from 3 September 2018
- Keeping children safe in Education for school and college staff (part 1) – guidance from 3 September 2018
- Working Together to Safeguard Children (HMG, March 2015 – updated February 2017)
- The Prevent duty Departmental advice for academies and childcare providers (DfE, June 2015)
- 'Revised Prevent Duty Guidance: for England and Wales' (HMG, July 2015) , paras 57-76
- Multi-agency statutory guidance on female genital mutilation (HMG, April 2016)
- 'What to do if you're worried a child is being abused' (HMG, 2015)
- Searching screening and confiscation: advice for Principals, staff and governing bodies' (DfE, February 2014)

6.2 When new staff, volunteers or regular visitors join our academy they are informed of the safeguarding arrangements in place. They are given a copy of our academy's Child Protection Policy, advised who our Designated Safeguarding Lead (and Deputy) is and informed of their role and how to share concerns with them. Staff are also given a copy of the Staff Code of Conduct/Staff Behaviour Policy

6.3 Staff are also given a copy of 'Keeping children safe in education: for schools and colleges – guidance from 3 September 2018' and 'Keeping children safe in education: for school and college staff – guidance from 3 September 2018' which includes Annex A: Further information about specific forms of abuse and safeguarding issues (for staff who work directly with children) and access to 'What To Do If You're Worried a Child is Being Abused' (HMG, March 2015), which gives helpful advice about how to respond to child protection concerns or disclosures.

6.4 All Staff are kept informed about safeguarding and child protection responsibilities and procedures through induction, briefings and regular awareness training, as required, but at least annually.

6.5 Any member of staff, volunteer or visitor to the academy who receives a disclosure of abuse, suspects that abuse may have occurred, or is concerned about a child's welfare, **must** report it immediately to the Designated Safeguarding Lead or, in their absence, the Deputy Designated Safeguarding Lead so that discussion can take place regarding pursuing the early help process or a referral to Children's Services. In the absence of the Designated Safeguarding Lead and Deputy Designated Safeguarding Lead, the matter should be brought to the attention of the most senior member of staff.

6.6 The Designated Safeguarding Lead, or the Deputy, will immediately refer cases of suspected abuse or allegations to Children's Services (First Contact Team), Southend Borough Council (contact numbers are on the cover sheet of this document) and in accordance with the procedures outlined in the SET procedures.

6.7 A telephone referral to Children's Services must be confirmed in writing within 48 hours.

6.8 The Early Help Family Support Assessment (EHFSA) should be used to support a child protection referral. (The EHFSA form and guidance is available on www.southendchildrenspartnership.org.uk and on the Southend LSCB website and Southend Learning Network. A completed EHFSA form contains all the information required for a child protection referral and should be sent to the First Contact Team. In cases where there have been mounting concerns about a child, it is likely that an EHFSA will already have been completed prior to a child protection referral. A telephone referral to the First Contact Team – in cases where there are immediate safeguarding concerns - should be confirmed in writing within 48 hours, using the EHFSA form to provide the information required. Essential information will include the pupil's name, address, date of birth, family composition, the reason for the referral, whether the child's parents are aware of the referral, the name of person who initially received the disclosure, plus any advice given. This written confirmation must be signed and dated by the referrer.

6.9 If the child is in immediate danger or is at risk of harm, a referral should be made to Children's Services and/or the Police immediately.

6.10 If a teacher discovers that an act of Female Genital Mutilation appears to have been carried out on a girl under the age of 18, the teacher has a statutory duty to report this personally to the Police. See Annex A, 'Keeping children safe in education' (2018), for more details.

6.11 The academy will always undertake to share our intention to refer a child to Children's Services with the parents or carers, unless to do so could place the child at greater risk of harm or impede a criminal investigation. On these occasions advice will be taken from Children's Services or Essex Police about when it is appropriate to share information with parents/carers.

6.12 If a member of staff continues to have concerns about a child and feels the situation is not being addressed, or does not appear to be improving, the staff member concerned should discuss this with the Designated Safeguarding Lead, who will press for re-consideration of the case to ensure that the child's situation improves.

6.13 Safeguarding contact details are prominently displayed in the academy to ensure that all staff have unfettered access to safeguarding support.

