Safeguarding Children and Vulnerable Adults Policy

Introduction

A Shared Objective

1. Everyone in the education service shares an objective to help keep children, young people and vulnerable adults safe by contributing to:
   - Providing a safe environment to learn in education settings; and
   - Identifying children, young people and vulnerable adults who are suffering or likely to suffer significant harm, and taking appropriate action with the aim of making sure they are kept safe both at home and at college.

2. Achieving these aims requires systems designed to:
   - Prevent unsuitable people working with children, young people and vulnerable adults;
   - Promote safe practice and challenge poor and unsafe practice;
   - Identify instances in which there are grounds for concern about a child or vulnerable adult’s welfare, and initiate/take appropriate action to keep them safe;
   - Contribute to effective partnership working between all those involved with providing services for children and vulnerable adults.

Statutory Requirements

- Section 175 of the Education Act 2002 requires the governing bodies of further education institutions to make arrangements to ensure that their functions are carried out with a view to safeguarding and promoting the welfare of children.

- The statutory responsibilities for safeguarding and child protection only apply in relation to students who are children, that is people under 18 years old.


- Protection of Freedoms Act 2012

- The Children Act 1989 and 2004

- Education Act 2002
• The Education (Health Standards) (England) Regulations 2003
• The Further Education (Providers of Education) (England) (Regulations) 2006
• The Common Law Duty of Care
• The Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975, as amended
• Section 26 (I) of Counter Terrorism and Security Act 2015

**Strode College must:**

1) Have a policy and procedures in place to safeguard children and vulnerable adults, that are in keeping with locally agreed inter-agency procedures, and ensure that the policy and procedures are made available to students/parents/guardians on request.

2) Have procedures for dealing with allegations of abuse against members of staff and volunteers that comply with locally agreed inter-agency procedures.

3) Operate safe recruitment procedures and make sure that all appropriate checks are carried out on new staff and volunteers who work with children and vulnerable adults including Criminal Record checks by the Disclosure and Barring Service.
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A General Policy Statement

Strode College has a statutory and moral duty to ensure that the College functions with a view to safeguarding and promoting the welfare of children and vulnerable adults receiving education and training at the College.

Throughout these policies and procedures, reference is made to “children and young people”. These terms are used to mean “those under the age of 18”. The Governing Body recognise that some adults are also vulnerable to abuse.

A 'Vulnerable Adult' is defined by No Secrets (DH 2000) as 'A person aged 18 years or over who is or maybe in need of community care services by reason of mental or other disability, age or illness and who is or maybe unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation.' This may include people with learning difficulties, mental health needs, physical impairments, drug and alcohol misuse etc.

The Governing Body is committed to ensuring that the College:

- Provides a safe environment for young people and vulnerable adults to learn in
- Identifies young people and vulnerable adults who are suffering, or likely to suffer, significant harm, and
- Takes appropriate action to see that such young people and vulnerable adults are kept safe, both at home and at the College.

In pursuit of these aims, the Governing Body will approve and annually review policies and procedures with the aim of:

- Raising awareness of issues relating to the welfare of young people and the promotion of a safe environment for the young people and vulnerable adults learning within the College.
- Identify children who may benefit from Early Help. Early help means providing support as soon as a problem emerges at any point in a child’s life.
- Aiding the identification of young people and vulnerable adults at risk of significant harm, and providing procedures for reporting concerns
- Establishing procedures for reporting and dealing with allegations of abuse against members of staff
- The safe recruitment of staff

In developing the policies and procedures, the Governing Body will consult with, and take account of, guidance issued by the Department for Education and Skills and other relevant bodies and groups. These policies are aligned to policies produced by the Somerset Local Safeguarding Children Board and the Somerset Adult Safeguarding Board.
The College will refer concerns that a young person or vulnerable adult might be at risk of significant harm to the appropriate agencies (Somerset Direct, Somerset Out of Hours Emergency Duty team, Local Authority Designated Officer or Police). This is usually done through the Designated Safeguarding Lead, but all staff may raise concerns directly with Children’s Social Care services. If anyone other than the designated safeguarding lead makes a referral they should inform the designated safeguarding lead as soon as possible.

The Principal [or designated member of the Senior Management Team] and all staff working with children and vulnerable adults will receive training adequate to familiarise them with safeguarding issues, responsibilities and College procedures and policies, with refresher training at least every three years. There will be a senior member of the College Management Team with special responsibility for safeguarding issues (the designated senior member of staff with lead responsibility for safeguarding children and vulnerable adults).

The Governing Body will receive, from the designated senior member of staff with lead responsibility for safeguarding children and vulnerable adults, an annual report which reviews how the duties have been discharged.

The Governing Body recognises the following as definitions of abuse:

**Abuse**

A form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Children may be abused in a family or in an institutional setting by those known to them or rarely by others eg. Via the internet. They may be abused by an adult or another child or children.

**Physical Abuse**

Physical abuse causes harm to a person. It may involve hitting, shaking, throwing, poisoning, burning, scalding, drowning or suffocating. It may be done deliberately or recklessly, or be the result of a deliberate failure to prevent injury occurring.

**Neglect**

Neglect is the persistent or severe failure to meet a person’s basic physical and/or psychological needs. It will result in serious impairment of the person’s health or development.

**Sexual Abuse**

Sexual abuse involves a young person or vulnerable adult being forced or coerced into participating in or watching sexual activity. It is not necessary for the young person or vulnerable adults to be aware that the activity is sexual and the apparent consent of the young person or vulnerable adult is irrelevant.

**Emotional Abuse**

Emotional abuse occurs where there is persistent emotional ill treatment or rejection. It causes severe and adverse effects on the young person or vulnerable adult's
behaviour and emotional development, resulting in low self-worth. Some level of emotional abuse is present in all forms of abuse.

**Specific safeguarding issues**

- child sexual exploitation
- bullying including cyberbullying
- domestic violence
- drugs
- fabricated or induced illness
- faith abuse
- honour based violence
- female genital mutilation (FGM)
- forced marriage
- gangs and youth violence
- gender-based violence/violence against women and girls
- mental health
- private fostering
- radicalisation
- sexting
- teenage relationship abuse
- trafficking

**Further information on Radicalisation and Prevent.**

From 1 July 2015 specified authorities, are subject to a duty under section 26 of the Counter-Terrorism and Security Act 2015 ("the CTSA 2015"), in the exercise of their functions, to have “due regard must have regard to statutory guidance issued under section 29 of the CTSA 2015 ("the Prevent guidance"). Paragraphs 57-76 of the Prevent guidance are concerned specifically with schools (but also cover childcare). This duty is known as the Prevent duty.
The college recognises the positive contribution it can make towards protecting its students from radicalisation to violent extremism. The college will continue to empower its students to create communities that are resilient to extremism and protecting the wellbeing of particular students who may be vulnerable to being drawn into violent extremism or crime. It will also continue to promote the development of spaces for free debate where shared values can be reinforced.

Radicalisation is the process by which individuals come to support terrorism or violent extremism. There is no typical profile for a person likely to become involved in extremism, or when they move to adopt violence in support of their particular ideology. Although a number of possible behavioural indicators are listed below, staff should use their professional judgement and discuss with other colleagues or external partners if they have any concerns:

- Use in inappropriate language
- Possession of violent extremist literature
- Behavioural changes
- The expression of extremist views
- Advocating violent actions and means
- Association with known extremists
- Seeking to recruit others to an extremist ideology

If the college has any significant concerns about a student beginning to support terrorism and/or violent extremism, they should discuss them with the designated safeguarding lead. The safeguarding lead will make appropriate referrals to the Channel Programme.

External Speakers will be risk assessed carefully considering whether the views being expressed constitute extremist views that risk drawing people into terrorism or shared by terrorist groups. If it is felt that they do then the event should not be allowed to proceed.

All planned events will be risked assessed the risks associated with radicalisation/terrorism will form part of the assessment.

Sub Contractors will be checked to make sure they are aware of their responsibilities around the Prevent Duty and this is included in the due diligence assessment.

