



# Darlinghurst

## ACADEMY

### **Safeguarding & Child Protection Policy** September 2024

|               |                |
|---------------|----------------|
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## CHILD PROTECTION POLICY FOR Darlinghurst Academy

### Key Contacts within the academy

|  |                |
|--|----------------|
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| <b>DEPUTY DESIGNATED SAFEGUARDING LEAD:<br/>(DDSL)</b> | Leanne Hahn    |
| <b>DESIGNATED SAFEGUARDING GOVERNOR:</b>               | Johan Zweistra |

### Key contacts within the Local Authority

|  |  |
|--|--|
| <p><b>CSPOC (Children's Single Point of Contact)</b><br/> <b>Children's Social Care,</b><br/> <b>Southend City Council:</b><br/>         Where schools have concerns for the safety and welfare of a child or young person.</p> <p><b>OUT OF OFFICE HOURS:</b><br/>         To make URGENT referrals</p> | <p>01702 215007 (option 1)</p> <p><a href="mailto:C-SPOC@southend.gov.uk">C-SPOC@southend.gov.uk</a></p> <p>0345 606 1212</p>  |
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## **Introduction**

Schools and their staff form part of the wider safeguarding system for children. 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.

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 school and should be read in conjunction with the following:

- [Keeping Children Safe in Education \(KCSIE\) \(DfE, 2024\)\\*](#)
- the Promoting Positive Behaviour policy;
- the Staff Handbook (includes Staff Code of Conduct);
- **the safeguarding response to children who are absent from education, particularly on repeat occasions and/or prolonged periods**
- the role of the Designated Safeguarding Lead (Annex C of KCSIE)

Safeguarding and promoting the welfare of children (*everyone under the age of 18*) is defined in Keeping Children Safe in Education as:

- Providing help and support to meet the needs of children as soon as problems emerge
- protecting children from maltreatment, whether that is within or outside the home, including online
- preventing the impairment of children's mental and physical 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.

Darlinghurst has a whole-academy approach to safeguarding, which ensures that keeping children safe is at the heart of everything we do and underpins all systems, processes and policies. It is important that our values are understood and shared by all children, staff, parents / carers, governors and the wider academy community. Only by working in partnership, can we truly keep children safe.

## **1. Statutory framework**

There is government guidance set out in [Working Together \(DfE, 2023\)](#) on how agencies must work in partnership to keep children safe. This guidance places a shared and equal duty on three Safeguarding Partners (the Local Authority, Police and Health) to work together to safeguard and promote the welfare of all children in their area under multi-agency safeguarding arrangements. These arrangements sit under the [Southend Safeguarding Partnership](#).

In Southend, the statutory partners are Southend-on-Sea City Council, Essex Police and one of the three Integrated Care Boards (ICBs) covering the county of Essex; Mid & South Essex ICB.

Section 175 of the [Education Act 2002](#) (*Section 157 for Independent schools*) 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.

In Southend, all professionals must work in accordance with the [SET Procedures](#). Our academy also works in accordance with the following legislation and guidance (*this is not an exhaustive list*):

[Keeping Children Safe in Education \(KCSIE\) \(DfE, 2024\)](#)

[Working Together to Safeguard Children \(DfE, 2023\)](#)

[Education Act 2002](#)

[SEND Code of Practice \(2015\)](#)

[Counter-Terrorism and Security Act \(HMG, 2015\)](#)

[Serious Crime Act 2015 \(Home Office, 2015\)](#)

[Children and Social Work Act \(2017\)](#)

[Children Missing Education - statutory guidance for local authorities \(DfE, 2024\)](#)

[Sexual Offences Act \(2003\)](#)

[Education \(Pupil Registration\) Regulations 2006](#)

[Information sharing advice for safeguarding practitioners \(HMG, 2018\)](#)

[Data Protection Act \(2018\)](#)

[What to do if you're worried a child is being abused \(HMG, 2015\)](#)

[Searching, screening and confiscation \(DfE, 2022\)](#)

[Children Act \(1989\)](#)

[Children Act \(2004\)](#)

[Human Rights Act \(1998\)](#)

[Preventing and Tackling Bullying \(DfE, 2017\)](#)

[Female Genital Mutilation Act 2003 \(S. 74 - Serious Crime Act 2015\)](#)

[Preventing youth violence and gang involvement \(Home Office, 2015\)](#)

[Criminal Exploitation of children and vulnerable adult - county lines guidance \(Home Office, 2018\)](#)

[Use of reasonable force Advice for headteachers, staff and governing bodies \(DfE 2013\)](#)

[The Prevent Duty - Departmental advice for schools and childcare providers \(DfE, 2023\)](#)

[Online Safety Act 2023](#)

[Working Together to improve school attendance \(2024\)](#)

## **2. Roles and responsibilities**

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. However, there are key people within the academy 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. However, we are clear that safeguarding is everyone's responsibility and that everyone who comes into contact with children has a role to play.

### **The governing body**

The governing body 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, that the child protection policy reflects statutory and local guidance and is reviewed at least annually.

The governor for safeguarding arrangements is named on the front cover of this document. This governor takes strategic responsibility at governing body level for safeguarding arrangements in our academy. The governing body ensures there is a named Designated Safeguarding Lead and at least one Deputy Safeguarding Lead in place (also named on the front cover).