6.14 Parents and Carers are informed about our academy's duties and responsibilities under child protection procedures on admission, in the academy brochure and on the academy website.

7. TRAINING AND SUPPORT

7.1 The Designated Safeguarding Lead (and any Deputies) will undergo updated Child Protection training specifically for Designated Safeguarding Leads at least every two years, in accordance with 'Keeping children safe in education' (DfE, September 2018). In addition to formal training, the Designated Safeguarding Lead(s) will keep up to date with safeguarding developments and refresh their knowledge and skills regularly, but at least annually.

7.2 The Principal, all staff members and Governors, who have contact with children and young people, are required to receive appropriate safeguarding and child protection training, which is regularly updated and in line with advice from the Southend-on-Sea Local Safeguarding Children Board (LSCB)/Safeguarding Partnerships. All Child Protection training is recorded and certificates will be sent to attendees. In addition, all staff members receive safeguarding and child protection updates as required, but at least annually, to provide them with relevant skills and knowledge to safeguard children effectively.

7.3 The academy will ensure that the Designated Safeguarding Lead (and any Deputies) also undertakes training in inter-agency working and other matters, as appropriate.

7.4 The Principal, in the first instance, will provide support and supervision to staff involved in child protection issues.

7.5 All staff are made aware of the boundaries of appropriate behaviour and conduct. These matters form part of staff induction and are referred to in the Legra Code of Conduct/Behaviour for Learning Policy.

8. PROFESSIONAL CONFIDENTIALITY

8.1 Confidentiality is an issue which needs to be discussed and fully understood by all those working with children, particularly in the context of child protection. The only purpose of confidentiality in this respect is to benefit the child. A member of staff must never guarantee confidentiality to a pupil, nor should they agree with a pupil to keep a secret as, where there is a child protection concern, this must be reported to the Designated Safeguarding Lead and may require further investigation by appropriate authorities.

8.2 Staff will be informed of relevant information in respect of individual cases regarding child protection on a 'need to know basis' only. Any information shared with a member of staff in this way must be held and treated confidentially.

9. RECORDS AND MONITORING

9.1 Well-kept records are essential to good child protection practice. Our academy is clear about the need to record any concern about a child or children within our academy, the status of such records and when these records should be passed over to other agencies.

9.2 Where there are concerns about the safety of a child, the sharing of information in a timely and effective manner between organisations can reduce the risk of harm. Whilst the Data Protection Act 1998 places duties on organisations and individuals to process personal information fairly and lawfully, it is not a barrier to sharing information where the failure to do so would result in a child or vulnerable adult being placed at risk of harm. Fears about sharing information cannot be allowed to stand in the way of the need to safeguard and promote the welfare of children at risk of abuse or neglect.

9.3 Any member of staff receiving a disclosure of abuse, or noticing signs or indicators of abuse, must make an accurate record as soon as possible noting what was said or seen (if appropriate using a body map to record), putting the event in context, and giving the date, time and location of the incident. The source of the information should be recorded, as well as a note of other people involved, for example, as witnesses, and there should be a clear distinction between fact and professional opinion. All records will be dated and signed, detailing the name and position of the person making the record, and include the action taken. This information will be presented to the Designated Safeguarding Lead (or Deputy) who will then decide on appropriate action.

9.4 All discussions and decisions made, and the reason for those decisions, should also be recorded in writing.

9.5 Any records related to Child Protection are kept in a confidential child protection file, which is separate from the pupil file. All child protection records are stored securely (i.e., in a locked filing cabinet) and confidentially in the Designated Safeguarding Lead's office and are accessible through the Designated Safeguarding Lead (or Deputy). Digital records will be password protected. The academy should retain the record for as long as the pupil remains at the academy. When a pupil with a child protection record reaches statutory academy leaving age, the last academy attended should keep the child protection file for 25 years after the pupil's date of birth.

9.6 If a pupil transfers from our academy to another, their child protection records will be forwarded to the new educational setting without delay, separate from their main pupil file. Care will be taken to ensure confidentiality is maintained and the transfer process is as safe as possible. We keep a copy of the child protection file until we have confirmation from the receiving academy that they have received it. Once we have this confirmation, our copy is shredded, other than copies of the specific records that are pertinent to our academy (i.e., not CP Conference reports that are held elsewhere), unless there is a specific reason for us to keep it, which will be recorded (for example, we still have siblings in the academy and the records relate to them too, or there is an ongoing complaint or request for access to records). We will also keep a record of having received confirmation from the receiving academy and of the date when we shredded our copy.