All staff will receive training on Prevent as part of their mandatory Safeguarding training. Training for all staff is included in their induction, and they cannot complete their probation period without this being achieved. Update training is carried out every three years for all staff following Somerset’s Local Safeguarding Boards guidance. Further training will be given if new guidance is issued.
Students will receive appropriate guidance during their time at college and will as part of their pastoral support have information on radicalisation and extremism. They will also have the opportunity to explore British Values including democracy, the rule of law, individual liberty and mutual respect and tolerance for those with different faiths and beliefs.

Safeguarding incidents could happen anywhere and staff should be alert to possible concerns being raised by students, staff, employers, parents etc.

Expert and professional organisations are best placed to provide up-to-date guidance and practical support on specific safeguarding issues. For example NSPCC offers information for schools and colleges on the TES website and also on its own website www.nspcc.org.uk the Colleges can also access broad government guidance on the issues listed via the GOV.UK website:

Further Information on Female Genital Mutilation

Actions

If staff have a concern they should activate local safeguarding procedures, using existing national and local protocols for multi-agency liaison with police and children’s social care. When mandatory reporting commences in October 2015 these procedures will remain when dealing with concerns regarding the potential for FGM to take place. Where a teacher discovers that an act of FGM appears to have been carried out on a girl who is aged under 18, there will be a statutory duty upon that individual to report it to the police.

Mandatory Reporting Duty

Section 5B of the Female Genital Mutilation Act 2003 (as inserted by section 74 of the Serious Crime Act 2015) places a statutory duty upon teachers, along with social workers and healthcare professionals, to report to the police where they discover (either through disclosure by the victim or visual evidence) that FGM appears to have been carried out on a girl under 18. Those failing to report such cases will face disciplinary sanctions. It will be rare for teachers to see visual evidence, and they should not be examining pupils, but the same definition of what is meant by “to discover that an act of FGM appears to have been carried out” is used for all professionals to whom this mandatory reporting duty applies.

Teachers must personally report to the police cases where they discover that an act of FGM appears to have been carried out. Unless the teacher has a good reason not to, they should still consider and discuss any such case with the school’s designated safeguarding lead and involve children’s social care as appropriate.
B Designated Staff with Responsibility for Safeguarding Children and Vulnerable Adults

Senior Staff Member with Lead Responsibility (Designated Safeguarding Lead)

The Designated Safeguarding Lead (DSL) with lead responsibility for safeguarding children and vulnerable adult issues is Debbie Cummings, Assistant Principal and Director of Student Services (extension 417).

This person is a senior member of the College Management Team. She has a key duty to take lead responsibility for raising awareness within the staff of issues relating to the welfare of young people and vulnerable adults, and the promotion of a safe environment for the young people and vulnerable adults learning within the College.

The designated safeguarding lead is responsible for:

- Overseeing the referral of cases of suspected abuse or allegations to social services or police.
- Providing advice and support to other staff on issues relating to safeguarding and early help and intervention such as early help assessments.
- Maintaining a proper record of any safeguarding referral, complaint or concern (even where that concern does not lead to a referral).
- Ensuring that parents/guardians of young people within the College are aware of the College’s Safeguarding Children and Vulnerable Adults policy.
- Liaising with the Local Authority, Local Safeguarding Children Board or Adult Safeguarding Board and other appropriate agencies.
- Liaising with secondary schools which send pupils to the College to ensure that appropriate arrangements are made for the pupils.
- Liaising with employers and training organisations that receive children, young people or vulnerable adults from the College on placements to ensure that appropriate safeguards are put in place.
- Ensuring that staff receive basic training in safeguarding issues and are aware of the College safeguarding procedures.

The designated senior member of staff will provide an annual report to the Governing Body of the College setting out how the College has discharged its duties. She is responsible for reporting deficiencies in procedure or policy identified by the LSCB (or others) to the Governing Body at the earliest opportunity.

During term time the designated safeguarding lead or deputy will be available for staff to discuss any safeguarding concerns. Out of hours cover is arranged through an emergency phone which is held by one of the designated leads.
Online Safety

The use of technology is a significant component of many safeguarding issues. The College has in place a filtering and monitoring system and policies related to appropriate use of information technology for staff and students.

Looked after children and other students with specific needs.

Looked after children and other students who have been identified as being in need of closer monitoring or support will be identified at application and or enrolment. They will be referred to either the Student Support Manager or the Head of Equality and Diversity depending on need and appropriate action put in place to support the student whilst at College. This information will be shared with appropriate staff.

Missing children

If a child goes missing appropriate action will be taken depending on the circumstance this may include liaising with Social Services, Police and parents/carers.

Managing referrals

- Refer all cases of suspected abuse to the local authority children’s social care and:
  - The local authority designated officer (LADO) for child protection concerns (all cases which concern a staff member);
  - Disclosure and Barring Service (cases where a person is dismissed or left due to risk/harm to a child); and/or
  - Police (cases where a crime may have been committed).

- Liaise with the Principal to inform him of issues especially ongoing enquiries under section 47 of the Children Act 1989 and police investigations

- Act as a source of support, advice and expertise to staff on matters of safety and safeguarding and when deciding whether to make a referral by liaising with relevant agencies

Training

The designated safeguarding lead and deputies will receive training in safeguarding issues and inter-agency working, as required by the Local Safeguarding Children Board (LSCB), and will receive refresher training at least every 2 years. In addition to the formal training their knowledge and skills should be refreshed at least annually. They will also undertake Prevent awareness training.
• Understand the assessment process for providing early help and intervention, for example through locally agreed common and shared assessment processes such as early help assessments

• Have a working knowledge of how local authorities conduct a child protection case conference and a child protection review conference and be able to attend and contribute to these effectively when required to do so

• Ensure each member of staff has access to and understands the college's child protection policy and procedures, especially new and part time staff

• Be alert to the specific needs of children in need, those with special educational needs and young carers

• Be able to keep detailed, accurate, secure written records of concerns and referrals

• Obtain access to resources and attend any relevant or refresher training courses

• Encourage a culture of listening to children and taking account of their wishes and feelings.

Raising Awareness

• The designated safeguarding lead should ensure the college’s policies are known and used appropriately:

  • Ensure the College’s child protection policy is reviewed annually and the procedures and implementation are updated and reviewed regularly, and work with governing bodies regarding this

  • Ensure the child protection policy is available publicly and parents are aware of the fact that referrals about suspected abuse or neglect may be made and the role of the school or college in this

  • Link with the local LSCB to make sure staff are aware of training opportunities and the latest local policies on safeguarding

  • Where children leave the college ensure their child protection file is copied for any new school or college as soon as possible but transferred separately from the main file
Designated Staff Members

Other designated members of staff with responsibility for safeguarding issues are:

Bill Scott  Deputy Designated Safeguarding Lead, Student Support Manager (extension 454)
Mandie Holloway  Student Services Manager and Head of Equality and Diversity
Shonagh Butler  Assistant Principal and Director of Vocational Studies
Andrea Houchan  Assistant Principal and Director of A Levels
Esther Cracknell  Nursery Supervisor

These designated staff members:

- Report to the senior member of staff with lead responsibility.
- Will know how to make an appropriate referral.
- Will be available to provide advice and support to other staff on issues relating to safeguarding.
- Have particular responsibility to be available to listen to young people or vulnerable adults studying at the College.
- Will deal with individual cases, including attending case conferences and review meetings as appropriate.
- Will receive training in safeguarding issues and inter-agency working, as required by the LSCB, and will receive refresher training at least every two years.
- Will cover for the Designated Safeguarding Lead in her absence.

Designated Governor

The designated member of the Governing Body with responsibility for safeguarding issues is Lesley Gagg. Contact via Clerk to the Governors extension 487 (ssnell@strode-college.ac.uk) or the Principal's Office.

The Designated Governor is responsible for liaising with the Principal and senior staff member with lead responsibility over matters regarding safeguarding, including:

- Ensuring that the College has procedures and policies which are consistent with the Local Safeguarding Children Board and the Adult Safeguarding Board policies and procedures.
- Ensuring that the Governing Body considers the College policy on safeguarding children and vulnerable adults each year.
• Ensuring that each year the Governing Body is informed of how the College and its staff have complied with the policy, including but not limited to a report on the training that staff have undertaken.

The Designated Governor is responsible for overseeing the liaison between the police and social services in connection with allegations against the Principal or the senior staff member with lead responsibility. This will not involve undertaking any form of investigation, but will ensure good communication between the parties and provide information to assist enquiries.