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.

The governing body ensures that all adults in our academy who work with children undergo safeguarding and child protection training at induction as appropriate and that it is 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.

The governing body ensures our pupils are taught about safeguarding (including online safety) through teaching and learning opportunities as part of a broad and balanced curriculum. We work in accordance with government regulations which make the subjects of Relationships and Health Education mandatory.

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 'Safer Recruitment' policy for further information). It ensures that volunteers are appropriately supervised in the academy.

### **The Principal**

The [Teachers' Standards 2012](#) (updated 2021) state that teachers (which includes headteachers) should safeguard children's wellbeing and maintain public trust in the teaching profession as part of their professional duties. The Principal works in accordance with all statutory requirements for safeguarding and is responsible for ensuring that safeguarding policies and procedures adopted by the governing body are followed by all staff.

### **The Designated Safeguarding Lead (and Deputy / Deputies)**

The Designated Safeguarding Lead in the academy has ultimate lead responsibility for safeguarding and child protection. Their role includes managing child protection referrals, working with other agencies, ensuring

all staff are appropriately trained and raising awareness of all safeguarding and child protection policies and procedures. They ensure that everyone in the academy (including temporary staff, volunteers and contractors) is 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 to Southend Children's Social Care (CSPOC – Children's Single Point of Contact) are made in accordance with current [SET Procedures](#). They work with the local authority and other agencies as required and ensure that information is shared appropriately.

Further guidance on the role of the Designated Safeguarding Lead can be found in Annex C of [Keeping Children Safe in Education \(KCSIE\) \(DfE, 2024\)](#).

The Deputy Designated Safeguarding Lead is trained to the same standard as the Designated Safeguarding Lead. If for any reason the Designated Safeguarding Lead is unavailable, the Deputy Designated Safeguarding Lead will act in their absence.

### **All academy staff**

Everyone in our academy has a responsibility to provide a safe learning environment in which our children can learn. Any child may benefit from early help and all staff members are aware of the local early help process and our role in it. They are aware of signs of abuse and neglect so they are able to identify children who may be in need of help or protection. All staff members are aware of and follow academy processes (as set out in this policy) and are aware of how to make a referral to Social Care if there is a need to do so. If staff have any concerns about a child's welfare, they must act on them immediately and speak with the Designated Safeguarding Lead (or deputy) – they do not assume that others have taken action.

### **3. Types of abuse / specific safeguarding issues**

[Keeping Children Safe in Education \(KCSIE\) \(DfE, 2024\)](#) describes abuse in the following way:

“a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Harm can include ill treatment that is not physical as well as the impact of witnessing ill treatment of others. This can be particularly relevant, for example, in relation to the impact on children of all forms of domestic abuse, including where they see, hear or experience its effects. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others. Abuse can take place wholly online, or technology may be used to facilitate offline abuse. Children may be abused by an adult or adults or by another child or children.”

Keeping Children Safe in Education refers to four categories of abuse:

- Physical
- Emotional
- Sexual
- Neglect

Our staff will always reassure children who report abuse / victims of abuse that they are taken seriously and that they will be supported and kept safe. We will never make a child feel ashamed for reporting abuse, nor make them feel they are causing a problem.

All staff in our academy are aware of the signs of abuse and neglect so we are able to identify children who may be in need of help or protection. All staff are aware of environmental factors which may impact on a child's welfare and safety and understand safeguarding in the wider context (contextual safeguarding). We understand that abuse, neglect and safeguarding issues are rarely 'stand-alone' events and that, in most cases, multiple issues will overlap.

In addition, staff are aware of other types of abuse and safeguarding issues that can put children at risk of harm. We understand that behaviours linked to issues such as drug taking and / or alcohol misuse, deliberately

missing education and consensual / non-consensual sharing of nude and semi-nude images can be signs that children are at risk.

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

Both CCE and CSE are forms of abuse that occur where an individual or group takes advantage of an imbalance in power to coerce, manipulate or deceive a child into taking part in sexual or criminal activity, in exchange for something the victim needs or wants, and/or for the financial advantage or increased status of the perpetrator or facilitator and/or through violence or the threat of violence. CSE and CCE can affect children, both male and female and can include children who have been moved (commonly referred to as trafficking) for the purpose of exploitation.

Some specific forms of CCE can include children being forced or manipulated into transporting drugs or money through county lines, working in cannabis factories, shoplifting or pickpocketing. They can also be forced or manipulated into committing vehicle crime or threatening/committing serious violence to others.

Child Sexual Exploitation (CSE) is a form of child abuse, which can happen to boys and girls from any background or community. It may occur over time or be a one-off occurrence. In Southend, the definition of [Child Sexual Exploitation \(CSE\) from the Department of Education \(DfE, 2017\)](#) has been adopted:

*"Child Sexual Exploitation is a form of child sexual abuse. It occurs when 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".*

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 will lead on these issues and work with other agencies as appropriate.

### **Children who are absent 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 who is absent from education for prolonged periods and/or on repeat occasions can act as a vital warning sign to a range of safeguarding issues including abuse, neglect, child sexual and child criminal exploitation - particularly county lines and will follow the academy's procedures for unauthorised absence and for children absent from education. It is also recognised that, when not in school, children may be vulnerable to or exposed to other risks, so we work with parents and other partners to keep children in school whenever possible.