When a pupil joins our academy, we will request child protection records from the previous educational establishment (if none are received). A record is kept of when safeguarding files were requested by the school and any follow up requests with details of correspondence

9.7 For records of allegations involving a member of staff, please see paragraph 13.7 below.

10. INTERAGENCY WORKING AND ATTENDANCE AT CHILD PROTECTION CONFERENCES, CORE GROUP MEETINGS OR CHILD IN NEED MEETINGS

10.1 It is the responsibility of the Designated Safeguarding Lead to ensure that the academy is represented at any Child Protection Conference called for children on the academy roll, or previously known to them. A report will be made available to the Conference Chair, 48 working hours in advance of the Conference, and shared with the parents/carers before the day of the Conference. Whoever attends the Conference will be fully briefed on any issues or concerns the academy has and be prepared to contribute to the discussions at the Conference and express a view, at the end of the meeting, as to whether the child(ren) should be made subject to a Child Protection Plan.

10.2 If a child is made subject to a Child Protection Plan, or a Child in Need Plan, it is the responsibility of the Designated Safeguarding Lead to ensure the child is monitored regarding their academy attendance, progress, welfare and presentation. If the academy is part of the Core Group, the Designated Safeguarding Lead will ensure that the academy is represented and provides appropriate information and contributes to the plan at these meetings. Any concerns about the Child Protection plan and/or the child's welfare will be discussed and recorded at the Core Group Meeting, unless to do so would place the child at further risk of significant harm. In this case the Designated Safeguarding Lead will inform the child's Key Worker **immediately** and then record that they have done so and the actions agreed.

If there is an unexplained absence of, or injury to a child subject to a Child Protection Plan, the child's Key Worker must be notified **immediately**.

11. SUPPORTING PUPILS AT RISK

11.1 Our academy is committed to ensuring that our pupils receive the right help at the right time.

Staff are in a position to identify concerns early, provide help for children and prevent concerns from escalating.

11.2 Our academy may be the only stable, secure and safe element in the lives of children at risk of, or who have suffered, harm. Nevertheless, whilst at academy, their behaviour may be challenging and defiant, or they may be withdrawn, or display abusive behaviours towards other children.

Our academy recognises that some children may abuse their peers and any incidents of peer-on- peer abuse will be managed in the same way as any other child protection concern and will follow the same procedures.

11.3 Our academy will endeavour to support all pupils through:

- The curriculum; to encourage our pupils to stay safe and to develop healthy relationships, self-esteem and self-motivation.
- The academy ethos which promotes a positive, supportive and secure environment and which gives all pupils and adults a sense of being respected and valued.
- The implementation of the academy's behaviour management policies.
- A consistent approach from all staff which will endeavour to ensure that our pupils know that some behaviour is unacceptable, but that s/he is valued.
- Regular liaison with other professionals and agencies that support the pupils and their families.
- A commitment to develop open, honest and supportive relationships with parents, always with the child's best interest as paramount.
- The development and support of a responsive and knowledgeable staff group, trained to respond appropriately in child protection situations.
- Recognition that children with behavioural difficulties and special educational needs and/or disabilities are most vulnerable to abuse. Therefore, staff who work in any capacity with children with profound and multiple disabilities, sensory impairment and/or emotional and behavioural problems will need to be particularly sensitive to signs of abuse.
- Recognition that, in a home environment where there is domestic violence, drug or alcohol abuse, children are vulnerable and may be in need of support or protection.

12. TYPES OF ABUSE & SPECIFIC SAFEGUARDING ISSUES

12.1 'Keeping children safe in education' (DfE, 2018) defines abuse as the 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.'

12.2 The four main types of abuse referred to in 'Keeping children safe in education' are: Physical, Emotional, Sexual and Neglect. Our academy is aware of the signs of abuse and neglect so we are able to identify children who may be in need of help or protection.