To assist in these duties, the Designated Governor has received appropriate training.

In the absence of any of the designated staff indicated above the Principal will identify substitute staff to undertake these responsibilities. The Clerk to the Governing Body will identify an alternate Governor.

**Staff training**

All staff members undergo safeguarding and child protection training at induction. The training is updated regularly in line with advice from the LSCB.

All staff also receive at least annually updates on child protection and safeguarding.
C Dealing with Disclosure of Abuse and Procedure for Reporting Concerns

Members of staff should be advised that they should act in the manner identified below if a young person or vulnerable adults tells a member of staff about possible abuse. They should:

Listen carefully and stay calm.

Not interview the young person or vulnerable adult, but question normally and without pressure, in order to be sure that they understand what the young person or vulnerable adult is telling them.

Not put words into the young person or vulnerable adult's mouth.

Reassure the young person or vulnerable adult that by telling them, they have done the right thing.

Inform the young person or vulnerable adult that they must pass the information on, but that only those who need to know about it will be told. Inform them to whom they will report the matter.

Note the main points carefully.

Make a detailed note of the date, time, place, what the young person or vulnerable adult said, did and the member of staff's questions etc. Write only facts – i.e. what the member of staff heard or saw, not what is conjectured.

Staff should not investigate concerns or allegations themselves, but should report them immediately to one of the designated members of staff.

The designated person will decide whether:

1. To handle the concern internally, i.e. within the College.
2. To consult with the local social services ‘in principle’.
3. To make a referral to social services.
4. To inform Ofsted if a child in the College Nursery is involved.

Allegation of abuse made against other children

The College recognises that children are capable of abusing their peers and the Colleges disciplinary policy reflects that this is not acceptable behaviour. Where an allegation is made against a students these policies will be followed.
D Reporting and Dealing with Allegations of Abuse Against Members of Staff

The procedures apply to all staff, whether teaching, administrative, management or support, as well as to volunteers. The word “staff” is used for ease of description.

1 Introduction

1.1 In rare instances, staff of education institutions have been found responsible for abuse. The College recognises that an allegation of abuse made against a member of staff may be made for a variety of reasons and that the facts of the allegation may or may not be true. It is imperative that those dealing with an allegation maintain an open mind and that investigations are thorough and not subject to delay.

1.2 Whilst the welfare of the child, young person or vulnerable adult is the paramount concern, it is also recognised that hasty or ill-informed decisions in connection with a member of staff can irreparably damage an individual’s reputation, confidence and career. Therefore, those dealing with such allegations within the College will do so with sensitivity and will act in a careful, measured way.

2 Receiving an Allegation from a Child, Young Person or Vulnerable Adult

2.1 A member of staff who receives an allegation about another member of staff should follow the guidelines in Part C for dealing with disclosure.

2.2 The allegation should be reported immediately to the Principal, unless the Principal is the person against whom the allegation is made, in which case the report should be made to the senior staff member with lead responsibility and the Designated Governor. The Principal (or senior staff member and Designated Governor if the allegation is against the Principal) should:

2.2.1 Obtain written details of the allegation from the person who received it, that are signed and dated. The written details should be countersigned and dated by the Principal (or senior staff member and Designated Governor).

2.2.2 Record information about times, dates, locations and names of potential witnesses.

3 Initial Assessment by The Principal (or senior staff member and Designated Governor)

3.1 The Principal (or senior member of staff or Designated Governor) must inform the Local Authority Designated Officer within one working day if it appears that the person has:

- Behaved in a way that has, or may have, harmed a child
- Possibly committed a criminal offence against or related to a child
• Behaved in an inappropriate way towards a child or vulnerable adult which may indicate they are unsuitable to work with children or vulnerable adults.

Designated Officer enquiries
Somerset Direct - 0300 123 2224

Referral to the Designated Officer should not be delayed in order to gather further information, nor should any action be taken that might undermine any future investigation or disciplinary action (such as interviewing the alleged victim, witness, or informing or interviewing the alleged perpetrator) prior to contacting the designated officer.

3.2 Internal disciplinary action may only proceed with the agreement of the designated officer and should follow normal Strode College Staff disciplinary procedures.

3.3 The guidance in the Keeping Children Safe in Education (2016) will be followed. (Appendix 3)

4 Monitoring Effectiveness

4.1 Where an allegation has been made against a member of staff, the nominated governor, together with the senior staff member with lead responsibility should, at the conclusion of the investigation and any disciplinary procedures, consider whether there are any matters arising from it that could lead to the improvement of the College’s procedures and/or policies and/or which should be drawn to the attention of the LSCB or the police. Consideration should also be given to the training needs of staff.

E Recruitment and Selection: A guide for managers – this detailed guide can be found on the Strode College staff intranet.


Strode College guidelines on Recruitment and Selection for managers are designed to give guidance to managers when recruiting and selecting employees and volunteers for Strode College. All interviewing panels have a member of the personnel team present who has undertaken the Safer Recruitment Training.

The College is committed to achieving equality of opportunity for all people who work and study at the College and recognises the requirements under:

• The Sex Discrimination Act 1975 (as amended).
• The Race Relations Act 1976 (as amended).
• The Equal Pay Act 1970 (as amended).
• The Disability Discrimination Act 1995, together with associated codes of practice.
• Equality Act 2010
• Protection of Freedoms Act 2012

Equally the College is committed to the ‘Safe Learner’ principle and all measures will be taken to ensure that students at the College are protected as far as reasonably possible.

Guide for the Recruitment and Selection of Volunteers

Strode College recognises and values the contribution of volunteers to a range of activities both on and off campus. The purpose of this procedure is to ensure the College meets its obligations under the ‘Safe Learner’ principle by following appropriate guidelines when recruiting volunteers to work with young people and vulnerable adults.

While the full recruitment and selection procedure may not be appropriate, it is still necessary to follow good practice when choosing people to work with our learners. It is recommended that the following process be followed:

- Completion of application form. This gives information of past and present employment.
- Take out references from current or last employers as well as a character reference.
- Interviewed by appropriate Manager. Manager should interview against stated criteria to ensure best fit. A clear outline of the tasks should be given to the successful volunteer.
- Guidance, in writing, should be produced to advise volunteers as to what they may be able/not able to do whilst working at the College.
- Bring the policy on the recruitment of staff with criminal convictions and the use of criminal record checks to the attention of the candidate.
- Enhanced DBS checks will be undertaken where appropriate.
- Bring the Consensual Relationships policy to the attention of the candidate.

F Related Policies and Procedures

Location

Somerset County Council: Safeguarding Adults Policy www.somerset.gov.uk

South West Safeguarding and Child Protection Group policies and procedures www.swcpp.org.uk

Safeguarding Children and Vulnerable Adults – A guide for staff Strode College staff intranet

Safeguarding Children and Vulnerable Adults – A guide for employers Strode College staff intranet

Nursery Safeguarding Children Policy Strode College staff intranet

E-safety Policy Strode College staff intranet

Visitors’ Policy Strode College staff intranet
Policy on dealing with drug related matters involving Strode College staff intranet students.

Disqualification under the Childcare Act 2006 Statutory guidance for local authorities, maintained schools, independent schools, academies and free schools February 2015

Keeping Children Safe in Education 2016

Forced marriages

Child death review

Allegations against a member of staff

Safer recruitment

Working Together to Safeguard Children March 2015

Recruitment and Selection: A guide for managers.

Policy on employment of staff prior to DBS check.

Staff Disciplinary Policy.

Consensual Relations Policy.

Dignity at Work Policy

Email Policy

G Review Cycle

- The Safeguarding Children and Vulnerable Adults Policy will be reviewed annually.
- A report on any issues arising from Strode College’s implementation of these policies and procedures will be produced annually.

Signed .................................................. (Principal) Date :

James Staniforth

Actions where there are concerns about a child

If in any doubt contact:
Somerset Direct 0300 123 2224 (Children & Young People’s Services)
Somerset Direct 0300 123 2224 (Adults)
Local Authority Designated Officer 0300 123 2224
Avon & Somerset Police 101 (non emergency number)
Keeping children safe in education

Part 1: Information for all school and college staff

September 2016
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Summary

Keeping children safe in education is statutory guidance for schools and colleges who must have regard to it when carrying out their duties to safeguard and promote the welfare of children. This means that they should comply with it unless exceptional circumstances arise.