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). Parents are required to provide at least two emergency contact numbers to the academy, to enable us to communicate with someone if we need to.

Our academy complies with [Children missing education \(DfE, August 2024\)](#) and [Southend on Sea City Council Early Help and Family Support Children Missing Education Guidance](#)

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.

We work in accordance with the Southend City Council's Protocol for Children Missing from Education and our own attendance policy.

Our academy also complies with the regulations regarding [School Attendance \(Pupil Registration\) \(England\) Regulations 2024](#) and Southend's guidance <http://www.southendlearningnetwork.co.uk/Services/4834>. Our academy notifies the Elective Home Education Team via secure email to [ehe@southend.gov.uk](mailto:ehe@southend.gov.uk) at the earliest opportunity and, when relevant, immediately provides a copy of the parents written notification to home educate and the date they came off roll.

### **Children removed from admission register**

The academy will notify the Local Authority when it is about to remove a pupil's name from the admission register under any of the grounds set out in the [Education \(Pupil Registration\) \(England\) Regulations 2006](#) and [Working Together to Improve School Attendance 2024](#).

When removing a pupil's name, the notification to the Local Authority will include:

- a) the full name of the pupil,
- b) the full name and address of any parent with whom the pupil normally resides,
- c) at least one telephone number of the parent,
- d) the pupil's future address and destination school, if applicable, and
- e) the ground in regulation 8 under which the pupil's name is to be removed from the admission register.

The academy will make all reasonable enquiries to establish the whereabouts of the child jointly with the Local Authority, before deleting the pupil's name from the register, if the deletion is under regulation 8(1), sub-paragraphs (f) (iii) and (h) (iii)

### **Contextual safeguarding**

Safeguarding incidents and behaviours can be associated with factors outside our academy. All staff are aware of contextual safeguarding and the fact they should consider whether wider environmental factors present in a child's life are a threat to their safety and / or welfare. To this end, we will consider relevant information when assessing any risk to a child and share it with other agencies to support better understanding of a child and their family.

### **Domestic abuse**

Domestic abuse can encompass a wide range of behaviours and may be a single incident or a pattern of incidents. Domestic abuse is not limited to physical acts of violence or threatening behaviour, and can include emotional, psychological, controlling or coercive behaviour, sexual and/or economic abuse. Our academy recognises that exposure to domestic abuse can have a serious, long-term emotional and psychological impact on children. We work with other key partners and will share relevant information where there are concerns that domestic abuse may be an issue for a child or family or be placing a child at risk of harm.

### **So-called 'honour-based violence' (including Female Genital Mutilation and forced marriage)**

*Female Genital Mutilation* (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 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 local safeguarding procedures.

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.

### **Mental health**

Our staff are aware that mental health problems can, in some cases, be an indicator that a child has suffered or is at risk of suffering abuse, neglect or exploitation. We understand that, where children have suffered



abuse or other potentially traumatic adverse childhood experiences, this can have a lasting impact throughout childhood, adolescence and into adulthood. Where we have concerns this may impact on mental health, we will seek advice and work with other agencies as appropriate to support a child and ensure they receive the help they need.

Positive mental health is the concern of the whole community and we recognise that the academy plays a key part in this. Darlington aims to develop the emotional wellbeing and resilience of all pupils and staff, as well as provide specific support for those with additional needs. We understand that there are risk factors which increase someone's vulnerability and protective factors that can promote or strengthen resiliency. The more risk factors present in an individual's life, the more protective factors or supportive interventions are required to counter-balance and promote further growth of resilience.

It is vital that we work in partnership with parents to support the well-being of our pupils. Parents should share any concerns about the well-being of their child with the academy, so appropriate support and interventions can be identified and implemented.

### **Online safety**

We recognise that our children are growing up in an increasingly complex world, living their lives on and offline. This presents many positive and exciting opportunities, but we recognise it also presents challenges and risks. Any pupil can be vulnerable online, and their vulnerability can fluctuate depending on their age, developmental stage and personal circumstance. We want to equip our pupils with the knowledge needed to make the best use of the internet and technology in a safe, considered and respectful way, so they are able to reap the benefits of the online world.

The range of online risks could be categorised as:

**content:** being exposed to illegal, inappropriate or harmful material; for example pornography, fake news, suicide, racist or radical and extremist views;

**contact:** being subjected to harmful online interaction with other users; for example peer to peer pressure, commercial advertising as well as adults posing as children or young adults with the intention to groom or exploit them for sexual, criminal, financial or other purposes;

**conduct:** personal online behaviour that increases the likelihood of, or causes, harm; for example making, sending and receiving explicit images, or online bullying

**commerce:** risks such as online gambling, inappropriate advertising, phishing and / or financial scams

All staff in our academy are aware of the risks to children online and we seek to help children keep themselves safe online in a range of ways. Further information can be found in our e-safety policy.

### **Child-on-child abuse**

Darlington 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 the academy, their behaviour may be challenging and defiant, or they may instead be withdrawn, or display abusive behaviours towards other children. Our academy recognises that some children may abuse their peers and that this may happen in the academy, or outside of it. Any incidents of child-on-child abuse will be managed in the same way as any other child protection concern and will follow the same procedures. We will seek advice and support from other agencies as appropriate.