12.4 Our academy recognises that there are a number of specific safeguarding issues about which staff need to be aware, including: children missing from education*, children missing from home or care, child sexual exploitation (CSE)*, domestic violence, drugs, E safety (including), fabricated/induced illness, faith abuse, female genital mutilation (FGM)*, forced marriage, gangs and youth violence, violence against women and girls (VAWG), mental health, children with special educational needs and disabilities*, private fostering, prevention of radicalisation, teenage relationship abuse, trafficking, peer on peer abuse*,

which may include bullying (including cyberbullying), on-line abuse, gender-based abuse, sexting or sexually harmful behaviour. Further information regarding some of these issues (as indicated *) can be found below and these issues are also addressed in Annex A of Keeping children safe in education (2018) and 'Sexual Violence and Sexual Harassment between children in schools and colleges (May 2018)

12.5 Whilst the academy will ensure that staff avail themselves of opportunities to raise their awareness and gain knowledge regarding these areas, we recognise that expert and professional organisations are best placed to provide up-to-date guidance and practical support in relation to these issues. Government guidance is available on the GOV.UK website and links are provided from Keeping children safe in education (2018). Other organisations also provide specialist information such as:

NSPCC <https://www.nspcc.org.uk/preventing-abuse/child-abuse-and-neglect/>

TES <https://www.tes.com/teaching-resources> and

MindEd <https://www.minded.org.uk/course/view.php?id=402>

12.6 Peer-on-peer abuse –

Our academy recognises that some children may abuse their peers and any incidents of peer-on-peer abuse will be managed in the same way as any other child protection concern and will follow the same procedures.

Peer-on-peer abuse can manifest itself in many ways. This may include bullying (including cyber bullying), on-line abuse, gender-based abuse, 'sexting' or sexually harmful behaviour. We do not tolerate any harmful behaviour in academy and will take swift action to intervene where this occurs. We use lessons and assemblies to help children understand, in an age-appropriate way, what abuse is and we encourage them to tell a trusted adult if someone is behaving in a way that makes them feel uncomfortable. Peer-on-peer abuse will never be tolerated or passed off as 'banter' or 'part of growing up'. Our academy understands the different gender issues that can be prevalent when dealing with peer-on-peer abuse.

The academy will use the guidance set out in:

'Preventing and tackling bullying: advice for Principals, staff and governing bodies' (DfE, July 2017)

<https://www.gov.uk/government/publications/preventing-and-tackling-bullying> and

'Sexting in academy and colleges: responding to incidents and safeguarding young people' (UKCCIS, 2017).

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/609874/6_2939_SP_NCA_Sexting_In_Academys_FINAL_Update_Jan17.pdf

12.7 Children with special educational needs and disabilities –

Our academy understands that children with special educational needs and disabilities (SEND) can face additional safeguarding challenges. Additional barriers can exist when recognising abuse and neglect in this group of children.

This can include:

- assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability without further exploration;
- children with SEND can be disproportionately impacted by things like bullying- without outwardly showing any signs;

- communication barriers and difficulties in overcoming these barriers.

12.8 Children missing from education –

All children, regardless of their age, ability, aptitude and any special education needs they may have are entitled to a full-time education. Our academy recognises that a child missing education is a potential indicator of abuse or neglect and will follow the academy procedures for unauthorised absence and for children missing education. Parents should always inform us of the reason for any absence. Where contact is not made, a referral may be made to another appropriate agency (Missing Education and Child Employment Service, Social Care or Police).

Our academy complies with the Children Missing Education (DfE, September 2016) and Southend on Sea Borough Council Early Help and Family Support Children Missing Education Guidance (November 2016). Our academy must inform the Local Authority of any pupil who has been absent for a continuous period of 10 days or more without a good reason, and the academy has satisfied all avenues of enquiry and is unsuccessful tracing the pupil.

12.9 Child sexual exploitation (CSE)

The statutory definition of Child sexual exploitation is; a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual 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. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology. (Working Together to Safeguard Children (HMG, March 2015 – updated February 2017)

It is understood that a significant number of children who are victims of CSE go missing from home, care and education at some point. Our academy is alert to the signs and indicators of a child becoming at risk of, or subject to, CSE and will take appropriate action to respond to any concerns. The Designated Safeguarding Lead is the named CSE Lead in academy on these issues and will work with other agencies as appropriate and reports any information to Essex Police on a report form, as well as referring to the First Contact Team or for Early Help Family Support Assessment, as appropriate.