- governing bodies of maintained schools (including maintained nursery schools) and colleges;
- proprietors of independent schools (including academies and free schools), alternative provision academies and non-maintained special schools; and
- management committees of pupil referral units (PRUs)

are asked to ensure that all staff read at least Part one of the guidance.

For ease of reference Part one is set out here as a standalone document.
Part one: Safeguarding information for all staff
What school and college staff should know and do

A child centred and coordinated approach to safeguarding

1. Schools and colleges and their staff are an important part of the wider safeguarding system for children. This system is described in statutory guidance Working together to safeguard children.

2. Safeguarding and promoting the welfare of children is everyone’s responsibility.

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.

3. No single professional can have a full picture of a child’s needs and circumstances. If children and families are to receive the right help at the right time, everyone who comes into contact with them has a role to play in identifying concerns, sharing information and taking prompt action.

4. Safeguarding and promoting the welfare of children is defined for the purposes of this guidance 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; and taking action to enable all children to have the best outcomes.

5. Children includes everyone under the age of 18.

The role of school and college staff

6. School 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.

7. All school and college staff have a responsibility to provide a safe environment in which children can learn.

8. Every school and college should have a designated safeguarding lead who will provide support to staff members to carry out their safeguarding duties and who will liaise closely with other services such as children’s social care.

9. All school and college staff should be prepared to identify children who may benefit from early help. Early help means providing support as soon as a problem emerges at any point in a child’s life, from the foundation years through to the teenage years.

1 Detailed information on early help can be found in Chapter 1 of Working together to safeguard children.
years. In the first instance, staff should discuss early help requirements with the designated safeguarding lead. Staff may be required to support other agencies and professionals in an early help assessment.

6. **Any staff member** who has a concern about a child’s welfare should follow the referral processes set out in paragraphs 21-27. Staff may be required to support social workers and other agencies following any referral.

7. The Teachers’ Standards 2012 state that teachers, including headteachers, should safeguard children’s wellbeing and maintain public trust in the teaching profession as part of their professional duties.²

**What school and college staff need to know**

12. **All** staff members should be aware of systems within their school or college which support safeguarding and these should be explained to them as part of staff induction. This should include:

10. the child protection policy;

11. the staff behaviour policy (sometimes called a code of conduct); and

12. the role of the designated safeguarding lead.

Copies of policies and a copy of Part one of this document (Keeping children safe in education) should be provided to staff at induction.

12. **All** staff members should receive appropriate safeguarding and child protection training which is regularly updated. In addition all staff members should receive safeguarding and child protection updates (for example, via email, e-bulletins and staff meetings), as required, but at least annually, to provide them with relevant skills and knowledge to safeguard children effectively.

13. **All** staff should be aware of the early help process, and understand their role in it.

This includes identifying emerging problems, liaising with the designated safeguarding lead, sharing information with other professionals to support early identification and assessment and, in some cases, acting as the lead professional in undertaking an early help assessment.

14. **All** staff should be aware of the process for making referrals to children’s social care and for statutory assessments under the Children Act 1989³ that may follow a referral, along with the role they might be expected to play in such assessments.⁴

² The Teachers’ Standards apply to: trainees working towards QTS; all teachers completing their statutory induction period (newly qualified teachers [NQTs]); and teachers in maintained schools, including maintained special schools, who are subject to the Education (School Teachers’ Appraisal) (England) Regulations 2012.

³ The Children Act 1989 applies to: local authorities; the Children’s Commissioner; the Children’s Commissioner for Northern Ireland; the Voluntary Welfare Organisations (VWOs); the Education and Children’s Services Inspectorate (ESI); the Children and Young People’s Services Inspectorate (CYSI); the Education and Children’s Services Inspectorate in Wales (ECSIW); the Social Work Inspectorate (SWI); the Social Work Inspectorate in Wales (SWIW); the Healthcare Inspectorate Wales (HIW); the Health and Social Care Inspectorate (HSCI); the Care Inspectorate Northern Ireland (CINI); the Care Inspectorate Wales (CIW); the Care Quality Commission (CQC); and the Care Inspectorate Scotland (CIS).
16. All staff should know what to do if a child tells them he/she is being abused or neglected. Staff should know how to manage the requirement to maintain an appropriate level of confidentiality whilst at the same time liaising with relevant professionals such as the designated safeguarding lead and children’s social care. Staff should never promise a child that they will not tell anyone about an allegation, as this may ultimately not be in the best interests of the child.

**What school and college staff should look out for**

15. All school and college staff members should be aware of the types of abuse and neglect so that they are able to identify cases of children who may be in need of help or protection. Types of abuse and neglect, and examples of safeguarding issues are described in paragraphs 35-44 of this guidance.

16. Departmental advice. [What to do if you are worried a child is being abused- Advice for practitioners](#) provides more information on understanding and identifying abuse and neglect. Examples of potential signs of abuse and neglect are highlighted throughout the advice and will be particularly helpful for school and college staff. The [NSPCC](#) website also provides useful additional information on types of abuse and what to look out for.

17. Staff members working with children are advised to maintain an attitude of ‘it could happen here’ where safeguarding is concerned. When concerned about the welfare of a child, staff members should always act in the best interests of the child.

18. Knowing what to look for is vital to the early identification of abuse and neglect. If staff members are unsure, they should always speak to the designated safeguarding lead.

**What school and college staff should do if they have concerns about a child**

21. If staff members have any concerns about a child (as opposed to a child being in immediate danger - see paragraph 28) they will need to decide what action to take. Where possible, there should be a conversation with the designated safeguarding lead to agree a course of action, although any staff member can make a referral to children’s social care. Other options could include referral to specialist services or early help services and should be made in accordance with the referral threshold set by the Local Safeguarding Children Board.

13. Under the Children Act 1989, local authorities are required to provide services for children in need in their area for the purposes of safeguarding and promoting their welfare. Local authorities undertake assessments of the needs of individual children to determine which services to provide and what action to take. This can include:

Section 17- A child in need is defined under section 17(10) of the Children Act 1989 as a child who is unlikely to achieve or maintain a reasonable level of health or development, or whose health or development is likely to be significantly or further impaired, without the provision of services; or a child who is disabled.

Section 47- If the local authority have reasonable cause to suspect that a child is suffering, or likely to suffer, significant harm they have a duty to make enquires under section 47 to enable them to decide whether they should take any action to safeguard and promote the child’s welfare. This duty also applies if a child is subject to an emergency protection order (under section 44 of the Children Act 1989) or in police protective custody under section 46 of the Children Act 1989.

14. Detailed information on statutory assessments can be found in Chapter 1 of [Working together to safeguard children](#).
If anyone other than the designated safeguarding lead makes the referral, they should inform the designated safeguarding lead as soon as possible. The local authority should make a decision within one working day of a referral being made about what course of action they are taking and should let the referrer know the outcome. Staff should follow up on a referral should that information not be forthcoming. The online tool Reporting child abuse to your local council directs staff to their local children’s social care contact number.

See page 9 for a flow chart setting out the process for staff when they have concerns about a child.

If, after a referral, the child’s situation does not appear to be improving, the designated safeguarding lead (or the person who made the referral) should press for re-consideration to ensure their concerns have been addressed and, most importantly, that the child’s situation improves.

If early help is appropriate, the designated safeguarding lead should support the staff member in liaising with other agencies and setting up an inter-agency assessment as appropriate.

If early help or other support is appropriate, the case should be kept under constant review and consideration given to a referral to children’s social care if the child’s situation does not appear to be improving.

If a teacher, in the course of their work in the profession, discovers that an act of Female Genital Mutilation appears to have been carried out on a girl under the age of 18, the teacher must report this to the police. See Annex A for further details.

What school and college staff should do if a child is in danger or at risk of harm

If a child is in immediate danger or is at risk of harm, a referral should be made to children’s social care and/or the police immediately. Anyone can make a referral. Where referrals are not made by the designated safeguarding lead, the designated safeguarding lead should be informed as soon as possible that a referral has been made. Reporting child abuse to your local council directs staff to their local children’s social care contact number.