Our academy recognises that, even though child-on-child abuse / harmful sexual abuse may not be reported, it is likely that it is occurring and we are clear there is a zero tolerance to inappropriate or abusive behaviour. We understand the barriers which may prevent a child from reporting abuse and work actively to remove these.

Child-on-child abuse can manifest itself in many ways. This may include bullying (including cyber bullying), physical abuse, sexual violence / sexual harassment, 'up-skirting', 'down-blousing,' sexting' or initiation / hazing type violence and rituals. We do not tolerate any harmful behaviour in the academy and will take swift action to intervene where this occurs, challenging inappropriate behaviours when they occur – we do not normalise abuse, nor allow a culture where it is tolerated.

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. Our academy understands the different gender issues that can be prevalent when dealing with child-on-child abuse. We will never make a child feel ashamed for reporting abuse, nor that they are creating a problem by doing so.

### **Prevention of radicalisation**

As of July 2015, the [Counter-Terrorism and Security Act \(HMG, 2015\)](#) placed a new duty on schools and other education providers. Under section 26 of the Act, schools 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 schools 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 academy operates in accordance with local procedures for PREVENT and with other agencies, sharing information and concerns as appropriate. Where we have concerns about extremism or radicalisation, we will seek advice from appropriate agencies and, if necessary, refer to Social Care and / or the Channel Panel.

### **Serious violence**

All staff are aware of the risk factors and indicators which may signal that children are at risk from or involved with serious violent crime. These may include increased absence from the academy, a change in friendships or relationships with older individuals or groups, a significant decline in performance, signs of self-harm or a significant change in well-being, or signs of assault or unexplained injuries. Unexplained gifts or new possessions could also indicate that a child has been approached by, or is involved with, individuals associated with criminal networks or gangs.

### **4. Children potentially at risk of greater harm**

We recognise that some children may potentially be at risk of greater harm and require additional help and support. These may be children with a Child in Need or Child Protection Plan, those in Care or previously in Care or those requiring mental health support. We work with Social Care and other appropriate agencies to ensure there is a joined-up approach to planning for these children and that they receive the right help at the right time.

Our academy understands that children with special educational needs (SEN) and / or disabilities can face additional safeguarding challenges. Barriers can exist when 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
- That they may be more prone to peer group isolation than others
- The potential to be disproportionately impacted by things like bullying, without outwardly showing signs
- Communication difficulties in overcoming these barriers

## **5. Procedures**

Our academy works with key local partners to promote the welfare of children and protect them from harm. This includes providing a co-ordinated offer of early help when additional needs of children are identified and contributing to inter-agency plans which provide additional support (through a Child in Need or a Child Protection Plan).

All staff members have a duty to identify and respond to suspected / actual abuse or disclosures of abuse. Any member of staff, volunteer or visitor to the academy who receives a disclosure or allegation of abuse, or suspects that abuse may have occurred **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 whether any support for the child can be managed internally via the academy's own pastoral support process, or if an early help assessment is indicated, or a referral to Children's Social Care and/or the Police.

All action is taken in accordance with the following guidance:

- Southend Children's Safeguarding Partnership guidelines - the [SET Procedures](#) (Southend, Essex and Thurrock) Child Protection Procedures
- [Keeping Children Safe in Education \(KCSIE\) \(DfE, 2024\)](#)
- [Working Together to Safeguard Children \(DfE, 2023\)](#)
- [What to do if you're worried a child is being abused \(HMG, 2015\)](#)
- [The Prevent Duty - Departmental advice for schools and childcare providers \(DfE, June 2015\)](#)

Any staff member or visitor to the academy must refer any concerns to the Designated Safeguarding Lead or Deputy Designated Safeguarding Lead.

If the child is in immediate danger, or at risk of immediate harm, concerns will be referred by telephone to Children's Social Care and/or the Police. A telephone referral to Children's Social Care must be confirmed in writing within 48 hours, using the CSPOC form to provide the information required.

The Children's Single Point of Contact Request (CSPOC) should be used to assess a child's needs to support a child Protection referral if required. The CSPOC form and guidance is available on the [Southend Children's Safeguarding Partnership](#) website and Southend Learning Network. A completed CSPOC form contains all the information required for a child protection referral and should be sent to the single point of entry. 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.

The academy may also seek advice from Social Care or another appropriate agency about a concern, if we are unsure how to respond to it. Wherever possible, we will share any safeguarding concerns, or an intention to refer a child to Children's Social Care, with parents or carers. However, we will not do so where it is felt that to do so could place a child at greater risk of harm or impede a criminal investigation. If it is necessary for another agency to meet with a child in the academy, we will always seek to inform parents or carers, unless we are advised not to by that agency. On occasions, it may be necessary to consult with Southend Police for advice on when to share information with parents / carers.

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, all staff understand they should press for re-consideration of the case with the Designated Safeguarding Lead.

If, for any reason, the Designated Safeguarding Lead (or Deputy) is not available, this will not delay appropriate action being taken. Safeguarding contact details are displayed in the academy to ensure that all staff members have unfettered access to safeguarding support, should it be required. Any individual may refer to Social Care where there is suspected or actual risk of harm to a child.

When new staff, volunteers or regular visitors join our academy they are informed of the safeguarding arrangements in place, the name of the Designated Safeguarding Lead (and Deputy) and how to share concerns with them.