12.10 Female Genital Mutilation (FGM)

FGM comprises all procedures involving partial or total removal of the external female genitalia or other injury to female genital organs. It is illegal in the UK and a form of child abuse. As of October 2015, the Serious Crime Act 2015 (Home Office, 2015) introduced a duty on teachers (and other professionals) to notify the police personally of known cases of female genital mutilation where it appears to have been carried out on a girl under the age of 18. Our academy will operate in accordance with the statutory requirements relating to this issue, and in line with 'Multi-Agency statutory guidance on female genital mutilation' (HMG, April 2016) and existing local safeguarding procedures.

Our staff are alert to the possibility of a girl being at risk of Female Genital Mutilation (FGM), or already having suffered FGM. Victims of FGM are likely to come from a community that is known to practise FGM. Staff should note that girls at risk of FGM may not yet be aware of the practice or that it may be conducted on them, so sensitivity should always be shown when approaching the subject. Warning signs that FGM may be about to take place, or may have already taken place, can be found in the SET procedures and in the above guidance that can be found on the GOV.UK website.

12.11 Forced marriage

A forced marriage is one entered into without the full consent of one or both parties. It is where violence, threats or other forms of coercion is used and is a crime. Our staff understand how to report concerns where this may be an issue.

12.12 Prevention of radicalisation

As of July 2015, the [Counter-Terrorism and Security Act \(HMG, 2015\)](#) placed a new duty on academies and other education providers. Under section 26 of the Act, academies are required, in the exercise of their functions, to have “due regard to the need to prevent people from being drawn into terrorism”. This duty is known as the Prevent duty.

It requires academies to:

- teach a broad and balanced curriculum which promotes spiritual, moral, cultural, mental and physical development of pupils and prepares them for the opportunities, responsibilities and experiences of life and must promote community cohesion
- be safe spaces in which children / young people can understand and discuss sensitive topics, including terrorism and the extremist ideas that are part of terrorist ideology, and learn how to challenge these ideas
- be mindful of their existing duties to forbid political indoctrination and secure a balanced presentation of political issues

CHANNEL is a national programme which focuses on providing support at an early stage to people identified as vulnerable to being drawn into terrorism. Our staff understand how to identify those who may benefit from this support and how to make a referral.

Our academy works in accordance with the Prevent Duty and follows the Departmental advice for academies and childcare providers on preventing children and young people from being drawn into extremism or terrorism ‘The Prevent duty’ (DfE, June 2015) and the ‘Revised Prevent Duty Guidance: for England and Wales’ (HMG, July 2015), pages 57-76.

12.13 Private Fostering

As an academy we must make sure that privately fostered children are properly and safely cared for. Local Authorities are under a legal duty to ensure the welfare of a privately fostered child is being promoted and safeguarded and are therefore required to undertake assessments of proposed or actual private fostering arrangements. As such, we will always inform the Local Authority when we are notified about such an arrangement or become aware of one.

“A private fostering arrangement is one that is made privately (that is to say 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 full blood or half blood or by marriage) or step-parent will not be a private foster carer. 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."

12.14 Children Looked After (CLA)

Our academy has a Designated Teacher for pupils who are CLA. The Designated Teacher attends CLA Reviews, PEP meetings and liaises with the child's Social Worker and Independent Reviewing Officer (IRO) and with the Local Authority Virtual Academy Principal, who is responsible for the progress of children looked after.

13. ALLEGATIONS INVOLVING A MEMBER OF STAFF

13.1 All staff members are made aware of the boundaries of appropriate behaviour and conduct. These matters form part of staff induction and are outlined in the Legra Code of Conduct/Behaviour for Learning Policy.

13.2 It is essential that the high standards of concern and professional responsibility adopted with regard to alleged child abuse by parents are similarly displayed when members of staff are accused of abuse.

13.3 The academy works in accordance with statutory guidance and the SET procedures http://www.safeguardingsouthend.co.uk/pdfs/lscb/SET_Child_Protection_Procedures_2015.pdf in respect of allegations against an adult working with children (in a paid or voluntary capacity). Section 7 of the current SET procedures provides detailed information regarding this.