Record keeping

All concerns, discussions and decisions made and the reasons for those decisions should be recorded in writing. If in doubt about recording requirements, staff should discuss with the designated safeguarding lead.

Section 5B(11) of the FGM Act 2003 (as inserted by section 74 of the Serious Crime Act 2015) provides the definition for the term ‘teacher’: “teacher” means – (a) in relation to England, a person within section 141A(1) of the Education Act 2002 (persons employed or engaged to carry out teaching work at schools and other institutions in England).
Why is all of this important?

30. It is important for children to receive the right help at the right time to address risks and prevent issues escalating. Research and Serious Case Reviews have repeatedly shown the dangers of failing to take effective action. Poor practice includes: failing to act on and refer the early signs of abuse and neglect; poor record keeping; failing to listen to the views of the child; failing to re-assess concerns when situations do not improve; sharing information too slowly; and a lack of challenge to those who appear not to be taking action. 6

What school and college staff should do if they have concerns about another staff member

31. If staff members have concerns about another staff member, then this should be referred to the headteacher or principal. Where there are concerns about the headteacher or principal, this should be referred to the chair of governors, chair of the management committee or proprietor of an independent school as appropriate. In the event of allegations of abuse being made against the headteacher, where the headteacher is also the sole proprietor of an independent school, allegations should be reported directly to the designated officer(s) at the local authority. Staff may consider discussing any concerns with the school’s designated safeguarding lead and make any referral via them. Full details can be found in Part four of this guidance.

What school or college staff should do if they have concerns about safeguarding practices within the school or college

17. All staff and volunteers should feel able to raise concerns about poor or unsafe practice and potential failures in the school or college’s safeguarding regime and know that such concerns will be taken seriously by the senior leadership team.

18. Appropriate whistleblowing procedures, which are suitably reflected in staff training and staff behaviour policies, should be in place for such concerns to be raised with the school or college’s senior leadership team.

19. Where a staff member feels unable to raise an issue with their employer or feels that their genuine concerns are not being addressed, other whistleblowing channels may be open to them:

General guidance can be found at- Advice on whistleblowing

The NSPCC whistleblowing helpline is available for staff who do not feel able to raise concerns regarding child protection failures internally. Staff can call 0800 028 0285 – line is available from 8:00 AM to 8:00 PM, Monday to Friday and email: help@nspcc.org.uk7

6  Serious case reviews, 2011 to 2014

7  Alternatively, staff can write to: National Society for the Prevention of Cruelty to Children (NSPCC), Weston House, 42 Curtain, Road, London EC2A 3NH.
1. In cases which also involve an allegation of abuse against a staff member, see Part four of this guidance.

2. Early help means providing support as soon as a problem emerges at any point in a child’s life. Where a child would benefit from co-ordinated early help, an early help inter-agency assessment should be arranged. Chapter one of Working together to safeguard children provides detailed guidance on the early help process.

3. Under the Children Act 1989, local authorities are required to provide services for children in need for the purposes of safeguarding and promoting their welfare. This can include s17 assessments of children in need and s47 assessments of children at risk of significant harm. Full details are in Chapter one of Working together to safeguard children.

4. This could include applying for an Emergency Protection Order (EPO).
Types of abuse and neglect

35. All school and college staff should be aware that abuse, neglect and safeguarding issues are rarely standalone events that can be covered by one definition or label. In most cases, multiple issues will overlap with one another.

36. Abuse: a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. 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 by another child or children.

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

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

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

40. Neglect: the persistent failure to meet a child’s basic physical and/or psychological needs, likely to result in the serious impairment of the child’s health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to: provide adequate food,
clothing and shelter (including exclusion from home or abandonment); protect a child from physical and emotional harm or danger; ensure adequate supervision (including the use of inadequate care-givers); or ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child’s basic emotional needs.

**Specific safeguarding issues**

41. **All** staff should have an awareness of safeguarding issues, some of which are listed below. Staff should be aware that behaviours linked to the likes of drug taking, alcohol abuse, truanting and sexting put children in danger.

42. **All** staff should be aware that safeguarding issues can manifest themselves via peer on peer abuse. This is most likely to include, but may not be limited to, bullying (including cyberbullying), gender based violence/sexual assaults and sexting. Staff should be clear as to the school or college’s policy and procedures with regards to peer on peer abuse.

43. Expert and professional organisations are best placed to provide up-to-date guidance and practical support on specific safeguarding issues. For example, information for schools and colleges can be found on the [TES](https://www.minded.org.uk/digitalrisk), MindEd and the [NSPCC](https://www.minded.org.uk/digitalrisk) websites. School and college staff can access government guidance as required on the issues listed below via GOV.UK and other government websites:

- **bullying including cyberbullying**
- **children missing education** – and Annex A
- **child missing from home or care**
- **child sexual exploitation (CSE)** – and Annex A
- **domestic violence**
- **drugs**
- **fabricated or induced illness**
- **faith abuse**
• female genital mutilation (FGM) – and Annex A

• forced marriage - and Annex A

• gangs and youth violence

• gender-based violence/violence against women and girls (VAWG)

• hate

• mental health

• missing children and adults

• private fostering

• preventing radicalisation – and Annex A

• relationship abuse

• sexting

• trafficking

44. Annex A contains important additional information about specific forms of abuse and safeguarding issues. School leaders and those staff who work directly with children should read the annex.
Annex A: Further information

Further information on a child missing from education

All children, regardless of their circumstances, are entitled to a full time education, which is suitable to their age, ability, aptitude and any special educational needs they may have. Local authorities have a duty to establish, as far as it is possible to do so, the identity of children of compulsory school age who are missing education in their area. Effective information sharing between parents, schools, colleges and local authorities is critical to ensuring that all children are safe and receiving suitable education.

A child going missing from education is a potential indicator of abuse or neglect and such children are at risk of being victims of harm, exploitation or radicalisation. School and college staff should follow their procedures for unauthorised absence and for dealing with children that go missing from education, particularly on repeat occasions, to help identify the risk of abuse and neglect, including sexual exploitation, and to help prevent the risks of going missing in future.

Schools and colleges should put in place appropriate safeguarding policies, procedures and responses for children who go missing from education, particularly on repeat occasions. It is essential that all staff are alert to signs to look out for and the individual triggers to be aware of when considering the risks of potential safeguarding concerns such as travelling to conflict zones, female genital mutilation and forced marriage. Further information about children at risk of missing education can be found in the Children Missing Education guidance.

Schools

The law requires all schools to have an admission register and, with the exception of schools where all pupils are boarders, an attendance register. All pupils must be placed on both registers. Schools must place pupils on the admission register at the beginning of the first day on which the school has agreed, or been notified, that the pupil will attend the school. If a pupil fails to attend on the agreed or notified date, the school should consider notifying the local authority at the earliest opportunity to prevent the child from going missing from education.

It is important that the admission register is accurate and kept up to date. Schools should regularly encourage parents to inform them of any changes whenever they occur. This can assist the school and local authority when making enquiries to locate children missing education.

Schools should monitor attendance and address it when it is poor or irregular. All schools must inform the local authority of any pupil who fails to attend school regularly, or has
been absent without the school’s permission for a continuous period of 10 school days or more, at such intervals as are agreed between the school and the local authority.

Where a parent notifies a school that a pupil will live at another address, all schools are required to record in the admission register:

35. the full name of the parent with whom the pupil will live;

36. the new address; and

37. the date from when it is expected the pupil will live at this address.

Where a parent of a pupil notifies the school that the pupil is registered at another school or will be attending a different school in future, schools must record in the admission register:

41. the name of the new school; and

42. the date on which the pupil first attended or is due to start attending that school.

Schools are required to notify the local authority within five days when a pupil’s name is added to the admission register. Schools will need to provide the local authority with all the information held within the admission register about the pupil. This duty does not apply to pupils who are registered at the start of the school’s youngest year, unless the local authority requests for such information to be provided.

Schools must also notify the local authority when a pupil’s name is to be deleted from the admission register under any of the fifteen grounds set out in the Education (Pupil Registration) (England) Regulations 2006 as amended, as soon as the ground for deletion is met and no later than the time at which the pupil’s name is deleted from the register. This duty does not apply where the pupil has completed the school’s final year, unless the local authority requests for such information to be provided.