## **6. Training**

In line with statutory requirements, the Designated Safeguarding Lead (and Deputy) undertake child protection training specifically for Designated Safeguarding Leads at least every two years. The Principal, all staff members and governors receive appropriate child protection training which is regularly updated and in line with advice from the Southend Children's Safeguarding Partnership. In addition, all staff members and other adults working with children in our academy receive safeguarding and child protection updates as required, but at least annually, to provide them with relevant skills and knowledge to safeguard children effectively. Records of any child protection training undertaken are kept for all staff and governors.

The academy ensures that the Designated Safeguarding Lead (and Deputy) also undertake training in inter-agency working and other matters as appropriate.

## **7. Professional confidentiality**

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. A member of staff must never guarantee confidentiality to anyone about a safeguarding concern (including parents / carers or pupils) or promise to keep a secret. In accordance with statutory requirements, where there is a child protection concern, this must be reported to the Designated Safeguarding Lead and may require further referral to, and subsequent investigation by, appropriate authorities.

Information on individual child protection cases may be shared by the Designated Safeguarding Lead (or Deputy) with other relevant staff members. This will be on a 'need to know' basis only and where it is in the child's best interests to do so.

## **8. Records and information sharing**

Well-kept records are essential to good child protection practice. Our academy is clear about the need to record any concern held about a child or children within our academy and when these records should be shared with other agencies.

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 \(2018\)](#) 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. Similarly, human rights concerns, such as respecting the right to a private and family life would not prevent sharing information where there are real safeguarding concerns. 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. Generic data flows related to child protection are recorded in our Records of Processing Activity and regularly reviewed.

Any member of staff receiving a disclosure of abuse or noticing signs or indicators of abuse, will record it on the Safeguard system as soon as possible, noting what was said or seen (if appropriate, using a body map to record), and completing a pink form and sharing this with a member of the safeguarding team, giving the date, time and location. All records completed on Safeguard will be dated and will include the action taken. This is then presented to the Designated Safeguarding lead (or Deputy), who will decide on appropriate action and record this accordingly.

Any records relating to child protection are kept on an individual child protection file for that child (which is separate to the pupil file). All child protection records are stored securely and confidentially and will be retained for 25 years after the pupil's date of birth, or until they transfer to another school / educational setting.

In line with statutory guidance, where a pupil transfers from our academy to another educational setting, their child protection records will be forwarded to the new educational setting without delay, separate from their main pupil file. These will be marked 'Confidential' and for the attention of the receiving school's Designated Safeguarding Lead. Care will be taken to ensure confidentiality is maintained and the transfer process is as safe as possible.

We will obtain evidence that the paperwork has been received by the new school and then destroy any copies held in our academy.

*We will also keep a record of having received confirmation from the receiving school and [if relevant] of the date when we destroyed our copy.*

Where appropriate, the Designated Safeguarding Lead may also make contact with the new educational setting in advance of the child's move there, to enable planning so appropriate support is in place when the child arrives.

Where a pupil joins our academy, we will request child protection records from the previous educational establishment (if none are received).

## **9. Interagency working**

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

If a child is in the care of the Local Authority or subject to a Child Protection or Child in Need Plan, the Designated Safeguarding Lead will ensure the child is monitored regarding their school attendance, emotional well-being, academic progress, welfare and presentation. If the academy is part of the core group, the Designated Safeguarding Lead will ensure the academy is represented, 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 allocated Social Worker must be notified immediately.

## **10. Allegations or concerns about people working with children**

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 Staff Handbook. The academy works in accordance with statutory guidance and the [SET Procedures](#) 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.

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 must be referred to the Principal (or the Vice Principal in their absence), as they have responsibility for managing employment issues.

Where the allegation concerns an agency member of staff, the Principal (or Vice Principal) will liaise with the agency, while following due process.

Where the concern involves the Principal, it should be reported direct to the Chair of Governor who will consult with the Local Authority Designated Officer (LADO).

The [SET Procedures](#) require that, where an allegation against a member of staff is received, the Principal, senior named person, or the Chair of Governors must inform the Local Authority Designated Officer (LADO) at [Safeguardingforchildren@southend.gov.uk](mailto:Safeguardingforchildren@southend.gov.uk) (01702 534591) using the LADO referral form within one working day. However, wherever possible, contact with the LADO will be made immediately via email as they 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 does not carry out any investigation before speaking to the LADO. The academy will manage these procedures alongside the academy's disciplinary process, if appropriate, in liaison with the academy's HR Advisor.

Staffing matters are confidential and the academy operates within a statutory framework around Data Protection.

## **11. Use of reasonable force**

The term 'reasonable force' covers a broad range of actions used by staff that involve a degree of physical contact to control or restrain children. There are circumstances when it is appropriate for staff to use reasonable force to safeguard children and young people, such as guiding a child to safety or breaking up a fight. 'Reasonable' means using no more force than is needed. Our academy works in accordance with statutory and local guidance on the use of reasonable force (see section 2) and recognises that where intervention is required, it should always be considered in a safeguarding context.