13.4 The academy has processes in place for reporting any concerns about a member of staff (or any adult working with children). Any concerns about the conduct of a member of staff will be referred to the Principal/CEO (or the Vice Principal in their absence). This role is distinct from the Designated Child Protection Lead as the named person should have sufficient status and authority in the academy to manage employment procedures. Staffing matters are confidential and the academy must operate within statutory guidance around Data Protection. Where the concern involves the Principal, it should be reported direct to the CEO of Legra Academy Trust, who will report it directly to the Local Authority Designated Officer (LADO).

13.5 The SET procedures require that, where an allegation against a member of staff has been received, the Principal, senior named person, or the CEO must inform the Local Authority Designated Officer (LADO) (see cover sheet of this document for contact details) within one working day. Where the allegation is against the Principal/CEO, the Chair of Governors/Legra Trust will consult with the LADO.

13.6 The LADO has overall responsibility for oversight of the procedures for dealing with allegations against staff members. Wherever possible, contact with the LADO should be made immediately, as he/she will then advise on how to proceed and whether the matter requires Police involvement. This will include advice on speaking to pupils and parents and HR. The academy will manage these procedures alongside the academy's disciplinary process in liaison with the academy's HR Advisor.

13.7 In accordance with 'Keeping children safe in education' (DfE, 2018) details of allegations that are found to have been malicious should be removed from personnel records. However, for all other allegations, the record should be retained at least until the accused has reached normal pension age, or for a period of 10 years from the date of the allegation if that is longer. However, cases in which an allegation was proven to be false, unsubstantiated or malicious should not be included in employer references.

14. WHISTLEBLOWING

14.1 Whistleblowing is 'making a disclosure in the public interest' and occurs when a worker (or member of the wider academy community) raises a concern about danger or illegality that affects others, for example pupils in the academy or members of the public.

14.2 All staff must be aware of their duty to raise concerns about the attitude or actions of colleagues in line with the Legra Whistleblowing policy.

14.3 We want everyone to feel able to report any child protection / safeguarding concerns. However, for members of staff who feel unable to raise these concerns internally, they can call the the NSPCC whistleblowing helpline on: 0800 028 0285 (line is available from 8:00 AM to 8:00 PM, Monday to Friday) or email: help@nspcc.org.uk.

15. USE OF THE ACADEMY PREMISES BY OTHER ORGANISATIONS

15.1 Where services or activities are provided separately by another body, using the academy premises, the Governing Body will seek assurance that the body concerned has appropriate policies and procedures in place in regard to safeguarding children and child protection.

Acknowledgement:

We acknowledge the Essex Safeguarding Children Board model Child Protection Policy which contributed to the development of this model policy.

When dealing with all disclosures of sexual violence, sexual harassment and sexual bullying, consideration should be given to the victim's rights under General Data Protection Regulation (GDPR).

Legra Academy Trust aims to:

- create a learning environment free from sexual violence, sexual harassment and sexual bullying where all members of the school community are treated with respect at all times
- raise awareness of this policy so that all members of the school community are aware of their rights and responsibilities regarding sexual violence, sexual harassment and sexual bullying
- train all staff to recognise and respond to instances of sexual violence, sexual harassment and sexual bullying
- encourage all members of the school community to report instances of sexual violence, sexual harassment and sexual bullying
- treat all reports in a serious, sensitive, fair, and timely manner in line with safeguarding responsibilities
- guarantee against victim-blaming, further victimisation and reprisals

Sexual violence refers to the following sexual offences as defined in the Sexual Offences Act 2003:

- Rape A person (A) commits an offence if: he intentionally penetrates the vagina, anus or mouth of another person (B) with his penis, B does not consent to the penetration, and A does not reasonably believe that B consents.
- Assault by penetration
A person (A) commits an offence if s/he intentionally penetrates the vagina or anus of another person (B) with a part of her/his body or anything else, the penetration is sexual, B does not consent to the penetration, and A does not reasonably believe that B consents.
- Sexual assault
A person (A) commits an offence if s/he intentionally touches another person (B), the touching is sexual, B does not consent to the touching, and A does not reasonably believe that B consents.