A pupil’s name can only be deleted from the admission register under regulation 8(1), sub-paragraph (f)(iii) or (h)(iii) if the school and the local authority have failed to establish the pupil’s whereabouts after jointly making reasonable enquiries. Advice on carrying out reasonable enquiries can be found in the Children Missing Education guidance.

Where a school notifies a local authority that a pupil’s name is to be deleted from the admission register, the school must provide the local authority with:

or by reason of sickness or unavoidable cause or on a day exclusively set apart for religious observance by the religious body to which their parent belongs or because the school is not within walking distance of the pupil’s home and no suitable arrangements have been made by the local authority either for their transport to and from the school or for boarding accommodation for them at or near the school or for enabling them to become a registered pupil at a school nearer their home.
9 In default of such agreement, at intervals determined by the Secretary of State.


11 Where schools can reasonably obtain this information.


13 Where schools can reasonably obtain this information.


15 Regulation 8 of the Education (Pupil Registration) (England) Regulations 2006.

• the full name of the pupil;
• the full name and address of any parent with whom the pupil lives;
• at least one telephone number of the parent with whom the pupil lives;
• the full name and address of the parent with whom the pupil is going to live, and the date the pupil is expected to start living there, if applicable;
• the name of pupil’s destination school and the pupil’s expected start date there, if applicable; and
• the ground in regulation 8 under which the pupil’s name is to be deleted from the admission register.

Schools and local authorities should work together to agree on methods of making returns. When making returns, the school should highlight to the local authority where they have been unable to obtain the necessary information from the parent, for example in cases where the child’s destination school or address is unknown. Schools should also consider whether it is appropriate to highlight any contextual information of a vulnerable child who is missing education, such as any safeguarding concerns.

It is essential that schools comply with these duties, so that local authorities can, as part of their duty to identify children of compulsory school age who are missing education, follow up with any child who might be at risk of not receiving an education and who might be at risk of being harmed, exploited or radicalised.

The department provides a secure internet system – school2school – to allow schools to transfer pupil information to another school when the child moves. All local authority maintained schools are required, when a pupil ceases to be registered at their school and becomes a registered pupil at another school in England or Wales, to send a Common Transfer File (CTF) to the new school. Academies (including free schools) are also strongly encouraged to send CTFs when a pupil leaves to attend another school.

Independent schools can be given access to school2school by the department.

The school2school website also contains a searchable area, commonly referred to as the ‘Lost Pupil Database’, where schools can upload CTFs of pupils who have left but their destination or next school is unknown or the child has moved abroad or transferred to a non-maintained school. If a pupil arrives in a school and the previous school is unknown, schools should contact their local authority who will be able to search the database.

**Colleges**

Where a college is providing education for a child of compulsory school age, the college shall work collaboratively with the appropriate local authority in order to share information about the attendance and/or absences of that child as the local authority deems necessary, as set out in departmental advice Enrolment of 14 to 16 year olds in full time further education. The college should also inform the relevant local authority immediately if that child is removed from the roll so that the local authority can as part of their duty identify children of compulsory school age who are missing education.
Further information on child sexual exploitation

Child sexual exploitation is a form of sexual abuse where children are sexually exploited for money, power or status. It can involve violent, humiliating and degrading sexual assaults. In some cases, young people are persuaded or forced into exchanging sexual activity for money, drugs, gifts, affection or status. Consent cannot be given, even where a child may believe they are voluntarily engaging in sexual activity with the person who is exploiting them. Child sexual exploitation does not always involve physical contact and can happen online. A significant number of children who are victims of sexual exploitation go missing from home, care and education at some point. Some of the following signs may be indicators of sexual exploitation:

- Children who appear with unexplained gifts or new possessions;
- Children who associate with other young people involved in exploitation;
- Children who have older boyfriends or girlfriends;
- Children who suffer from sexually transmitted infections or become pregnant;
- Children who suffer from changes in emotional well-being;
- Children who misuse drugs and alcohol;
- Children who go missing for periods of time or regularly come home late; and
- Children who regularly miss school or education or do not take part in education.

Further information on so-called ‘honour based’ violence

So-called ‘honour-based’ violence (HBV) encompasses crimes which have been committed to protect or defend the honour of the family and/or the community, including Female Genital Mutilation (FGM), forced marriage, and practices such as breast ironing. All forms of so called HBV are abuse (regardless of the motivation) and should be handled and escalated as such. If in any doubt, staff should speak to the designated safeguarding lead. Professionals in all agencies, and individuals and groups in relevant communities, need to be alert to the possibility of a child being at risk of HBV, or already having suffered HBV.

Indicators

There are a range of potential indicators that a child may be at risk of HBV. Guidance on the warning signs that FGM or forced marriage may be about to take place, or may have already taken place, can be found on pages 38-41 of the Multi agency statutory guidance on FGM (pages 59-61 focus on the role of schools and colleges) and pages 13-14 of the Multi-agency guidelines: Handling case of forced marriage.

Actions

If staff have a concern regarding a child that might be at risk of HBV, they should activate local safeguarding procedures, using existing national and local protocols for multi-agency
liaison with police and children’s social care. Where FGM has taken place, since 31 October 2015 there has been a mandatory reporting duty placed on teachers\textsuperscript{17} that requires a different approach (see following section).

### FGM mandatory reporting duty

FGM comprises all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs. It is illegal in the UK and a form of child abuse with long-lasting harmful consequences.

Section 5B of the Female Genital Mutilation Act 2003 (as inserted by section 74 of the Serious Crime Act 2015) places a statutory duty upon teachers along with regulated health and social care professionals in England and Wales, to report to the police where they discover (either through disclosure by the victim or visual evidence) that FGM appears to have been carried out on a girl under 18. Those failing to report such cases will face disciplinary sanctions. It will be rare for teachers to see visual evidence, and they should not be examining pupils, but the same definition of what is meant by “to discover that an act of FGM appears to have been carried out” is used for all professionals to whom this mandatory reporting duty applies. Information on when and how to make a report can be found at [Mandatory reporting of female genital mutilation procedural information](#).

Teachers must personally report to the police cases where they discover that an act of FGM appears to have been carried out.\textsuperscript{18} Unless the teacher has a good reason not to, they should also still consider and discuss any such case with the school or college’s designated safeguarding lead and involve children’s social care as appropriate. The duty does not apply in relation to at risk or suspected cases (i.e. where the teacher does not discover that an act of FGM appears to have been carried out, either through disclosure by the victim or visual evidence) or in cases where the woman is 18 or over. In these cases, teachers should follow local safeguarding procedures. The following is a useful summary of the FGM mandatory reporting duty: [FGM Fact Sheet](#).

### Forced marriage

Forcing a person into a marriage is a crime in England and Wales. A forced marriage is one entered into without the full and free consent of one or both parties and where violence, threats or any other form of coercion is used to cause a person to enter into a marriage. Threats can be physical or emotional and psychological. A lack of full and free consent can be where a person does not consent or where they cannot consent (if they have learning disabilities, for example). Nevertheless, some communities use religion and culture as a way to coerce a person into marriage. Schools and colleges can play an important role in safeguarding children from forced marriage.

\textsuperscript{17} Section 5B(11) of the FGM Act 2003 (as inserted by section 74 of the Serious Crime Act 2015) provides the definition for the term ‘teacher’: “teacher” means – (a) in relation to England, a person within section 141A(1) of the Education Act 2002 (persons employed or engaged to carry out teaching work at schools and other institutions in England).

\textsuperscript{18} Section 5B(6) of the Female Genital Mutilation Act 2003 states teachers need not report a case to the police if they have reason to believe that another teacher has already reported the case.
The Forced Marriage Unit has published Multi-agency guidelines, with pages 32-36 focusing on the role of schools and colleges. School and college staff can contact the Forced Marriage Unit if they need advice or information: Contact: 020 7008 0151 or email fmu@fco.gov.uk

**Further information on preventing radicalisation**

Protecting children from the risk of radicalisation should be seen as part of schools’ and colleges’ wider safeguarding duties, and is similar in nature to protecting children from other forms of harm and abuse. During the process of radicalisation it is possible to intervene to prevent vulnerable people being radicalised.