## **12. Whistleblowing**

All members of staff and the wider academy community should be able to raise concerns about poor or unsafe practice and feel confident any concern will be taken seriously by the academy leadership team. We have 'whistleblowing' procedures in place and these are available in the Legra Trust Whistleblowing Policy. However, for any member of staff who feels unable to raise concerns internally, or where they feel their concerns have not been addressed, they may contact the [NSPCC whistleblowing helpline](#) on: 0800 028 0285 (line is available from 8:00 AM to 8:00 PM, Monday to Friday) or by email at: [help@nspcc.org.uk](mailto:help@nspcc.org.uk).

Parents or others in the wider school community with concerns can contact the NSPCC general helpline on: 0808 800 5000 (24 hour helpline) or email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk).

## **ACKNOWLEDGEMENT**

**We recognise there are a number of policies that are relevant to safeguarding and promoting children's welfare. These include the following:**

### **Policy or Procedure:**

- Anti-Bullying
- Attendance
- Children Missing from Education
- Data Protection and GDPR (Legra Policy)
- Disability and Equality
- Equality Compliance
- e Safety (Legra)
- Extended academy activities
- First Aid
- Health and Safety (Legra)
- Looked After Children
- Management of Allegations made against Staff

PHSE curriculum  
Positive Handling  
Positive Mental Health and Wellbeing  
Promoting Positive Behaviour  
Racial Equality  
Recruitment and Selection  
Relationships and sex education  
Residential trips and trips and visits  
SEND Policy  
Social Media Policy (Legra)  
Staff Code of Conduct (Legra)  
Supporting Children with Medical Needs  
Volunteers and Visitors' Policy  
Whistleblowing Policy (Legra)  
Young Carers

*For a full list of policies – please see our academy website.*



## Safeguarding Reporting Process

When a safeguarding concern is raised, staff prioritise the safety of the child if they are at risk.

Staff complete details of concern onto Safeguard (reporting software – icon on desktop or [www.safeguardsoftware.co.uk](http://www.safeguardsoftware.co.uk))

1. Create,
2. Search child's name,
3. Select concern type,
4. Detailed description,
5. Save.

In addition, staff complete a pink Safeguarding form (name of child, date, time) and hand directly to the Designated Safeguarding Lead (DSL). This ensures timely intervention. If concern has been raised at the end of the day or when a child is to be collected, the child and pink form are to be handed over to the Safeguarding Lead

The DSL will investigate the concern and ensure the safety of the child throughout the investigation.

When the safeguarding concern has been fully investigated, referrals made (where relevant), supporting information needs to be added to the case via Safeguard. Thereafter there will be regular check-ins with the child(ren)



## Appendix 2: Sexual Violence, Sexual Harassment and Sexual Behaviour

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).

Darlinghurst Academy aims to:

1. create a learning environment free from sexual violence, sexual harassment and sexual bullying where all members of the academy community are treated with respect at all times
2. raise awareness of this policy so that all members of the academy community are aware of their rights and responsibilities regarding sexual violence and sexual harassment, including those that have happened outside of the academy premises, and/or online.
3. train all staff to recognise and respond to instances of sexual violence and sexual harassment
4. encourage all members of the academy community to report instances of sexual violence and sexual harassment
5. treat all reports in a serious, sensitive, fair, and timely manner in line with safeguarding responsibilities
6. guarantee against victim-blaming, further victimisation and reprisals

At Darlinghurst Academy we recognise that sexual violence and sexual harassment can occur between two or more children of any age and sex. It can occur through a group of children sexually assaulting or sexually harassing a single child or group of children. Sexual violence and sexual harassment exist on a continuum and may overlap; they can occur online and face-to-face (both physically and verbally) and are never acceptable.

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

1. 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.
2. 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.
3. 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.
4. Causing someone to engage in sexual activity without consent: A person (A) commits an offence of s/he intentionally causes another person (B) to engage in an activity, the activity is sexual, B does not consent to engaging in the activity, and A does not reasonably believe that B consents. (NOTE – this could include forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party.)

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:

1. sexual comments such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance, and calling someone sexualised names
2. sexual 'jokes', taunting or taunting
3. physical behaviour, such as: deliberately brushing against someone, interfering with someone's clothes
4. displaying pictures, photos or drawing of sexual content
5. upskirting
6. online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence. It may include:
  - consensual and non-consensual sharing of nude and semi-nude images and/or videos
  - sharing of unwanted explicit content
  - sexualised online bullying
  - unwanted sexual comments and messages, including on social media
  - sexual exploitation; coercion and threats and
  - coercing others into sharing images of themselves or performing acts they're not comfortable with online.

**Harmful sexual behaviour.** Children's sexual behaviour exists on a wide continuum, ranging from normal and developmentally expected to inappropriate, problematic, abusive and violent. Problematic, abusive and violent sexual behaviour is developmentally inappropriate and may cause developmental damage. A useful umbrella term is "harmful sexual behaviour". HSB can occur online and/or face to face and can occur simultaneously between the two.

When considering harmful sexual behaviour both ages and stages of the development of the children are critical factors. Sexual behaviour can be considered harmful if one of the children is much older, particularly if there is more than two years difference or if one of the children is pre-pubescent and the other is not. At Darlington Academy we recognise that a younger child can abuse an older child, particularly if they have power over them.

Darlington Academy 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.