In order to consent, a person must have the freedom and capacity to make that choice.

Sexual harassment includes, but is not restricted to, the following and can happen online or offline:

- sexual comments such as lewd or sexual remarks about appearance, telling sexual stories, using sexualised or sexist names, use of unwelcome sexual innuendo and spreading rumours of a sexual nature
- sexual 'jokes', taunting or cat-calling
- unnecessary and unwanted physical behaviour which has a sexual element, such as brushing against someone or pushing against someone, interfering with someone's clothes or making sexual gestures
- displaying pictures, photos or drawing of sexual content

- online behaviour which has a sexual element, such as sharing indecent images or pornography, sexual comments on social media and coercion or threats to engage in sexual acts online or offline

Sexual bullying is the general term used to describe any behaviour where sex or gender is used to degrade someone. It includes all of the examples outlined above and may also include homophobic language.

Legra Academy Trust acknowledges that sexual violence and sexual harassment are against the law and are covered by the Sexual Offences Act 2003, the Protection of Children Act 1978 and the Criminal Justice Act 1988.

The Legra Academy Trust acknowledges that being subjected to sexual violence, sexual harassment or sexual bullying may breach the Human Rights Act 1998, depending on the circumstances and nature of the conduct, and that schools and colleges must not act in a way that is incompatible with the European Convention on Human Rights. This includes:

- Article 3: the right to freedom from inhumane and degrading treatment (an absolute right)
- Article 8: the right to respect for private and family life (a qualified right) including a duty to protect individuals' physical and psychological integrity
- Article 14 requires that all of the rights and freedoms set out in the Act must be protected and applied without discrimination
- Protocol 1, Article 2 protects the right to an effective education

Legra Academy Trust acknowledges that schools and colleges are required to comply with the relevant requirements set out in the Equality Act 2010, which includes:

- schools must not unlawfully discriminate against students because of a protected characteristic (sex, race, disability, religion or belief, gender reassignment, pregnancy or sexual orientation)
- schools should consider positive action to address disadvantage faced by one group

Legra Academy Trust acknowledges that compliance with the Public Sector Equality Duty is a legal duty and schools and colleges have the general duty to:

- have regard to the need to eliminate unlawful discrimination, harassment and victimisation
- advance the equality of opportunity between different groups
- foster good relations between different groups

Section 32 of the Southend Essex and Thurrock Safeguarding and Child Protection Procedures covers 'children harming others' and includes:

32.2.1

Professionals must base their decision on whether behaviour directed at another child should be categorised as harmful or not on the circumstances of each case. It will be helpful to consider the following factors:

- The relative chronological and developmental age of the two children (the greater the difference, the more likely the behaviour should be defined as abusive);

- Whether the alleged abuser is supported or joined by other children;
- A differential in power or authority (e.g. related to race, gender, physical, emotional or intellectual vulnerability of the victim);
- The actual behaviour (both physical and verbal factors must be considered);
- Whether the behaviour could be described as age appropriate or involves inappropriate sexual knowledge or motivation;
- The degree of physical aggression, intimidation or bribery;
- The victim's experience of the behaviour and the impact it is having on their routines and lifestyle (e.g. not attending school);
- Attempts to ensure secrecy;
- Duration and frequency of behaviour.

32.3.3

The interests of the identified victim must always be the paramount consideration.

- sexual violence refers to the most serious sexual offences (rape, assault by penetration and sexual assault), these are covered by statute so should be referred directly to the police
- sexual harassment and sexual bullying do not include the most serious sexual offences so, depending on the context and nature of harassment or bullying, you may decide not to inform the police immediately or at all but rather to refer to children's social care or specialist support services, such as Rape Crisis
- a child aged under 13 cannot consent to any sexual activity
- the school have a clear reporting procedure for both staff and students, students are able to report to a member of staff of their choosing as they have sufficient training and will pass the incident to the designated safeguarding lead according to normal safeguarding procedures
- any student making a disclosure or report, no matter what the content, should feel believed, that they will be taken seriously, that they will be supported and that they will be kept safe
- they should never feel like they are creating a problem, that they are to blame for what has happened or feel ashamed to report
- disclosures or reports may come via friends or friend's parents and the student should not be asked why they chose to disclose in that way or why they did not respond in a different way, such as tell someone sooner
- the designated safeguarding lead or their deputy should take the leading role when responding to a disclosure
- the first person to hear the disclosure may be called to attend Crown Court as a witness and asking leading questions may undermine a police investigation
- the priority is always the immediate safety of the child, not gathering information (the police will do that)
- professional judgement should be supported by other agencies, including children's social care and the police
- all concerns, discussions, decision and reasons for decisions should be carefully recorded
- specialist support services such as SoS Rape Crisis can support with risk assessments and safety planning for victims
- The NSPCC has a helpline for professionals at help@nspcc.org.uk or 0808 800 5000