Radicalisation refers to the process by which a person comes to support terrorism and forms of extremism. There is no single way of identifying an individual who is likely to be susceptible to an extremist ideology. It can happen in many different ways and settings. Specific background factors may contribute to vulnerability which are often combined with specific influences such as family, friends or online, and with specific needs for which an extremist or terrorist group may appear to provide an answer. The internet and the use of social media in particular has become a major factor in the radicalisation of young people.

As with other safeguarding risks, staff should be alert to changes in children’s behaviour which could indicate that they may be in need of help or protection. Staff should use their judgement in identifying children who might be at risk of radicalisation and act proportionately, which may include making a referral to the Channel programme.

**Prevent**

From 1 July 2015, specified authorities, including all schools (and, since 18 September 2015, all colleges) as defined in the summary of this guidance, are subject to a duty under section 26 of the Counter-Terrorism and Security Act 2015 (the CTSA 2015), 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 applies to a wide range of public-facing bodies. Bodies to which the duty applies must have regard to statutory guidance issued under section 29 of the CTSA 2015. Paragraphs 57-76 of the Revised Prevent duty guidance: for England and Wales are specifically concerned with schools (but also cover childcare). The guidance is set out in terms of four general themes: Risk assessment, working in partnership, staff training, and IT policies.

- Schools are expected to assess the risk of children being drawn into terrorism, including support for extremist ideas that are part of terrorist ideology. This means

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19 Extremism is vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. We also include in our definition of extremism calls for the death of members of our armed forces, whether in this country or overseas.

20 According to the Prevent duty guidance ‘having due regard’ means that the authorities should place an appropriate amount of weight on the need to prevent people being drawn into terrorism when they consider all the other factors relevant to how they carry out their usual functions.

21 “Terrorism” for these purposes has the same meaning as for the Terrorism Act 2000 (section 1(1) to (4) of that Act).
being able to demonstrate both a general understanding of the risks affecting children and young people in the area and a specific understanding of how to identify individual children who may be at risk of radicalisation and what to do to support them. Schools should have clear procedures in place for protecting children at risk of radicalisation. These procedures may be set out in existing safeguarding policies. It is not necessary for schools to have distinct policies on implementing the Prevent duty.

- The Prevent duty builds on existing local partnership arrangements. For example, governing bodies and proprietors of all schools should ensure that their safeguarding arrangements take into account the policies and procedures of the Local Safeguarding Children Board. Effective engagement with parents / the family should also be considered as they are in a key position to spot signs of radicalisation. It is important to assist and advise families who raise concerns and be able to point them to the right support mechanisms. Schools should also discuss any concerns in relation to possible radicalisation with a child’s parents in line with the individual school's safeguarding policies and procedures unless they have specific reason to believe that to do so would put the child at risk.

- The Prevent guidance refers to the importance of Prevent awareness training to equip staff to identify children at risk of being drawn into terrorism and to challenge extremist ideas. Individual schools are best placed to assess the training needs of staff in the light of their assessment of the risk to pupils at the school of being drawn into terrorism. As a minimum, however, schools should ensure that the designated safeguarding lead undertakes Prevent awareness training and is able to provide advice and support to staff on protecting children from the risk of radicalisation.

- Schools should ensure that children are safe from terrorist and extremist material when accessing the internet in schools.

The department has also published advice for schools on the Prevent duty. The advice is intended to complement the Prevent guidance and signposts other sources of advice and support.

There is additional guidance: Prevent duty guidance: for further education institutions in England and Wales that applies to colleges.

The Government has launched educate against hate, a website designed to equip school and college leaders, teachers and parents with the information, tools and resources they need to recognise and address extremism and radicalisation in young people. The website provides information on training resources for teachers, staff and school and college leaders, such as Prevent e-learning, via the Prevent Training catalogue.
School and college staff should understand when it is appropriate to make a referral to the Channel programme. Channel guidance is available at: [Channel guidance](#). An e-learning channel awareness programme for staff is available at: [Channel General Awareness](#). Channel is a programme which focuses on providing support at an early stage to people who are identified as being vulnerable to being drawn into terrorism. It provides a mechanism for schools to make referrals if they are concerned that an individual might be vulnerable to radicalisation. An individual’s engagement with the programme is entirely voluntary at all stages. In addition to information sharing, if a staff member makes a referral to Channel, they may be asked to attend a Channel panel to discuss the individual referred to determine whether support is required.

Section 36 of the CTSA 2015 places a duty on local authorities to ensure Channel panels are in place. The panel must be chaired by the local authority and include the police for the relevant local authority area. Following a referral, the panel will assess the extent to which identified individuals are vulnerable to being drawn into terrorism and, where considered appropriate and the necessary consent is obtained, arrange for support to be provided to those individuals. Section 38 of the CTSA 2015 requires partners of Channel panels to co-operate with the panel in the carrying out of its functions and with the police in providing information about a referred individual. Schools and colleges that are required to have regard to Keeping children safe in education are listed in the CTSA 2015 as partners required to cooperate with local Channel panels.

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22 Guidance issued under section 36(7) and section 38(6) of the CTSA 2015.

23 Such partners are required to have regard to guidance issued under section 38(6) of the CTSA 2015 when co-operating with the panel and police under section 38 of the CTSA 2015.
Appendix 3

Part four: Allegations of abuse made against teachers and other staff

Duties as an employer and an employee

145. This part of the guidance is about managing cases of allegations that might indicate a person would pose a risk of harm if they continue to work in regular or close contact with children in their present position, or in any capacity. It should be used in respect of all cases in which it is alleged that a teacher or member of staff (including volunteers) in a school or college that provides education for children under 18 years of age has:

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

146. This part of the guidance relates to members of staff who are currently working in any school or college regardless of whether the school or college is where the alleged abuse took place. Allegations against a teacher who is no longer teaching should be referred to the police. Historical allegations of abuse should also be referred to the police.

147. Employers have a duty of care to their employees. They should ensure they provide effective support for anyone facing an allegation and provide the employee with a named contact if they are suspended. It is essential that any allegation of abuse made against a teacher or other member of staff or volunteer in a school or college is dealt with very quickly, in a fair and consistent way that provides effective protection for the child and at the same time supports the person who is the subject of the allegation.

Initial considerations

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

149. Some rare allegations will be so serious they require immediate intervention by children’s social care services and/or police. The designated officer(s) should be informed of all allegations that come to a school or college’s attention and appear to meet the criteria so they can consult police and children’s social care services as appropriate.
150. The following definitions should be used when determining the outcome of allegation investigations:

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

151. In the first instance, the headteacher or principal, or where the headteacher or principal is the subject of an allegation, the chair of governors, chair of the management committee or proprietor of an independent school (the ‘case manager’) should immediately discuss the allegation with the designated officer(s). The purpose of an initial discussion is for the designated officer(s) and the case manager to consider the nature, content and context of the allegation and agree a course of action. The designated officer(s) may ask the case manager to provide or obtain relevant additional information, such as previous history, whether the child or their family have made similar allegations previously and the individual’s current contact with children. There may be situations when the case manager will want to involve the police immediately, for example if the person is deemed to be an immediate risk to children or there is evidence of a possible criminal offence. Where there is no such evidence, the case manager should discuss the allegations with the designated officer(s) in order to help determine whether police involvement is necessary.

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

153. The case manager should inform the accused person about the allegation as soon as possible after consulting the designated officer(s). It is extremely important that the case manager provides them with as much information as possible at that time. However, where a strategy discussion is needed, or police or children’s social care services need to be involved, the case manager should not do that until those agencies have been consulted, and have agreed what information can be disclosed to the accused. Employers must consider carefully whether the circumstances of a case warrant a person

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66 Schools may wish to use the additional definition of ‘unfounded’ to reflect cases where there is no evidence or proper basis which supports the allegation being made. It might also indicate that the person making the allegation misinterpreted the incident or was mistaken about what they saw. Alternatively they may not have been aware of all the circumstances.
being suspended from contact with children at the school or college or whether alternative arrangements can be put in place until the allegation or concern is resolved. All options to avoid suspension should be considered prior to taking that step (see further information on suspension which follows).