Darlington Academy acknowledges that being subjected to sexual violence or sexual harassment 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
- Darlington Academy acknowledges that academies are required to comply with the relevant requirements set out in the Equality Act 2010, which includes:
- schools must not unlawfully discriminate against pupils 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

Darlington Academy acknowledges that compliance with the Public Sector Equality Duty is a legal duty and academies 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: Physical abuse (e.g. hitting, kicking, stabbing), including for filming with mobile telephones and theft, • Verbal or mobile telephone/online (internet) message abuse (e.g. racist, sexist or homophobic name-calling or threats) - this type of non-physical bullying may include sexual harassment; • Mobile telephone or online (internet) visual image abuse - these can include real or manipulated images; • Emotional abuse (e.g. isolating an individual from the group or emotional blackmail).

**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 the academy);
- Attempts to ensure secrecy;
- Duration and frequency of behaviour.

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 does 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 academy has a clear reporting procedure for both staff and pupils. Children 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 child 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, decisions 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](mailto:help@nspcc.org.uk) or **0808 800 5000**

When responding to sexual violence and/or harassment:

- 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.
- Record and report as soon as possible.
- Report all incidents to the Designated Safeguarding Lead (DSL). Regardless of how serious you determine the incident to be, the DSL should decide whether it needs to be reported to the police or to the local children's services department. Keep a record of incidents. Bullying by its very nature is repetitive and so careful record keeping allows the identification of whether this is a one off incident, or a pattern of behaviour. It also provides important evidence should there be a need to sanction a child at a later date, or provide information in the event of a further incident or investigation or sanction as appropriate but take every opportunity to educate. The sanctions taken will depend on the nature of the incident, and the age and development level of the child 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 pupil 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.
- 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 the academy 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.**

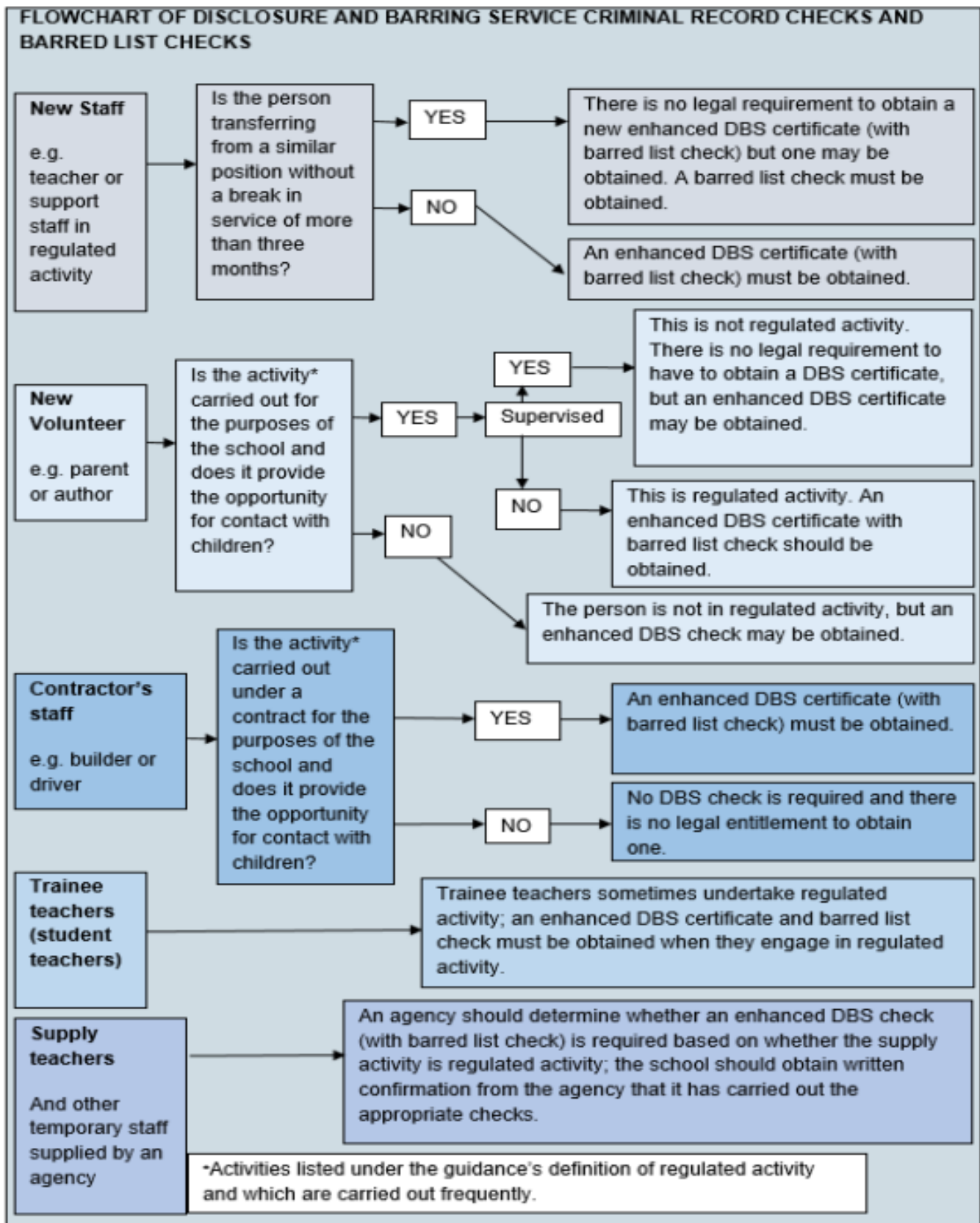
- Don't forget incidents outside of the academy environment. All headteachers have powers to sanction behaviour outside of the academy 'to such an extent as is reasonable' (Section 90 of the Education and Inspections Act 2006). This is particularly pertinent to 'cyber' related bullying, bullying on transport to and from the academy, and bullying on academy trips.