When responding to sexual bullying:

- o Listen and take complaints seriously. Children and young people frequently report that they are not listened to or believed when they try to report bullying – this is particularly the case for disabled young people and those with SEN. Take every complaint seriously, talk to the young person about action they would like you to take and respect this as far as it allows you to keep the young person safe. Be mindful not to ask leading questions as this could bias the response to a serious incident that may need further escalation.
- o Record and report. Make a note as soon as an incident has been disclosed to you. Report all incidents to the Designated Safeguarding Lead(DSL). Regardless of how serious you determine the incident to be, DSL should decide whether it needs to be reported to the police or to your local children's services department. Keep a record of incidents. Bullying by its very nature is repetitive and so careful record keeping allows you to identify whether this is a one off incident, or a pattern of behaviour. It also provides important evidence should you need to sanction a child at a later date, or provide information in the event of a further incident or investigation.
- o Sanction as appropriate but take every opportunity to educate. The sanctions you take will depend on the nature of the incident, and the age and development level of the child or young person involved. However, every incident should be an opportunity to educate the child or children involved as to the appropriate way to behave, and should be used as a basis for further work with the wider student and staff body to address these issues. The nature of bullying is that it is repetitive, and so it is vital to check that lessons have been learnt, and that the behaviour has stopped.
- o Confidentiality is vital. These can be embarrassing and difficult issues for children and young people to share and disclose and so it is very important that they trust you to keep information private (as far as you are able, according to your school safeguarding policy). Only share on a need to know basis and consider carefully how and when you share information with parents and carers. **Compliance with General Data Protection Regulation is to be consistently maintained.**
- o Don't forget incidents outside of the school environment. All headteachers have powers to sanction behaviour outside of school 'to such an extent as is reasonable' (Section 90 of the Education and Inspections Act 2006). This is particularly pertinent to 'cyber' related bullying, bullying on transport to and from school, and bullying on school trips.

Additional actions when a student makes a disclosure and allegation against another student:

- the victim, the alleged perpetrator and any other children involved or impacted need to be supported and safeguarded
- sexual bullying and sexually harmful behaviours should not be considered as part of growing up, as 'banter' or as 'boys being boys'
- if there is an open police investigation, the suspect may have bail conditions but will more likely be released under investigation, both come with conditions which the school must support the suspect to adhere to (typically this is to not contact the victim, directly or indirectly, and to not be in their vicinity)
- the victim's educational experience should not be significantly affected by disclosing and it is essential they do not feel they are being sanctioned for speaking out
- disciplinary action can be taken by schools even when there is an ongoing police investigation and sanctions should not be passed over just because police are involved (but consideration should be given to prejudicing the investigation)

- it is good practice for both the victim and alleged perpetrator's parents to be informed to explain what support is being put in place but information should not be shared about the student who is not their child
- SoS Rape Crisis can support with risk assessments and safety planning for victims and provide support for their parents
- staff must be vigilant against bullying of the victim and alleged perpetrator
- all concerns, discussions, decision and reasons for decisions should be carefully recorded

Sexual violence, sexual harassment and sexual bullying of or by any member of the school community, on or off the school premises, is not acceptable and it will never be tolerated.

If you experience sexual violence, sexual harassment or sexual bullying this needs to be reported to a member of staff immediately.

Appendix 2: Flowchart for DBS Checks

FLOWCHART OF DISCLOSURE AND BARRING SERVICE CRIMINAL RECORD CHECKS AND BARRED LIST CHECKS