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

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

143. In some cases, further enquiries will be needed to enable a decision about how to proceed. If so, the designated officer(s) should discuss with the case manager how and by whom the investigation will be undertaken. In straightforward cases, the investigation should normally be undertaken by a senior member of the school or college’s staff.

144. However, in other circumstances, such as lack of appropriate resource within the school or college, or the nature or complexity of the allegation, the allegation will require an independent investigator. Many local authorities already provide for an independent investigation of allegations, often as part of the personnel services that maintained schools and colleges can buy in from the authority. It is important that local authorities ensure that schools and colleges have access to an affordable facility for independent investigation where that is appropriate.

**Supporting those involved**

158. Employers have a duty of care to their employees. They should act to manage and minimise the stress inherent in the allegations process. Support for the individual is vital to fulfilling this duty. Individuals should be informed of concerns or allegations as soon as possible and given an explanation of the likely course of action, unless there is an objection by the children’s social care services or the police. The individual should be advised to contact their trade union representative, if they have one, or a colleague for support. They should also be given access to welfare counselling or medical advice where this is provided by the employer.
159. The case manager should appoint a named representative to keep the person who is the subject of the allegation informed of the progress of the case and consider what other support is appropriate for the individual. For staff in maintained schools and colleges, that may include support via the local authority occupational health or employee welfare arrangements. Particular care needs to be taken when employees are suspended to ensure that they are kept informed of both the progress of their case and current work-related issues. Social contact with colleagues and friends should not be prevented unless there is evidence to suggest that such contact is likely to be prejudicial to the gathering and presentation of evidence.

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

161. Parents and carers should also be made aware of the requirement to maintain confidentiality about any allegations made against teachers whilst investigations are ongoing as set out in section 141F of the Education Act 2002 (see paragraph 163). If parents or carers wish to apply to the court to have reporting restrictions removed, they should be told to seek legal advice.

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

Confidentiality

163. It is extremely important that when an allegation is made, the school or college makes every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered. The Education Act 2002 introduced reporting restrictions preventing the publication of any material that may lead to the identification of a teacher who has been accused by, or on behalf of, a pupil from the same school (where that identification would identify the teacher as the subject of the allegation). The reporting restrictions apply until the point that the accused person is charged with an offence, or until the Secretary of State or the General Teaching Council for Wales publishes information about an investigation or decision in a disciplinary case.

67 In deciding what information to disclose, careful consideration should be given to the provisions of the Data Protection Act 1998, the law of confidence and, where relevant, the Human Rights Act 1998.
arising from the allegation. The reporting restrictions also cease to apply if the individual to whom the restrictions apply effectively waives their right to anonymity by going public themselves or by giving their written consent for another to do so or if a judge lifts restrictions in response to a request to do so. The provisions commenced on 1 October 2012.

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

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

166. The case manager should take advice from the designated officer(s), police and children’s social care services to agree the following:

- who needs to know and, importantly, exactly what information can be shared;

- how to manage speculation, leaks and gossip;

- what, if any, information can be reasonably given to the wider community to reduce speculation; and

- how to manage press interest if, and when, it should arise.

Managing the situation and exit arrangements
Resignations and ‘settlement agreements’

167. If the accused person resigns, or ceases to provide their services, this should not prevent an allegation being followed up in accordance with this guidance. A referral to the DBS must be made, if the criteria are met – see paragraph 120. If the accused person resigns or their services cease to be used and the criteria are met, it will not be appropriate to reach a settlement/compromise agreement. A settlement/compromise agreement which prevents the school or college from making a DBS referral when the
criteria are met would likely result in a criminal offence being committed as the school or college would not be complying with its legal duty to make the referral.

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

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

Record keeping

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

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

172. The Information Commissioner has published guidance on employment records in its Employment Practices Code and supplementary guidance, which provides some practical advice on record retention.  

References

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

Timescales

174. It is in everyone’s interest to resolve cases as quickly as possible consistent with a fair and thorough investigation. All allegations should be investigated as a priority to avoid any delay. Target timescales are shown below: the time taken to investigate and resolve individual cases depends on a variety of factors including the nature, seriousness and complexity of the allegation, but these targets should be achieved in all but truly exceptional cases. It is expected that 80 per cent of cases should be resolved within one month, 90 per cent within three months, and all but the most exceptional cases should be completed within 12 months.

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

Oversight and monitoring

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

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

- liaising with the designated officer(s);
- taking part in the strategy discussion or initial evaluation;
- subsequently reviewing the progress of those cases in which there is a police investigation; and
- sharing information on completion of the investigation or any prosecution.
178. If the strategy discussion or initial assessment decides that a police investigation is required, the police should also set a target date for reviewing the progress of the investigation and consulting the Crown Prosecution Service (CPS) about whether to: charge the individual; continue to investigate; or close the investigation. Wherever possible, that review should take place no later than four weeks after the initial evaluation. Dates for subsequent reviews, ideally at fortnightly intervals, should be set at the meeting if the investigation continues.

**Suspension**

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

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

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

- redeployment within the school or college so that the individual does not have direct contact with the child or children concerned;

- providing an assistant to be present when the individual has contact with children;
redeploying to alternative work in the school or college so the individual does not have unsupervised access to children;

moving the child or children to classes where they will not come into contact with the member of staff, making it clear that this is not a punishment and parents have been consulted; or

temporarily redeploying the member of staff to another role in a different location, for example to an alternative school or college or work for the local authority or academy trust.

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

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

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

179. Children’s social care services or the police cannot require the case manager to suspend a member of staff or a volunteer, although they should give appropriate weight to their advice. The power to suspend is vested in the proprietor of the school, or governing bodies of the school or college who are the employers of staff at the school or college. However, where a strategy discussion or initial evaluation concludes that there should be enquiries by the children’s social care services and/or an investigation by the police, the designated officer(s) should canvass police and children’s social care services for views about whether the accused member of staff needs to be suspended from contact with children in order to inform the school or college consideration of suspension.

Police involvement does not make it mandatory to suspend a member of staff; this decision should be taken on a case-by-case basis having undertaken a risk assessment.
Information sharing

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

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

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

Specific actions
Following a criminal investigation or a prosecution

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

On conclusion of a case

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

181. There is a legal requirement for employers to make a referral to the DBS where they think that an individual has engaged in conduct that harmed (or is likely to harm) a child; or if a person otherwise poses a risk of harm to a child. See paragraph 120.

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

In respect of malicious or unsubstantiated allegations

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

Learning lessons

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

Further information

## Equality Impact: (A) Assessment Screening

**Name of Policy:** Safeguarding Children Vulnerable Adults Policy  
**Date:** September 2014

To be completed when submitted policy

### Person responsible for the assessment:

<table>
<thead>
<tr>
<th>Name:</th>
<th>Deborah Cummings</th>
</tr>
</thead>
<tbody>
<tr>
<td>Job Title:</td>
<td>Assistant Principal</td>
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</tbody>
</table>

### Does the document/guidance affect one group less or more favourably than another on the basis of:

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<thead>
<tr>
<th></th>
<th>Yes/No</th>
<th>Comments</th>
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<tr>
<td>Ethnic origins (including gypsies and travellers)</td>
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<td>Nationality</td>
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<tr>
<td>Gender (including gender reassignment)</td>
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<td>Culture</td>
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<td>Religion or belief</td>
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<td>Age</td>
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<td>Disability (learning disabilities, physical disability, sensory impairment and mental health problems)</td>
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<td>Is there any evidence that some groups are affected differently?</td>
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<tr>
<td>If you have identified potential discrimination, are there any valid exceptions, legal and/or justifiable?</td>
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<tr>
<td>Is the impact of the document/guidance likely to be negative?</td>
<td>☐ Yes ☐ No</td>
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<tr>
<td>If so, can the impact be avoided?</td>
<td>☐ Yes ☐ No</td>
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<tr>
<td>What alternative is there to achieving the document/guidance without the impact?</td>
<td>☐ Yes ☐ No</td>
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<tr>
<td>Can we reduce the impact by taking different action?</td>
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<td>NA</td>
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If you answered **NO** to all the above questions, the assessment is now complete, and no further action is required.

If you answered **YES** to any of the above please complete the  
**Equality Impact: (B) Full Analysis**

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Created by: Lynda Rose  
D Cummings  
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