**Additional actions when a pupil makes a disclosure and allegation against another child:**

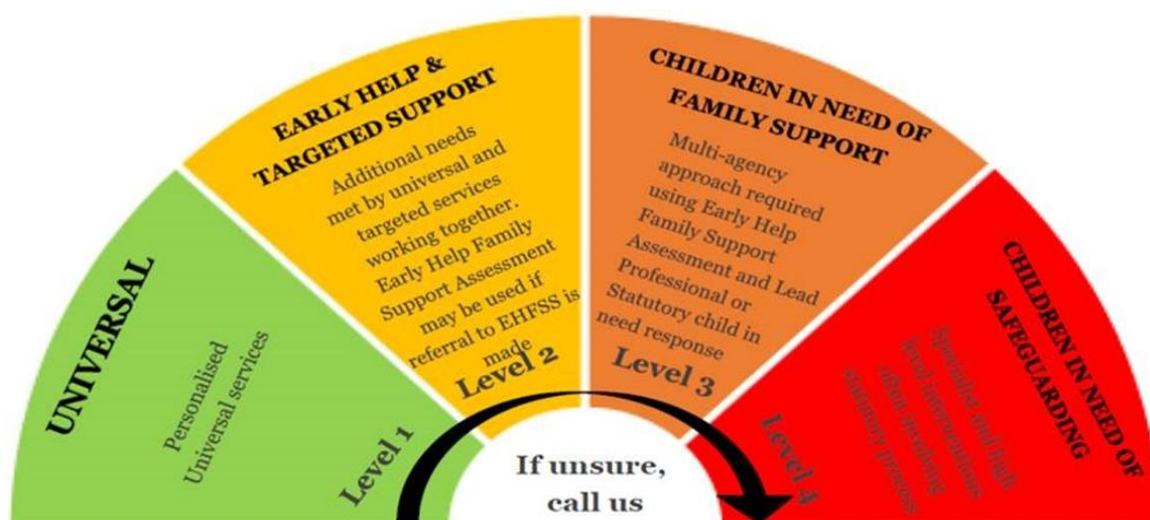
- the victim, the alleged perpetrator and any other children involved or impacted need to be supported and safeguarded
- sexual bullying and sexually harmful behaviours should not be considered as part of growing up, as 'banter' or as 'boys being boys'
- if there is an open police investigation, the suspect may have bail conditions but will more likely be released under investigation, both come with conditions which the academy 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 the academy 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 pupil 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 and sexual harassment of or by any member of the academy community, on or off the academy 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 3



## Appendix 4 - Southend Windscreen of Need and Levels of Intervention



Nothing is more important than the welfare of a child. Parents and carers have the primary responsibility for their children. However, local authorities, working with partner agencies, have specific duties to safeguard and protect the welfare of all the children and young people in their area and everyone who comes into contact with children and young people has a role to play.

Safeguarding and promoting the welfare of children can be defined 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
- 

Working Together to Safeguard Children sets out a clear expectation that local agencies will work together and collaborate to identify children and young people with additional needs and provide support as soon as a problem emerges. Working Together is a statutory guidance and all practitioners working, or having contact with, children and young people are required to read and understand it so they can meet their legal obligation to keep children safe.

Providing early help is far more effective in promoting the welfare of children – and keeping them safe – than reacting later when any problems, for example neglect, may have become more entrenched. The importance of using a child-centred approach in following the child's journey is also emphasised. All services which are provided must be based on a clear understanding of the needs and views of the individual child in their family and community context.

Along the continuum of services become increasingly targeted and specialised according to the level of need. Children's needs are not static, and they may experience different needs – at different points of the continuum – throughout their childhood years.

The continuum of need matrix does not provide an exhaustive list but provides examples that can be used as a tool to assist assessment, planning and decision making when considering the needs of children/young people and their safeguarding needs in particular. Any safeguarding indicators of concern should always be considered alongside any related needs. It should be remembered that some children/young people will have additional vulnerability because of their disability or complex needs and the parental response to the vulnerability of the child must be considered when assessing needs and risks.

Southend on Sea have adopted the Graded Care Profile 2 (GCP2) to help professionals from across the partnership to support families where neglect is a key feature; this forms part of a wider piece of work in addressing childhood neglect. The GCP2 is a tool designed to provide an objective measure of the care of

children who are, or maybe suffering from neglect. It is primarily based on the qualitative measure of the commitment shown by parents or carers in meeting their children's developmental, emotional, physical and safety needs. Information is available on the Safeguarding Partnership website <https://safeguardingsouthend.co.uk/>

Where there is an urgent and immediate need to protect a child, dial 999 to contact the Police. Otherwise for all other children/young people who may be at risk of significant harm, contact MASH+ as soon as possible.